

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL CAPITAL TERRITORY DISPLACED ORIGINAL INHABITANTS RESETTLEMENT AND INTEGRATION AGENCY TO PROVIDE FOR EFFECTIVE MANAGEMENT AND ADMINISTRATION OF COMPENSATION AND RESETTLEMENT OF PERSONS AFFECTED BY DEVELOPMENT PROJECTS WITHIN THE FCT AND FOR RELATED MATTERS

Sponsor:

Hon. Joshua Chinedu Obika

Co-sponsors:

Hon. Kalu Benjamin Okezie	Hon. Abdullahi Ibrahim Ali
Hon. George Ozodinobi Ibezimako	Hon. Jonathan Gaza
Hon. Fred Agbedi	Hon. Amos Magaji
Hon. Midala Usman Balami	Hon. Idris Salman
Hon. Inuwa Garba	Hon. Yusuf Galambi
Hon. James Shaibu Barka	Hon. Amobi Ogah
Hon. Donatus Matthew Kuzalio	Hon. Paul Nnamelu
Hon. Joshua Gana	Hon. Ukpong Emmanuel
Hon. Oluwaseyi Ayopo Sowunmi	Hon. Kobis Ari Thimnu

[] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria-

- 1 1.-(1) There is established Federal Capital Territory Displaced
- 2 Original Inhabitants Resettlement and Integration Agency (in this Bill
- 3 referred to as "the Agency").
- 4 (2) The Agency:
- 5 (a) Shall be a body co-operate,
- 6 (b) May be sued and be sued in its co-operate name; and
- 7 (c) May hold movable and immovable property.

Establishment of Federal Capital Territory Displaced Original Inhabitants Resettlement and Integration Agency

Constitution of the Governing Board	1	2.- (1) There is constituted a Governing Board for the Agency (in this
	2	Bill referred to as "the Board")-
	3	(2) The Board shall consist of:
	4	(a) The chairman to be nominated by the FCT Minister and to be
	5	confirmed by the National Assembly.
	6	(b) A representative of the following FCT Secretariats not below the
	7	rank of a Directorate cadre:
	8	(i) Legal Services;
	9	(ii) Development Control;
	10	(c) A representative each of the following Agencies:
	11	(i) Abuja Metropolitan Management Council;
	12	(ii) FCT Board of Internal Revenue.
	13	(d) A representative of FCT traditional council;
	14	(e) One (1) representative from each of the FCT Area Councils to be
	15	nominated by each Area Council Chairman;
	16	(f) The Director-General of the Agency, who shall serve as the
	17	Secretary, to be nominated by the Hon. Minister.
	18	(3) The provisions contained in the schedule to this Bill shall have
	19	effect with respect to the tenure of office of members and proceedings of the
	20	Board and other matters mentioned therein.
Appointment of Members of the Board	21	3. Members of the Board mentioned in sub-clause 2(d) and (e) of this
	22	clause shall be appointed by the President of the Federal Republic of Nigeria on
	23	the recommendation of the Minister.
Tenure of Office of Members of the Board	24	4. The members of the Board shall hold office for the term of four
	25	years and renewable, subject to satisfactory performance, for further term of
	26	four years and no more.
Cap. N74 LFN, 2004	27	The members of the Board mentioned under this clause shall be paid such
	28	remunerations and allowances as the Minister may from time to time determine
	29	in line with the provision of National Salaries and Wages Commission Act.

1 (d) arbitrate between the governments and other government
2 agencies, corporate bodies, real estate investors, groups or persons to address
3 demands, special needs or conflicts involving lands, properties and estates
4 covered by this Bill;

5 (e) negotiate with the persons or group (s) affected or likely to be
6 affected by resettlements and compensation;

7 (f) deal with mental health issues/cases likely to emanate from the
8 effect of resettlements under this Bill;

9 (g) manage distribution of palliatives to affected persons in
10 circumstances where such resettlement may require temporary economic
11 intervention;

12 (h) provide special intervention such as education materials, women
13 empowerment, skill acquisition etc to persons affected by this Bill where
14 necessary;

15 (i) facilitate access to medical and other necessary health care
16 services in cases of injuries suffered as a result of government actions during
17 resettlement;

18 (j) facilitating the coordination, planning and execution of policies,
19 plans and any undertaking for the management, administration; compensation
20 and resettlement of persons affected by development projects within the FCT;

21 (k) serve as a quasi-autonomous organ of the FCT administration,
22 answerable to the FCT Minister who shall be charged with the responsibility of
23 warehousing; and administering issues of integration, and/or resettlement and
24 compensation;

25 (l) execute all activities regarding the persons recognized by the
26 Constitution of the Federal Republic of Nigeria as original inhabitants of the
27 Federal Capital Territory or any other persons/group of persons whose
28 traditional or legal titles to properties and estates in the Territory shall, for the
29 purpose of development of the FCT be alienated, recovered or demolished;

30 (m) carry out enumeration, assessment, compensation and

1 resettlement of all properties and estates affected by actions of government;
2 (n) enlighten, negotiate and arrange for movement, resettlement or
3 integration of affected persons with a view to reducing the impact of such
4 resettlement on the affected persons;

5 (o) carryout such activities within the scope of its jurisdiction
6 under this Bill or as may be directed by the Governing Board.

