

# Benue State of Nigeria Gazette

## **A LAW TO MAKE PROVISION FOR THE ESTABLISHMENT OF THE BENUE STATE PERSONS WITH DISABILITIES RIGHTS COMMISSIONS, 2025**

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## **ARRANGEMENT OF SECTIONS**

### **PART I -PRELIMINARY**

1. Citation and Commencement
2. Interpretation

### **PART II - ESTABLISHMENT OF BENUE STATE DISABILITY RIGHTS COMMISSION**

3. Establishment of the Commission
4. Establishment of the Council.
5. Tenure of office and remuneration of members.
6. Proceedings of the Council.
7. Powers of the Council.
8. Appointment of the Chairman of the Commission.
9. Secretary of the Commission and the Council.
10. Disclosure of interest
11. Structure of the Commission.
12. Liaison offices
13. Functions of the Commission.
14. Powers of the Commission.
15. Other Staff of the Commission.
16. Establishment of the Fund of the Commission.
17. Management of the Fund.
18. Application of the Fund.
19. Annual Report and Audit.

### **PART III - PROHIBITION OF DISCRIMINATION AND HARMFUL PRACTICES**

20. Prohibition of Discrimination and Harmful Practices.

### **PART IV - ACCESSIBILITY OF PHYSICAL STRUCTURES**

21. Right to Access public premises
22. Accessibility aids in public buildings
23. Private homes
24. Accessibility to roads and side walks
25. Transitory Period
26. Building plan
27. Complaints of inaccessibility.

**PART V - TRANSPORTATION**

28. Accessibility of modes of Transportation
29. Waiver of charges on assistive devices.
30. Reservation of parking space.
31. Special safety briefing of persons with disabilities.

**PART VI - PERSONS WITH DISABILITIES**

32. Duties of parents, guardians and Government.
33. Information and support for children.
34. Prohibition on separation of children from parents
35. Best interest of child.
36. Situation of risk and humanitarian emergencies.

**PART VII - LIBERTY AND DIGNITY OF HUMAN PERSONS**

37. Abuse and misuse of disability or persons with disabilities.
38. Protection of integrity.

**PART VIII - ACCESSING INFORMATION AND COMMUNICATING  
IN APPROPRIATE FORMAT.**

39. Accessing information in appropriate format.
40. Right to communication in sign language.

**PART IX - MARRIAGE, FAMILY AND PRIVACY**

41. Right to marry
42. Right to privacy

**PART X - EDUCATION**

43. Right and access to education.
44. Inclusiveness of education

**PART XI - HEALTH**

45. Right to health
46. Certificate of disability.
47. Unlawful procurement of Certificate of disability
48. Provision of assistive services at hospitals.

**PART XI - WORK AND EMPLOYMENT**

49. Equal right to work
50. Prohibition of discrimination

A3

Benue State of Nigeria, Gazette No. 34 Vol. 50 21st August, 2025 Supplement Part A

**PART XIII - ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION**

51. Accommodation

**PART XIV - PARTICIPATION IN POLITICS**

52. Participation in politics.

**PART XV - LEGAL SUPPORT**

53. Free legal aid services

**PART XVI - OFFENCES AND PENALTIES**

54. Approval in contravention of building code offences.

55. Anti-discrimination and harmful practice offences

56. Non-compliance by relevant authority to notice for accessibility offences.

57. Non reservation offences

58. Abuse and misuse of disability related offences.

59. Offences on discrimination in employment.

**PART XVII - MISCELLANEOUS**

60. Power to make regulations.

61. Limitation of Action

62. Pre-action Notice

A LAW TO MAKE PROVISION FOR THE ESTABLISHMENT OF THE  
BENUE STATE PERSONS WITH DISABILITIES RIGHTS COMMISSION,  
2025

**PART 1-PRELIMINARY**

**ENACTED by the Benue State House of Assembly as follows;**

1. This Law may be cited as Benue State Persons with Disabilities Rights Commission (Establishment) Law, 2025 and shall come into force on the of 2025.

