

Rwanda

Law determining the Responsibilities, Organization and Functioning of the National Council of Persons with Disabilities

Law 3 of 2011

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Law determining the Responsibilities, Organization and Functioning of the National Council of Persons with Disabilities

Contents

- Chapter One – General provisions 1
 - Article One – Purpose of this Law 1
 - Article 2 – Definition of terms 1
 - Article 3 – Independence of the National Council of Persons with Disabilities and its supervising authority 2
 - Article 4 – Members of the National Council of Persons with Disabilities 2
 - Article 5 – Head office of the National Council of Persons with Disabilities 2
 - Article 6 – Mission of the National Council of Persons with Disabilities 2
- Chapter II – Organs of the National Council of Persons with Disabilities 3
 - Article 7 – Organs of the National Council of Persons with Disabilities 3
 - Article 8 – Representation in Councils 3
 - Article 9 – Appointment of members of the Executive Secretariat 3
 - Article 10 – Statute governing staff members of the Executive Secretariat and their benefits 3
- Chapter III – Relationship between the National Council of Persons with Disabilities and other organs 3
 - Article 11 – Relationship with other organs 3
 - Article 12 – Report and action plan 4
- Chapter IV – Property 4
 - Article 13 – Property and its sources 4
 - Article 14 – Use, management and audit of the property 4
- Chapter V – Miscellaneous and final provisions 4
 - Article 15 – Drafting, consideration and adoption of this law 4
 - Article 16 – Repealing provision 4
 - Article 17 – Commencement 4

Rwanda

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Commenced on 11 February 2011

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We, KAGAME Paul,

President of the Republic;

THE PARLIAMENT HAS ADOPTED AND WE SANCTION, PROMULGATE THE FOLLOWING LAW AND ORDER IT BE PUBLISHED IN THE OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA.

THE PARLIAMENT:

The Chamber of Deputies, in its session of 3 February 2011;

The Senate, in its session of 27 January 2011;

Pursuant to the Constitution of the Republic of Rwanda of 04 June 2003, as amended to date, especially in Articles 9, 10, 11, 14, 62, 66, 67, 88, 89, 90, 92, 93, 94, 95, 108, 176, 188 bis and 201;

Pursuant to the Agreement for the Establishment of the African Rehabilitation Institute signed in Addis Ababa, Ethiopia on 15 July 1985 and ratified by Presidential Order n° 37/01 of 14/7/2009;

Pursuant to the Organic Law n° 29/2005 of 31/12/2005 determining the administrative entities of the Republic of Rwanda as amended and complemented to date, especially in Article 2;

Having reviewed Law n° 01/2007 of 20/01/2007 relating to the protection of persons with disabilities in general, especially in Article 4, paragraph 3 and Article 7, paragraph 3;

ADOPTS:

Chapter One General provisions

Article One – Purpose of this Law

This Law determines the responsibilities, organization and functioning of the National Council of Persons with Disabilities, abbreviated “NCPD”, and its relationship with other State organs.

Article 2 – Definition of terms

In this Law, the following terms shall have the following meanings:

Disability: the state of losing human physical ability or of lacking certain human ability compared to others and thereby being disadvantaged as compared to others.

Person with disability: any person who was born with limited human ability compared to others or who lost his/her ability due to illness, accident, war or any other cause.

Article 3 – Independence of the National Council of Persons with Disabilities and its supervising authority

The National Council of Persons with Disabilities is a public and independent institution with legal personality and both financial and administrative autonomy.

The National Council of Persons with Disabilities shall be under the supervision of the Ministry in charge of Social Affairs.

Article 4 – Members of the National Council of Persons with Disabilities

The National Council of Persons with Disabilities shall be composed of all persons with disabilities.

Article 5 – Head office of the National Council of Persons with Disabilities

The head office of the National Council of Persons with Disabilities is located in Kigali City, the Capital of the Republic of Rwanda. It may be transferred elsewhere in Rwanda if deemed necessary.