7 **8.** The Board shall have powers to-

Powers of the Board

8 (a) serve as an apex organ that approves policy for the operation of
9 the Agency;

10 (b) approve annual budgetary estimate for the Agency before each
11 financial year;

12 (c) approves major recruitments, disciplinary actions and
13 administrative decisions before implementation;

14 (d) approve any Memorandum of Understanding that enhances the
15 prospects of realizing the objectives of this Bill.

16 **9.-(1)** There is established for the Agency the following
17 departments:

Structure of the Agency

18 (a) Department of Finance and Administration;

19 (b) Department of Works and Public Utility;

20 (c) Department of Compensation and Resettlement;

21 (d) Department of Empowerment, Counseling and Arbitration;

22 (e) Department of Public Private Partnership (PPP);

23 (f) Any other departments as may be determined by the Board.

24 (2) Each Department shall be headed by a Director who shall be
25 professionally qualified person appointed through competitive process by
26 the Board.

27 **10.-(1)** There shall be Director-General for the Agency who shall
28 be appointed by the Minister.

Appointment of Director-General of the Agency

29 (2) The Director-General shall-

30 (a) be the Chief Executive and accounting Officer of the Agency

1 and shall be responsible for the general administration of the Agency;

2 (b) hold office for a term of 4 years, and, subject to satisfactory
3 performance, be eligible for re-appointment for another term of four years and
4 no more; and

5 (c) receive salary and other emoluments in accordance with federal
6 government policy relating to the office.

Appointment
of other staff
of the Agency

7 **11.**-(1) There may be appointed such other staff for the Agency as may
8 be required for the purpose of the efficient performance of the functions
9 conferred on the Agency;

10 (2) The Agency shall pay staff of the Agency such remuneration and
11 allowances as are payable to persons by equivalent grade in the civil service.

Staff Regulations

12 **12.** The Agency may subject to the provision of this Bill, make staff
13 regulation relating generally to the condition of service in the Agency.

Pensions

14 **13.** The Staff of the Agency shall be entitle to pension as contained in
15 the Pension Reforms Act, 2014

Sources of
funding

16 **14.** There shall be paid and credited to the Agency -

17 (a) all monies appropriated for resettlement and compensation of
18 displaced persons;

19 (b) 10% of all land proceeds from the FCT;

20 (c) proceeds of investments by private developers involved in
21 partnership venture in the resettlement schemes;

22 (d) special grant from the Federal Government;

23 (e) gifts, donations and contributions from national and international
24 institutions and philanthropist; and

25 (t) all other assets which may accrue to the Agency from time to time.

Exemption from
taxes

26 **15.**-(1) All receipts of the Agency shall be tax free.

27 (2) The provisions of any law relating to the taxation of companies or
28 trust funds shall not apply to this Agency.

Annual estimates,
accounts and
audit

29 **16.** The Agency shall present its annual report and budget proposal for
30 each financial year.

1 SCHEDULE

2 *Clause 4*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE AGENCY

4 *Proceedings of the Board*

5 1.-(1) Subject to the provisions of this Bill and other applicable laws,
6 the Board may make standing orders regulating its proceedings.

7 (2) The Board shall meet whenever summoned by the Chairman, or if
8 required to do so, by at least 8 members of the Board and shall meet for a
9 minimum of 4 times In a year.

10 (3) The Chairman shall preside over the meetings of the Board and in
11 his absence, the members of the Board shall appoint one person among
12 themselves to act as the Chairmen for that meeting.

13 *Committees*

14 2.-(1) The Management Committee may appoint sub-committees to
15 carry out, on its behalf, such functions that the Committee shall legitimately
16 carryout.

17 (2) The decision of the sub-committee appointed under paragraph
18 2(1) shall have no effect until it is approved by the Management Committee.

19 *Miscellaneous*

20 3.-(1) The Secretary of the Board shall be the custodian of the seal of
21 the Board.

22 (2) Fixing of the common seal of the Board shall be authenticated by
23 the signature of the Chairman of the Board or some other persons authorized to
24 do so.

25 (3) Any contract or instrument, which if made or executed by a person
26 not being a body corporate, shall not be required to be made under seal, shall be
27 executed on behalf of the Board by the Executive-Secretary or any other person
28 authorized to do so.

29 (4) Where the Board desires to obtain an expert opinion from a person
30 not being a member of the Board, the Board may co-opt such person for such

1 period the Board may determine, but the co-opted person shall not have the
2 right to vote or to count in forming a quorum.

3 (5) The validity of any proceeding of the Board or of a committee
4 shall not be adversely affected by any vacancy in the membership of the
5 Board or Committee or by any defect in the appointment of a member of the'
6 Board.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal Capital Territory (FCT) Displaced Original Inhabitants Resettlement and Integration Agency, to provide for effective management and administration of compensation and resettlement of persons affected by development projects within the FCT.