

# A BILL

## FOR

AN ACT TO ESTABLISH FARMING AND AGRICULTURAL PROMOTION COUNCIL OF NIGERIA TO PROMOTE THE DEVELOPMENT AND DIVERSIFICATION OF NIGERIA'S AGRICULTURE ASSIST IN PROMOTING AGRIBUSINESS AND AGRICULTURAL ORIENTED INDUSTRIES IN NIGERIA AND FOR RELATED MATTERS

*Sponsored by Hon. Sesoo Ikpagher*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- 1           **1.**-(1) There is hereby established a body to be known as the Establishment
- 2 Nigerian Farming and Agricultural Promotion Council ( in this Bill referred of the Nigerian
- 3 as lithe Council"). Farming and
- 4           (2) The Council shall be a body corporate with perpetual Agricultural
- 5 succession and a common seal and may sue and be sued in its corporate Promotion Council
- 6 name. of Nigeria
- 7           **2.**-(1) There shall be a governing board of the Council ( in this Bill Composition of
- 8 referred to as the Board"). the Board
- 9           (2) The Board shall consist of the Chairman to be appointed by the
- 10 President on the recommendation of the Minister and the following
- 11 members-
- 12           (a) A representative each of the following Federal Ministries and
- 13 Agencies, that is to say-
- 14           (i) Agriculture and Rural Development;
- 15           (ii) Commerce, Trade and Investment;
- 16           (iii) Finance;
- 17           (iv) Nigerian Export Promotion Council;
- 18           (v) Banks of Agriculture and Industry;

1 (b) A representative each of the following associations, that is-  
2 (i) Agricultural Produce Sellers Association of Nigeria;  
3 (ii) The Farmers' Association;  
4 (iii) The Nigerian Association of Chambers of Commerce, Industries  
5 Mines and Agriculture.

6 (c) One person to be appointed by the Minister from the private Sector  
7 who shall be a person possessing practical experience in industry, commerce,  
8 finance and agricultural promotion; and

9 (d) The Executive Director of the Council.

10 (3) The appointment under paragraph (c) of subsection 2 of this  
11 Section shall be made by the Minister on the recommendation of the  
12 appropriate association.

13 (4) The provisions set out in the Schedule to this Bill shall have effect  
14 with respect to the tenure of office of members and proceedings of the Board  
15 and the other matters mentioned therein.

Tenure of  
Office

16 3.-(1) A member of the Board other than an ex-officio member shall,  
17 subject to the provisions of this Bill, hold office for a period of four years from  
18 the date of his appointment as a member and shall be eligible for re-  
19 appointment for a further period of two years, thereafter he shall no longer be  
20 eligible for reappointment.

21 (2) Notwithstanding subsection (1) of this Section, the President may  
22 on the recommendation of the Minister require any member of the Board to  
23 vacate his office if his continued membership will not be in the interest of the  
24 Council.

25 (3) Any member of the Board not being an ex-officio member may  
26 resign his appointment by a notice in writing under his hand addressed to the  
27 Minister.

Functions of  
the Council

28 4.-(1) It shall be the special responsibility of the Council to-

29 (a) Promote the development and diversification of Nigeria's  
30 agriculture and agribusiness in Nigeria;

- 1 (b) Assist in promoting the development of agric-oriented  
2 industries in Nigeria;
- 3 (c) Spearhead the creation of necessary agricultural incentives;
- 4 (d) Actively promote the implementation of agricultural policies  
5 and programmes of the Federal Government;
- 6 (e) Coordinate and monitor agricultural activities in Nigeria.
- 7 (2) The other Functions of the Council shall be to-
- 8 (a) Collect and disseminate information on agricultural products  
9 available for export;
- 10 (b) Collect and disseminate to Farmers, and agro-industries and  
11 agricultural produce exporters information on foreign markets;
- 12 (c) Provide technical assistance to agric-produce exporters and  
13 industries in such areas as export procedure and documentation,  
14 transportation, financing, marketing techniques, quality control, export  
15 packaging, costing and pricing, publicity and other similar areas;
- 16 (d) Maintain adequate and effective representation in other  
17 countries;
- 18 (e) Provide, directly or jointly with training institutions, trainings  
19 for its staff and assist with the manpower development of the agro-allied  
20 industries in Nigeria;
- 21 (f) Organize the participation of Nigeria in trade fairs and  
22 agricultural exhibitions in other countries;
- 23 (g) Administer grants and other benefits related to agricultural  
24 promotions and development;
- 25 (h) Undertake studies of a current and prevailing economic  
26 conditions, with special attention to the agricultural sector with a view to  
27 advising government on necessary policies and measures;
- 28 (i) Cooperate with other institutions on matters relating to  
29 agriculture financing, incentives and specialized services to farmers;
- 30 (j) Establish special agricultural trade promotion facilities in