Citation and  
Commencement

2. In this Law, unless the context otherwise requires-

Interpretation

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

**“Accessible Format”** includes Braille, large print, audio, video, electronic display, sign language, multimedia, and any other forms of communication used by persons with different disabilities;

**“Assistive Device”** means any device that assists, increase or improves the functional capabilities of a person with disability;

**“Attorney-General”** means the Attorney-General of the State;

**“Augmentative/Alternative Communication”** means the art of compensating temporary or permanent activity limitation and participation restriction of an individual with severe disorder of speech-language production and/or comprehension, with understanding/hearing aid or assistance including spoken and written modes of communication;

**“Auxiliary aids and services”** include

- (a) effective methods of making aurally delivered materials available to individuals with hearing impairments through qualified interpreters,

- (b) taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments, **B5**
- (c) acquisition or modification of artificial body-parts, equipment or devices to aid mobility or use of lost body-parts, and
- (d) other similar services and actions;

**“Council”** means the governing Council established under section 4 of this Law

**“Close caption”** means service for persons with hearing impairments that translates television programme dialogue into written words;

**“Commission”** means the Benue State Persons with Disabilities Commission.

**“Communication disability”** means the kind of disability that affects the natural means of communication of a person this includes but is not limited to deafness and blindness;

**“Contact lenses or ordinary eyeglasses”** means lenses that are intended to fully correct visual acuity or eliminate refractive error;

**“Dehumanizing”** means any degrading act or omission;

**“Disability”** means, with respect to an individual, with permanent loss in function of a particular body part owing to a physical, sensory or mental impairment that substantially limits one or more major life activities such as not being- able to care for oneself, emotionally responsive, performing manual tasks, seeing, walking, hearing, eating, sleeping, standing, grasping, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working and any other matter connected therewith

Provided that-

A6.

Benue State of Nigeria, Gazette No. 34 Vol. 50 21st August, 2025 Supplement Part A

- a) an impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability,
- b) an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity, the determination of whether impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as
  - (i) medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including artificial limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies,
  - (ii) use of assistive technology,
  - (iii) reasonable accommodations or auxiliary aids or services, or
  - (iv) learned behavioural or adaptive neurological modifications,
- (d) the ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether impairment substantially limits a major life activity;

**“Employer”** means a person or company in the private or public sector that provides employment.

**“Employment”** means employment as defined by the International Labour Organization.

**“Environment”** includes but is not limited to building, roads, side-walks, pedestrians’ crossings, open spaces;

**“Experience and passion”** mean knowledge of, or skill in and enthusiasm for, disability issues gained through involvement in, or exposure to such issues.

**“Fund”** means the fund of the Agency established under section 3 of this Law;

**“Government”** means the Benue State Government;

**“Governor”** means the Governor of Benue State;

**“House of Assembly”** means Benue State House of Assembly;

**“Low-vision devices”** means devices that magnify, enhance, or otherwise augment a visual image

**“MDAs”** means Ministries, Departments and Agencies established by the State;

**“Media houses”** means electronic and print media;

**“Multiple disabilities”** means more than one category of disabilities occurring in a person’s life;

**“Private house owners”** includes Landlord/Landlady, his lawful agent and heir in title;

**“Public Building”** means a building owned or used by government or government Office, or a building available for the use of members of the public;

**“Relevant Authority”** means the person, natural or artificial, or body including ministry whose duty it is to take an action that is in issue;

**“Roads”** refer to state and local government roads;

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

**“State”** means Benue State of Nigeria;

**“JONAPWD”** means Joint National Association of Persons with Disabilities, Benue State Chapter.

**“Transportation”** to include Air, Road, Rail and Water

**PART II**  
**ESTABLISHMENT OF THE COMMISSION**

3(1) There is established a Commission to be known as the Benue State Disability Rights Commission under the office of the Governor. The Commission shall-

*Establishment of the Commission*

- (2) (a) be a body corporate with perpetual succession and a common seal;
- (b) have power to sue and be sued in its corporate name; and
- (c) hold, acquire and dispose of any property or interest in property, movable and immovable.
- (3) The Head Office of the Commission shall be in the State Capital, with liaison offices in each Local Government Council of the State.

