

A
BILL FOR

A Law to provide for Certain Reproductive Rights of Women and other related Matters.

Long Title

BE IT ENACTED by the Imo State House of Assembly as follows:

Enactment

1. This Law may be cited as the Women's Reproductive Rights Law, 2009 and shall come into force on the

Short title and Commencement

2. In this Law:

Interpretation

"abuse" means departure from reasonable use in dealing with a person, or to injure a person physically or mentally;

"battery" means the unlawful application of force to another person, resulting in harmful or offensive contact;

"commissioner" means the State Commissioner for Health;

"constitution" means the 1999 Constitution of the Federal Republic of Nigeria;

"authority" means any corporate body or institution registered under Nigerian Law and could be, governmental, commercial, religious, charitable or civil;

"forced labour" means work exacted from a person under threat of penalty and also that for which a person has not offered herself voluntarily but does not include actions taken in an emergency.

"marriage" means the legal union of a man and woman as husband and wife and may be customary, Islamic or Statutory;

"maternity leave" means a period of three calendar months beginning from the day of the delivery of the baby;

"public health institution" means hospitals, clinics, health centres and maternities owed by the Federal, State or Local Governments;

"state" means Imo State of Nigeria and;

"torture" means the infliction of intense pain to the body or mind, to punish a person or to obtain sadistic pleasure;

"woman" means every female of Imo State origin, both married and unmarried;

"Reproductive Health"

3. As from the commencement of this Law and without prejudice to any existing law;

Marriageable age:

- (a) marriageable age for any person in the State shall be 18 years.
- (b) all marriages in the state shall be registered with Marriage Registry of the Local Government, in which the marriage took place; and
- (c) all marriages shall be with the free consent of both parties to the marriage.
- (d) No marriage shall be denied by parents on basis of religion or denomination of either of the parties.

4 (1) A person or authority shall not prevent a woman from getting married or pregnant by reason of her being employed by that person or authority. *Restriction from marriage and pregnancy.*

(2) No woman shall have her employment terminated because she is pregnant.

5. In event of contravention of Section 4(1) and (2) of this Law, the woman concerned shall have the right to seek and obtain an order of court to; *Remedies*

- (a) restrain the offending person or authority
- (b) restore her employment; and/or
- (c) pay appropriate damages.

6. (1) The choice of the woman shall be paramount on matters of *Fertility Control*

- (a) Control of her fertility
- (b) Timing, number and spacing of their children.
- (c) Choice of method of fertility control and family planning.

(2) The Health of woman shall be paramount to all considerations of reproductive right.

(3) The Commissioner for Health shall authorize medical abortion in cases of sexual assault, rape, incest and in all cases other where the continued pregnancy endangers the mental and physical health of the month of the life of the month of the foetus.

7(1) Every pregnant woman shall on confirmation of pregnancy by a qualified medical personnel, be entitled to free medical services including free pre- *Free medical service in Public Health*

natal and post natal care and free delivery *Institution*
irrespective of mode of delivery and free medical care
for the new born during confinement in all public
health institutions.

(2) Any pregnant woman, who is not given free medical
services in a public health institution shall have the
right to petition to the Commissioner, and follow due
process to claim her right as provided in this Law.

8. Every pregnant woman in the public and private sectors *Ante-natal care*
shall be entitled to: *and maternity*

(a) Reasonable time to attend to ante-natal clinic; and *leave*

(b) Maternity leave with full pay from the day of delivery
of the body.

9 (1) A person or authority shall not subject any pregnant *Violence on*
woman or nursing mother to any ill treatment, abuse, *pregnant woman*
battery, torture, forced labour, serious duties, rape or
any other activity capable of endangering her life or
pregnancy.

(2) Death sentence shall not be executed on pregnant or
nursing mother till at least 3 months after delivery.

10. Any person or authority who contravenes section 9 of *Offences and*
this Law shall be liable on conviction to a term of not *Penalty*
less than 3 months imprisonment or to a fine of
N100,000 or to both such imprisonment and fine;

11. The Magistrate Court shall have Jurisdiction in all *Jurisdiction*
proceedings and matters under this Law.

12. The Commissioner for Health shall have Supervisory *Regulation*
power over this Law.

SUBJECT AND REASON

This Law is meant to extend ~~and~~ improve the Reproductive
Health of the woman, working and domestic conditions of
pregnant/nursing women and to enforce care of
pregnant/nursing women as human rights amongst the
people of the state:

CHIEF SPONSOR:

HON C J EGBUCHALUM

CO SPONSORS:

HON JONAS OKEKE

HON OYIBO NWANERI

HON PIUS NWOGA

HON CHRIS EBOH

HON RAY EMEANA

HON IFEANYI AGWU

HON LOUIS CHUKWU

HON DR OBIOMA EKENNIA

HON SAMUEL ANYANWU

HON SIMEON IWUNZE

HON STAN DARA

HON DEC EMBLUMBA.