

<p style="text-align: center;">A BILL</p> <p style="text-align: center;">FOR</p> <p style="text-align: center;">AN ACT FOR PARENTAL RIGHTS AND CHILD CONTROL.</p>	
<p>28TH MAY, 2011.</p>	<p>Commencement</p>
<p>BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:</p>	
<p>1. (a) As from the commencement of this Act, the provisions of the Parental Rights and Child Control Act as to the right and control of parents over their children within Nigeria as set out in this Act shall, subject to this Act, have the full force of Law in Nigeria and shall be given full recognition and effect and be applied by all authorities and persons exercising Legislative, Executive and Judicial powers in Nigeria.</p> <p>(b) In any matter to which this Act relates, the relevant provisions of any law in force in Nigeria, including:</p> <p>(i) Adoption Laws.</p> <p>(ii) Child Rights Act (CAP E.4, 2004)</p> <p>Shall be read with such modifications as to bring them into conformity with the Provisions of this Act.</p>	<p>Application</p>
<p>2. This Act may be cited as the Parental Rights and Child Control Act, 2011.</p>	<p>Short Title</p>
<p>3. In this Bill, unless the context otherwise requires -</p> <p>“Competent Court” means a court recognized by law as possessing the right to adjudicate a controversy.</p> <p>“Control” means to exercise power or influence over.</p> <p>“Custody” the condition of being under legal authority.</p>	<p>Interpretation</p>

<p>“Exploit” includes treating a child unfairly by depriving the child of basic needs such as food, clothing, shelter, education, medical care and recreation.</p> <p>“Food” means a balanced diet adequate for the nourishment of child on a daily basis.</p> <p>“FWSN” means a family with service needs.</p> <p>“Minor” means a child under the age of 18 years.</p> <p>“Parent” refers only to a mother or father who is related to the child by blood. This definition holds whether or not the natural parents are married to each other. Adoptive parents have the same rights and responsibilities as natural parents.</p> <p>“YIC” means youth in crisis.</p>	
<p>4(1) A Parent shall have and exercise over their child the rights to -</p> <ul style="list-style-type: none"> (a) determine the medical care given to the child; (b) determine methods of educating the child; (c) determine where the child shall live, with whom the child shall live and what the child shall do from day to day; (d) determine what, if any, religion the child shall practice; (e) control, direct or guide the upbringing of the child; (f) obedience, honour and cooperation from their child. This right translates into the right to discipline the child in a non abusive and non neglectful manner; and (g) collect and keep the child's earnings. However, these earnings will not be entirely available if a parent has exploited, neglected, or abandoned the child. <p>(2). Notwithstanding the right of a parent to determine the medical care and methods of educating their child, a parent may not do so in a manner considered unreasonable as determined by the courts.</p> <p>(3) Notwithstanding the rights of a parent over their child, a court shall have the power to stop a parent from making decisions that adversely affect the rights or welfare of the child.</p>	<p>Rights</p>

<p>5. Notwithstanding the provisions of section 4 above, the responsibilities of a parent towards their child shall include but is not limited to the provision of -</p> <ul style="list-style-type: none"> (a). food; (b). clothing and shelter; (c). all necessary child support, where applicable; (d). day care, where necessary; (e). a safe and nurturing environment; (f). legal help when required; and (g). supervision and control. 	<p>Responsibilities.</p>
<p>6 (1). Under this Act, a parent shall have the -</p> <ul style="list-style-type: none"> (a) obligation to care for and control their minor; and (b) Authority to make major decisions affecting their education and welfare, including consenting to marriage; enlisting in the armed forces; and major medical, psychiatric, or surgical treatment. <p>2 A parent who believes their child is beyond control can ask a competent Court for help by declaring the family a "family with service needs. (FWSN).</p> <p>3. The court may order –</p> <ul style="list-style-type: none"> (a) the provision of counselling and other services to the family; or (b) a 24 hour restriction of the child to the home or the observation of a curfew from 6.00pm to 6.00am for three days or for such other period as the court deems fit; or (c) the child to go to school; and (d) punishment for a child who disobeys any of the orders in this sub-section. <p>4. A parent of a 16 or 17 year old child may ask the Court to find the child to be a youth in crisis (YIC). Such a finding makes the child eligible for court services and court orders, including requiring community service and limiting his driving privileges. In this sub-section the court shall not punish a child who disobeys its orders.</p>	<p>Control</p>

<p>5. Where a child refuses psychiatric or substance abuse treatment, a parent may apply to the court to commit him to a psychiatric hospital or a drug or alcohol treatment facility.</p>	
<p>7. Notwithstanding the provisions of sections 4, 5 and 6 of this Act, parental rights and control over their child may be terminated in any of the following ways;</p> <ul style="list-style-type: none"> (a) The court appoints a guardian over the child; (b) the child gets married; (c) the court suspends or terminates parental rights due to abuse or abandonment; (d) the child is made a ward of the juvenile court; (e) the child has been emancipated by the court; (f) the child enlists in the military. (g) The child has attained the age of maturity which for the purposes of this Act is 18 years. 	<p>Termination</p>