There is established for the Commission a Governing Council which shall be responsible for the administration of the Commission

4(1) The Council shall comprise of the following -

*Establishment of the Council*

- a) the Chairman of the Council;
- b) the Secretary of the Commission;
- c) three (3) representatives from the Joint National Association of Persons with Disabilities, (JONAPWD) Benue State Chapter, cutting across different clusters;
- (2)
  - d) one representative of civil society organizations
  - e) a representative from the Christian Association of Nigeria (CAN);
  - f) one representative from the organized private sector; and
  - g) one representative each from the following Ministries who shall not be below the rank of Assistant Director;
    - i.) Ministry of Women Affairs and Social Development
    - ii.) Ministry of Justice;
    - iii.) Health and Human Services;
    - iv.) Urban Development Agency
    - v.) Information and Orientation
    - vi.) Education and Knowledge Management
    - vii.) Ministry of Youth, Sports and Creativity
    - viii.) Ministry of Transportation.
    - ix.) Ministry of Humanitarian Affairs
    - x). Rehabilitation Board
    - xi). Human Rights Commission.

(3) For the purpose of this Law any reference to the Ministries as Section 4(2)(g)i-xi above shall be deemed to include any successor Ministry or Agency responsible for the area of responsibility regardless of any future changes to the Ministry's name or structure.

(4) The Chairman and other members of the Council shall be appointed by the Governor subject to confirmation by House of Assembly, provided they shall be persons with experience and passion for disability issues.

5(1) All members of the Council except the Chairman of the Commission shall be appointed to serve on part-time basis.

*Tenure of office  
and remuneration  
of members*

(2) The Chairman and other members of the Council shall-

- a) hold office for four (4) years and may be re-appointed for only one more term; and
- b) be paid such remuneration and accorded such benefits as applicable to other Agencies.
- c) the Chairman shall be a person with disability.

6(1) The Council shall regulate its own proceedings but shall meet at least once every quarter.

*Proceedings and  
Quorum*

(2) The quorum at the meeting of the Council shall be 2/3 of its members, provided that all members of the Council are given at least seven days' notice in writing of the said meeting as directed by the Chairman.

(3) The validity of proceedings of the Council shall not be affected by:

- (a) any vacancy in its membership;
- (b) any defect in the appointment of a member; or
- (c) reason of the fact that a non-member of the Council was duly invited to take part in the proceedings.

(4) In the absence of the Chairman, members present shall appoint a member to preside over the meeting.

7 The Council shall have powers to:

- a) manage and superintend over the affairs of the Commission;
- b) make policies, rules and regulations, and issue directives for the effective running of the Commission;

*Powers of the  
Council*

- c) enter into such contracts as may be necessary or expedient for the discharge of its functions, and ensure that such contracts are fully and efficiently executed;
- d) ensure the efficient performance of the functions of the Commission; and
- e) generate, receive, disburse and account for funds accruing to the Commission.

8(1) There shall be an officer to be known as the Chairman, who shall be appointed by the Governor subject to the confirmation by the House of Assembly.

*Appointment of the  
Chairman of the  
Commission*

(2) The Chairman shall be-

- (a) a qualified person with disability and cognate experience in disability issues.
- (b) the Chief Accounting Officer of the Commission;
- (c) a member of the Council and shall have responsibility for implementation of the decision of the Council;
- (d) responsible for general administration and implementation of the policies of the Commission; and
- (e) assisted in the discharge of his duties by such officers as he may require from time to time, provided that at least 1/3 of staff of the Commission shall be persons with disabilities.

9(1) There shall be a Secretary of the Commission who shall also be the Secretary to the Council

*Secretary of the  
Commission and  
Council*

(2) The Secretary shall be a Civil Servant with disability not below the rank of Assistant Director with Cognate experience in disability issues

(3) The Secretary to the Commission shall-

- a) Serve as the secretary to the Council and the administrative officer of the Commission and take directives from the Chairman;
- b) arrange meetings of the Council, prepare the agenda and minutes of such meetings;
- c) convey decisions of the Council to its members; and
- d) perform all other duties affecting the Council as may be assigned to him by the Chairman.

10 Any member of the Council who has a personal interest in any contract or transaction entered into or proposed to be considered by the Council shall immediately declare his interest to the Council and shall not vote on any deliberation relating to such contract or transaction.