	1	Nigeria and in other countries including the establishment of permanent
	2	showrooms at important commercial centres in other countries;
	3	(k) Engage in agricultural promotion publicity;
	4	(l) Pursue the simplification and streamlining of agricultural export
	5	procedure and documentation on a continuous basis;
	6	(m) Provide services to trade delegations on matters relating to
	7	agriculture;
	8	(n) Perform such other functions as may be conducive to the
	9	achievement of the objectives of this Bill.
Powers of the Council	10	<b>5.</b> The Council shall have power to-
	11	(a) Subject to the Land Use Act, acquire, by purchase or lease, any
	12	landed property required for its functions under this Bill;
	13	(b) Invest in any activity which would facilitate the development or
	14	promotion of agriculture;
	15	(c) Solicit for funds from sources other than its budgetary allocation
	16	and invest all or any of such funds;
	17	(d) Exercise disciplinary control (including dismissal) over its
	18	employees
Staff Regulations	19	<b>6.</b> The Council may make staff regulations relating generally to the
	20	conditions of service of the employees of the Council and without prejudice to
	21	the generality of the foregoing, such regulations may provide for-
	22	(a) The appointment, promotion and disciplinary control of all
	23	employees of the Council; and
	24	(b) Appeal by such employees against dismissal or other disciplinary
	25	measures, and until such regulations are made, the regulations relating to the
	26	conditions of service of officers in the Civil Service of the Federation and the
	27	provisions of the Pensions Act shall be applicable with such modifications as
	28	may be necessary to the staff of the Council.
Appointment of Executive Director and other employees of the Council	29	<b>7.</b> There shall be appointed by the President, on recommendation of
	30	the Council, an Executive Director of the Council.

1                   **8.** The Executive Director shall be the Chief Executive of the  
2 Council and be responsible for the execution of the policy of the Council and  
3 the day-to-day running of the affairs of the Council.

4                   **9.** The Council may appoint such other persons as it may  
5 determine to be employees of the Council to assist the executive director in  
6 the performance of his functions under this Bill

7                   **10.** The Council may, subject to such conditions as it may think fit,  
8 delegate any of its powers relating to the appointment of or exercise of  
9 disciplinary control (including dismissal) over its employees to the  
10 executive director or to any other employees of the Council.

11                   **11.** There shall be appointed by the Board a Secretary who shall be  
12 a legal practitioner with not less than ten years' post-qualification  
13 experience.

14                   **12.**-(1) The Council may establish an agricultural committee in  
15 each state of the federation.

Establishment  
of an Agricultural  
Committee

16                   (2) The Agricultural Committee shall-

17                   (a) Constitute a forum for the promotion and exportation of the  
18 principal agricultural products of that state;

19                   (b) Advise the Council on the best means of achieving the  
20 objectives of this Bill in the state;

21                   (c) Carry out such other functions as the Council may, from time to  
22 time direct.

23                   **13.**-(1) The Council shall establish and maintain a Fund which  
24 shall be applied towards the attainment of the Council's objectives and from  
25 which shall be defrayed all expenditure incurred by the Council.

Fund of the  
Council

26                   (2) There shall be paid and credited to the Fund established  
27 pursuant to subsection (1) of this Section-

28                   (a) Such sums as may, from time to time, be granted to the Council  
29 by the Federal Government;

30                   (b) All monies raised for the purpose of the Council by way of gifts,

	1	grants-in-aid and income from investments; and
	2	(c) All subscriptions, fees and charges for services rendered by the
	3	Council and all other sums as may accrue to the Council from any other source.
Expenditure of the Council	4	<b>14.</b> The council may, from time to time, apply the proceeds of the
	5	Fund established pursuant to Section 9 of this Bill to-
	6	(a) Meet the cost of administration of the Council and any research
	7	work carried out by or on behalf of the Council with its approval;
	8	(b) Provide such trainings for the employees of the Council;
	9	(c) Pay the salaries and other allowances and benefits of its
	10	employees;
	11	(d) Reimburse members of the Council and Committees of the
	12	Council as the Council may deem necessary;
	13	(e) Meet other expenses in connection with its functions under the Bill
Annual Estimates, Accounts and Audits	14	<b>15.</b> -(1) The Board shall cause to be prepared not later 31 March in
	15	each year, an estimate of the expenditure and income of the Council during the
	16	next succeeding year and when prepared, the shall be submitted to the Minister.
	17	(2) The Board shall cause to be kept proper accounts and proper
	18	records in relation thereto and when certified by the Board such accounts shall
	19	be audited as provided in subsection (3) of this Section
	20	(3) The accounts of the Council shall be audited within 3 months after
	21	the end of the year by an external auditor appointed from the list and in
	22	accordance with the guidelines supplied by the Auditor-General for the
	23	Federation.
Annual Reports	24	<b>16.</b> The Council shall, not later than three months after the end of each
	25	financial year, submit through the Minister to the President, a report of the
	26	activities of the Council and its administration during the immediately
	27	preceding year and shall include in such report the audited accounts of the
	28	council and the auditor's comment thereon.
Regulations	29	<b>17.</b> The Council may make regulations for carrying into effect the
	30	provisions of this Bill.

1	<b>18.</b> In this Bill, unless the context otherwise requires-	Interpretation
2	BOARD means the governing board of the council established by section	
3	2(1) of this Bill;	
4	COUNCIL means the Agricultural Promotion Council established under	
5	this Bill;	
6	MEMBER means any member of the Board;	
7	MINISTER means the minister charged with the responsibility for matter	
8	relating to Agriculture	
9	<b>19.</b> This Bill may be cited as the Nigerian Agricultural Promotion	Short title
10	Council Bill, 2023.	

EXPLANATORY MEMORANDUM

This Bill seeks to establish Farming and Agricultural Promotion Council of Nigeria to promote the development and diversification of Nigeria's Agriculture assist in promoting agribusiness and agricultural oriented industries in Nigeria.