Article 6 – Mission of the National Council of Persons with Disabilities

The National Council of Persons with Disabilities shall be a forum for advocacy and social mobilisation on issues affecting persons with disabilities in order to build their capacity and ensure their participation in the national development.

The Council shall assist the Government to implement programmes and policies that benefit persons with disabilities.

The National Council of Persons with Disabilities has the following main responsibilities:

- 1° to coordinate activities aimed at the advancement of disabled persons with disabilities;
- 2° to gather and examine views of all person with disabilities;
- 3° to advocate on issues affecting the development and rights of persons with disabilities;
- 4° to build the capacity of persons with disabilities;
- 5° to sensitize Rwandan society in general, parents and different institutions, in particular to respect the rights of persons with disabilities;
- 6° to sensitize persons with disabilities to take part in national development programmes;
- 7° to participate in the prevention of the causes of disability;
- 8° to especially monitor the respect of laws which protect persons with disabilities;
- 9° to collaborate with non-governmental organizations engaged in activities benefitting persons with disabilities;
- 10° to engage in consultations and collaborate with foreign institutions entrusted with the same responsibilities.

Chapter II

Organs of the National Council of Persons with Disabilities

Article 7 – Organs of the National Council of Persons with Disabilities

The National Council of Persons with Disabilities shall have the following organs:

- 1° the General Assembly is the supreme governing and decision-making organ of the National Council of Persons with Disabilities;
- 2° the Executive Committee is responsible for implementing the decisions of the General Assembly;
- 3° the Executive Secretariat is the technical organ responsible for the daily management of the National Council of Persons with Disabilities and. It shall also coordinate activities of stakeholders.

The General Assembly and the Executive Committee of the National Council of Persons with Disabilities operate at the national, Kigali City, Provincial, District, Sector and Cell levels. The Executive Secretariat operates at the national level.

A Prime Minister’s Order shall determine the responsibilities, organization and functioning of the organs of the National Council of Persons with Disabilities.

Article 8 – Representation in Councils

A Chairperson of an Executive Committee of the National Council of Persons with Disabilities at the Kigali City, District, Sector and Cell levels shall be a member of the respective Council.

Article 9 – Appointment of members of the Executive Secretariat

The Executive Secretary of the National Council of Persons with Disabilities shall be appointed by a Prime Minister’s Order.

Other staff members shall be recruited in accordance with the relevant legal provisions.

Article 10 – Statute governing staff members of the Executive Secretariat and their benefits

Staff members of the Executive Secretariat shall be governed by the General Statutes for Rwanda Public Service.

Benefits allocated to the staff members of the Executive Secretariat shall be determined in accordance with legal provisions governing remuneration of civil servants.

Chapter III

Relationship between the National Council of Persons with Disabilities and other organs

Article 11 – Relationship with other organs

Administrative entities shall collaborate with the National Council of Persons with Disabilities in order to assist the Council in improving the living conditions of persons with disabilities.

The National Council of Persons with Disabilities shall collaborate with stakeholders and coordinate stakeholder activities aimed at the promotion of persons with disabilities.

Article 12 – Report and action plan

The National Council of Persons with Disabilities shall submit activity reports on following year to the Minister in charge of Social Affairs.

Chapter IV Property

Article 13 – Property and its sources

The property of the National Council of Persons with Disabilities is comprised of movable and immovable property. It comes from the following sources:

- 1° annual State budget allocations;
- 2° funds from services delivered by the National Council of Persons with Disabilities and interest on its property;
- 3° donations and bequests;
- 4° Government or partners' subsidies;
- 5° any other lawful source of funds.

Article 14 – Use, management and audit of the property

The use, management and audit of the property of the National Council of Persons with Disabilities shall be carried out in accordance with the relevant legal provisions.

Chapter V Miscellaneous and final provisions

Article 15 – Drafting, consideration and adoption of this law

This Law was drafted, considered and adopted in Kinyarwanda.

Article 16 – Repealing provision

All prior legal provisions contrary to this Law are hereby repealed.

Article 17 – Commencement

This Law shall come into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.