*Disclosure of Interest*

11(1) There shall be in the Commission the following Departments-

- (a) administration;
- (b) social development, orientation and inclusion;
- (c) Legal
- (d) planning, research and statistics;
- (e) health and medical rehabilitation and appliances;
- (f) media and communication; and
- (g) accounts and finance.

*Structure of the Commission*

(2) The Commission may, with the approval of the Council, increase or decrease the number of departments as may be necessary.

(3) There shall be liaison office with desk officers in each Local Government Council in the State.

*Liaison Office*

12 The Commission shall perform the following functions-

*Function of the Commission*

- (1) Issue guidelines for education, social development, sports, culture and welfare of persons with disabilities;
- (2) Receive complaints from persons with disabilities on the violation of any of their rights;
- (3) Register, coordinate, and support Joint National Association of persons with disability (JONAPWD) or any other umbrella association that may represent it in the future and that is legally registered.
- (4) Educate the public on the right attitude towards persons with disabilities;
- (5) Using International Best practices to collate, store and use data for proper planning and policy making for persons with disabilities and ensure proper Government policies,
- (6) Implement international best practices relating to disability matters in MDAs,
- (7) Design and issue customized insignias to be used at parking lots;
- (8) Undertake measures to ensure that persons with disabilities who have the requisite qualifications and competence are employed in the workforce of the public and private sector;

(9) Keep and maintain records of persons with disabilities who are graduates with a view of getting job placements for them, in the absence of which after two years, they can be retrained and empowered to be self-employed.

(10) Make information available in accessible formats for persons with disabilities in collaboration with relevant stakeholders; and make Sign Language -based and interpreter services available for major state government, programmes, hospitals and schools to enable deaf person's access information, participate and benefit from services on equal basis with others.

*Functions of the Commission*

13 In the exercise of its functions under this Law, the Commission shall have powers to-

*Powers of the Commission*

- (1) Accept gifts of land, money or other properties on such terms and conditions, as may be specified by the person or organization making the gift, provided that such terms and conditions are not illegal or inconsistent with the provisions of the Law;
- (2) Borrow, from time to time with the approval of the Council, such sums as may be required for the execution of its projects.
- (3) Issue and monitor codes and directives for medical services, structural designs and buildings, in collaboration with relevant stakeholders, to make them accessible to and usable by persons with disabilities;
- (4) Monitor and investigate all alleged violation of rights of persons with disabilities in Benue State and make recommendations to appropriate authorities for such actions as it may deem expedient in each circumstance;
- (5) Issue and revoke certificates of Disability (temporary or permanent);

14(1) The Commission with the approval of the Governor shall have power to appoint, recruit, promote, train and discipline such other staff as it may require for the discharge of its functions under this law.

*Other Staff of the Agency*

- (2) Condition of Service under the Commission shall be same as is obtainable in the equivalent sector in the state public service and shall be approved service for pension purposes.

**FINANCIAL PROVISIONS**

15(1) The Commission shall establish and maintain a Disability Trust fund from which shall be defrayed all expenditure incurred by it.

*Establishment  
of the Fund of the  
Commission*

(2) There shall be paid and credited to the Fund, established pursuant to sub-section (1) above-

- (a) All allocations to the Commission from the State;
- (b) 1% deducted from the allocation of the Local Government Council.
- (c) Such monies as may from time to time be granted or received from:
  - (i) Organized private sector;
  - (ii) International donor organizations; and
  - (iii) non-governmental organizations;
- (d) all monies raised by way of gifts, grants and aids or otherwise;
- (e) all other assets that may from time to time accrue to the Commission.

16 The Fund shall be managed in accordance with the rules made by the Council and without prejudice to the generality of the powers to make rules under this sub-section, the rules shall particularly contain the following provisions-

*Management  
of the Fund*

- (a) the manner in which the assets or funds of the Commission are to be held and regulating payments into and out of the Fund; and
- (b) requirements for the keeping of proper accounts and records for the purposes of the Fund in such form as may be specified in the rules.

17(1) The Commission shall apply its finances strictly in compliance with the budgetary provisions approved for the Commission

*Application of  
the Fund*

- (2) The Commission shall apply the proceeds of the funds to:
- (a) the cost of administration of the Commission
  - (b) the payment of salaries, fees, remunerations, allowances, to the members of the Commission and the employees of the Commission;
  - (c) the payment for all contracts including mobilization, fluctuations, variations, legal fees, and cost on contract administration;
  - (d) the payment for all purchases; and
  - (e) undertaking such other activities as are connected with all or any of the functions of the Commission under this law.

- 18(1) The Council shall prepare and submit to the Governor not later than three (3) months after the end of each financial year-
- (a) a copy of the audited account of the Commission;
  - (b) a copy of the Annual General Report and full report of the External Auditor's Report of the year thereof;
- (2) The Commission shall cause the audited account and the annual report of the Commission to be published in the State Official Gazette after complying with subsection (1) of this Section and such shall be made available on reasonable demand.

*Annual Report  
and audit*

### **PART III PROHIBITION OF DISCRIMINATION AND HARMFUL PRACTICES**

- 19(1) Persons with disabilities shall not be discriminated against on the ground of his or her disability by any person or institution in any manner or circumstances whatsoever.
- (2) Persons with disabilities shall not be subjected to prejudices or dehumanizing act, including those based on gender, work, age or tradition in any area of life.

*Prohibition of  
Discrimination  
and Harmful  
Practices*

### **PART IV ACCESSIBILITY OF PHYSICAL STRUCTURES**

- 20 A person with disability shall have the right and necessary facilities to access physical environment and buildings.
- 21 No public building shall be constructed in the state without the necessary access facilities such as lifts (where necessary), supporting hand rails and ramps etc to make them accessible to and usable by persons with disabilities including wheelchairs users and the visually impaired;
- 22(1) A private house owner shall-
- (a) Include necessary access facilities to his apartment to enable people with disability access the structure.
  - (b) Allow a person with disability lawfully occupying the private owner's house as a tenant to make such access-related modifications to the building as would allow the person access his apartment during the tenancy period, provided he/she is acting in good faith and has obtained the consent of the private house owner and such consent not to be unreasonably withheld;

*Right to access  
public premises*

*Accessibility  
aid in Public  
buildings*

*Private Houses*

- (c) Allow a deaf or hearing-impaired person to install such appropriate devices in his/her apartment to facilitate his/her consciousness of alerts and information, and shall communicate in a form that addresses his/her challenges;
- (d) Allow persons with disabilities who can afford the rent to take such premises without discrimination.

23 Roads, side-walks, pedestrian crossings and all other facilities made for public use shall be made accessible to and usable by persons with disabilities including wheelchair users and the visually impaired persons.

*Accessibility to roads and sidewalk*

24 From the date of the commencement of this Law, there shall be a transitory period of 5 years within which all public buildings and structures, whether movable or immovable, which were inaccessible to persons with disabilities shall be modified to be accessible to and usable by all persons with disabilities.

*Transitory period*

25(1) Before erecting any public or private structure, its plan shall be scrutinized by the relevant authority to ensure that the plan conforms to the building code.

*Building Plan*

(2) No Government or Government agency, or body or individual responsible for the approval of building plan shall approve plan of a public or private building if the plan does not make provision for accessibility facilities in line with building code referred to in Section 13(3) of this law.

26 Subject to Section 19 of this law, in the event of existence of a state of inaccessibility or barrier to access of a person with disability to the environment that he/she has a right or duty to access, he may, without prejudice to his right to seek redress in court, notify the Commission which shall within 48 hours notify the relevant authority to take immediate and necessary action to remove the barrier and make the environment accessible to the person with disability.

*Complaint of Inaccessibility*

## **PART V TRANSPORTATION**

27(1) All transport service providers shall make provisions for lifts, ramps and other accessibility aids to enhance the accessibility of all modes of transportation, rails stations, airport, parks and bus-stops to persons with disabilities including those on wheelchairs.

*Accessibility of modes of Transportation*

- (2) Every commercial vehicle shall have audible announcement and visual display of its routes.
- (3) All transport service providers shall make available and mark appropriately at least one (1) out of every ten (10) seats in a public bus for use of persons with disabilities.
- 28 Wheelchairs, crutches, guide canes (for the visually impaired), hearing aids, calipers, and any other braces, mobility aids and appliances or assistive devices used by persons with disabilities shall not be subjected to charges, provided they are not carried in commercial quantities and for commercial purposes. *Waiver of Charges on Assistive devices*
- 29 (1) At public parking lots, suitable spaces shall be properly marked and reserved for persons with disabilities. *Reservation of parking space*
- (2) For a person with disability to be entitled to the use of the reserved space mentioned in subsection (1) of this section, his car shall have been properly identified with the necessary insignia or stickers.
- 30 Any general information shall be translated into the accessible format appropriate to the person with disability present. *Special safety brief of persons with disabilities*

## **PART VI PERSON WITH DISABILITIES**

- 31(1) Government shall take all appropriate measures to ensure:
- (a) the full development, advancement and empowerment of women and girls with disabilities for the purpose of guaranteeing them the exercise and enjoyment of all the rights and privileges provided for in this Law;
- (b) provision of special and comprehensive ante-natal and postnatal services for the benefit of women with disabilities.
- (2) Government shall ensure that children with disabilities, both within and outside the home, are free from all forms of discrimination, neglect, exploitation, violence and abuse, including gender-based.
- (3) Government shall ensure that children with disabilities shall get educated to at least the completion of tertiary institutions. *Duties of Parents, Guardians and Government*

- (4) Government shall also take all appropriate measures to prevent all forms of discrimination, neglect, exploitation, violence and abuse by ensuring appropriate forms of gender and age sensitive assistance and support for persons with disabilities and their families and care-givers, including the provision of information and education on how to avoid, recognize and report instance of neglect, exploitation, violence and abuse.
- (5) To prevent the occurrence of all forms of discrimination, neglect, exploitation, violence and abuse, all facilities and programmes designed to serve persons with disabilities shall be effectively monitored by the Commission.
- (6) Government shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become survivors of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the persons and takes into account gender and age-specific needs.
- 32 The Commission shall undertake to provide early and comprehensive information, services and support to children with disabilities. *Information and support for children*
- 33(1) Subject to Subsection (2) of this section no child shall be separated from his/her parents on the basis of a disability of either or both parents. *Prohibition of separation of children from parents*
- (2) For the purposes of medical treatment or rehabilitation, a child with disability may be temporarily separated from his or her parents subject to the consent of the said parents or order of court where necessary.
- (3) No child with disability of primary school age shall be separated from his/her parent(s) or guardian(s), or reside in a boarding facility for the purpose of acquiring education, without the approval of the Agency.

34 In all matters concerning children with disabilities, the best interests of the child shall be the primary consideration.

*Best Interest of  
the Child*

35 In all situations of risk, including situations of violence, emergencies and the occurrence of natural disasters:

*Situation of risk  
and humanitarian  
emergencies*

- a) Government shall take all necessary steps to ensure the safety and protection of persons with disabilities taking cognizance of their peculiar vulnerability;
- b) individuals who are in the position shall accord persons with disabilities the maximum assistance within their ability.

## **PART VII LIBERTY AND DIGNITY OF HUMAN PERSONS**

36 No person shall-

- (a) Employ, use or involve a person with disability in begging;
- (b) Parade persons with disabilities in public with intention of soliciting alms;
- (c) Deceptively disguise as a person with disability; or
- (d) Use condition of disability as a decoy for the purpose of begging in public.

*Abuse and  
misuse of disability  
or persons with  
disabilities*

37 Every person with disability has a right to respect for his or her physical and mental integrity.

*Protection of  
Integrity*

## **PART VIII ACCESSING INFORMATION AND COMMUNICATION IN APPROPRIATE FORMAT**

38 (1) Persons with disabilities shall have freedom of expression and opinion including the freedom to seek, receive and impart information and ideas on an equal basis with others and through appropriate means of communication.

*Accessing  
Information in  
appropriate  
format*

(2) Governments and persons, whether natural or artificial, shall-

- (a) Provide information intended for general public to Persons with disabilities in accessible formats and technologies appropriate to the different kinds of special needs without additional cost;
- (b) Accept and facilitate the use of sign language, Braille, augmentative and alternative communication, and all other means of special communication in all interactions.

39 (1) The State shall recognize Sign Language as an official language in the State, being the primary mode of communication for deaf citizens.

*Right to Communicate in sign Language*

(2) Major news and programmes presented via State owned television shall also run in Sign-Language and sub-titled.

### **PART IX MARRIAGE, FAMILY AND PRIVACY**

*Right to Marry*

40 There shall be no discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationship provided that the person is of marriageable age.

41 Persons with disability, regardless of place of residence or living arrangements, shall not be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence or other type of communication or to unlawful attacks on his or her honour and reputation.

*Right to Privacy*

### **PART X EDUCATION**

42 (1) Every person with disability shall be entitled to basic qualitative education and vocation skills in public schools up to Secondary level and have an unfettered access to education without discrimination or segregation in any form which shall be funded from the Disability Trust Fund.

*Right and Access to Education*

(2) Persons with disabilities shall be entitled to basic and qualitative education.

(3) The Commission shall seek the assistance of the Benue State Universal Education Board and other relevant Agencies and institution to ensure that schools both primary and secondary are inclusive.

43 (1) All schools, whether primary, secondary or tertiary shall be run to be inclusive of and accessible to persons with disabilities, accordingly every school shall have

*Inclusiveness of Education*

(a) At least a trainer 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.

### **PART XI - HEALTH**

*Right to Health*

- 44 (1) Government shall guarantee that persons with disabilities have unfettered free access to adequate health care without discrimination on the basis of disabilities provided that the person has a temporary or permanent certificate of disability.
- (2) Every person with disability shall have free access to appropriate health products like health insurance.

- 45 (1) Every person with disability shall obtain a Permanent Certificate of disability from the Commission without cost.
- (2) Where a doctor confirms a person as person with disability in the cause of treatment of the person who hitherto was not a person with disability, the doctor may with the approval of the Commission 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 Commission on the recommendation of a doctor shall issue the person a permanent certificate of disability, which shall last as long as the state of the disability persists.
- (4) Any person issued with a permanent certificate of disability, shall be entitled to all the rights and privileges in this Law.

*Certificates of disability*

- 46 Any person who unlawfully issues or unlawfully obtains certificate of disability shall be deemed to have committed forgery and as such will be prosecuted pursuant to the provisions of the Criminal Code Law.

*Unlawful Procurement of Certificate of disability*

- 47 Any public hospital in the state where a person with disability is medically attended to may provide assistive services such as Sign Language interpretation for the hearing impaired.

*Provision of Assistive Service at Hospital*

### **PART XII WORK AND EMPLOYMENT**

- 48 (1) Persons with disabilities shall have the right to work on an equal basis with others; this includes the right to opportunity to gain a living by work freely chosen or accepted in the labor market and work environment that is open.

*Equal right to work*

(2) All employers of Labor in public organizations shall, as much as possible, have persons with disabilities constituting at least 5% of their employment.

*Right to  
Communicate  
in sign  
Language*

49 No employer or his agent or purported agent shall discriminate against a person with disability in any manner whatsoever and in particular but not limited to:

*Prohibition of  
Discrimination*

- (a) job application procedures;
- (b) the terms and conditions of employment;
- (c) denying the employee access or limiting the employment;
- (d) on-the job training;
- (e) accommodation, where applicable;
- (f) employment compensation;
- (g) dismissal mainly on the ground of disability; or
- (h) subjecting the employee to any other detriment.

### **PART XIII ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION**

50 Where 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 equal opportunities.

*Accommodation*

### **PART XIV PARTICIPATION IN POLITICS AND PUBLIC LIFE**

51(1) The Commission shall encourage persons with disabilities to fully participate in politics and public life.

*Participation in  
politics*

(2) Government shall actively promote an environment in which persons with disabilities can effectively and fully participate in conduct of public affairs and administration of political parties without discrimination

### **PART XV LEGAL SUPPORT SERVICES**

52 Any person with disability shall have access to government pro bono legal aid services upon application to the Attorney-General, if the person is unable to afford a counsel for his or her own defense. Non-governmental organizations and public interest organizations are by this legislation empowered to operate and provide pro bono legal support services to persons with disabilities in need of such services.

*Free legal  
aid services*

**PART XVI**  
**OFFENCES AND PENALTIES**

- 53 Any officer or officers who approve(s) or direct(s) the approval of a building plan that contravenes the building code referred to in Section 13(3) of this law shall be liable on conviction to a fine of a minimum of One Million Naira (₦1,000,000) or community service or both such fine and community service as the court may deem appropriate.
- 54 Any person who contravenes subsections (1) and (2) of Section 19 of this law commits an offence and is liable on conviction to:
- (a) if a corporate body, a minimum nominal damage of one million, five hundred thousand Naira (₦1,500,000) payable to the Commission; or
  - (b) if an individual, a minimum nominal damage of five hundred thousand Naira (₦500,000) payable to the Commission or community service as the court may deem appropriate in the circumstance.
- 55 Any relevant authority in charge who receives the notice in subsection (1) of Section 26 but fails to comply, commits an offence and shall be liable to -
- (a) if a corporate body, one million Naira (₦1,000,000) damages payable to the Commission; or
  - (b) if an individual, five hundred thousand Naira (₦500,000) damages payable to the Commission or community service or both.
- 56 (1) A person, organization or corporate body in control of a public parking lot who fails to provide for the reserved spaces mentioned in subsection (1) of Section 29 commits an offence and is liable on conviction to a fine of ten thousand Naira (₦10,000) for each day of default.
- (2) A person without disability who parks a vehicle in the reserved space mentioned in subsection (1) of Section 29 commits an offence and is liable on conviction to a fine of one hundred and fifty thousand Naira (₦150,000)
- (3) A person who unlawfully obstructs the reserved space mentioned in subsection (1) of Section 29 commits an offence and is liable on conviction to a fine of fifty thousand Naira (₦50,000).

*Approve in  
contravention  
of building  
code offences*

*Noncompliance  
relevant authority  
to notice for  
accessibility  
offences*

*Non reservation  
offences*

(4) Subsection (2) of this section does not apply if a person with disability is a passenger in the vehicle.

57 Any person in contravention of Section 36 of this Law shall be liable to Community Service as the court may deem appropriate or a fine of one million Naira (₦1,000,000)

*Abuse and  
Misuse of  
disability  
offence*

58 (1) A person who contravenes Section 49 of this law commits an offence and is liable on conviction to nominal damages of a minimum of five hundred thousand Naira (₦500,000) payable to the affected person with disability.

*Offences on  
discrimination in  
employment*

(2) Where a company contravenes the provisions of section 49 of this Law-

(a) The company is liable to nominal damages of a minimum of two million, five hundred thousand Naira (₦2,500,000) payable to the affected person with disability; and

(b) any principal officer of the company involved in the violation is liable to five hundred thousand Naira (₦500,000) damages payable to the affected person with disability.

## **PART XVII MISCELLANEOUS**

59 The Board may with the approval of the Governor, make regulations generally for the purpose of giving full effects to this Law.

*Power to make  
regulations*

60 No member of staff of the Commission shall be sued in his personal capacity for any act or commission done in the lawful performance of his duties under this Law.

*Limitation of  
Action*

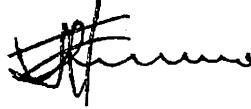
61. No Suit shall be commenced against the Commission before the expiration period of thirty (30) days after a written notice of intention to institute action shall have been served on the Commission by the intending Plaintiff or his Agent.

*Pre-action  
Notice*

A24.

Benue State of Nigeria, Gazette No. 34 Vol. 50 21st August, 2025 Supplement Part A

This printed impression has been carefully compared by me with the Bill which was passed by the State Legislature and it is a true and correctly printed copy of the said Bill.



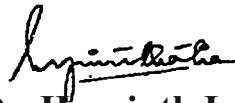
**John T. Hwande, FHCA**  
Clerk of the House

The printed impression is hereby endorsed by me as correct



**Hon. Hyacinth Aondona Dajoh**  
*Speaker*  
*Benue State House of Assembly*

~~ASSENT/WITHHOLD ASSENT~~ THIS .....<sup>06</sup>.....DAY OF .....<sup>08</sup>.....2025



**Rev. Fr. Dr. Hyacinth Iormem Alia**  
*Governor, Benue State*

OBJECTIVE AND REASONS ( This explanatory note does not form part of the Law)

The purpose of this Law is to cater for the Rights of persons with Disabilities in Benue State.