

# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL FARM SETTLEMENTS AGENCY TO PROMOTE AGRICULTURAL DEVELOPMENT, ENSURE FOOD SECURITY AND FOSTER ECONOMIC GROWTH BY CREATING AGRO-ALLIED INDUSTRIAL PROCESSING ZONES, WITH A VIEW TO FACILITATE VALUE ADDITION IN THE AGRICULTURAL SECTOR, AND PROMOTE AGRIBUSINESS OPPORTUNITIES IN NIGERIA AND FOR RELATED MATTERS

*Sponsored by Hon. Maruf Afolabi Afuape*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

1 PART 1 - ESTABLISHMENT OF THE NATIONAL FARM

2 SETTLEMENTS AGENCY

3 1.-(1) There is established an Agency to be known as National Establishment  
4 Farm Settlement Agency (in this Bill referred to as "the Agency"). of the Agency

5 (2) The Agency shall be a corporate body with perpetual  
6 succession and a common seal and may sue and be sued in its corporate  
7 name.

8 (3) The Agency shall, for the purpose of carrying out its functions,  
9 acquire and hold property, dispose of property and enter into a contract or  
10 any other related transaction.

11 2.-(1) There is established for the Agency a Governing Board (in Establishment  
12 this Bill referred to as "the Board"). and composition  
of the Board of  
the Agency

13 (2) The Board shall consist of-

14 (a) a Chairperson to be appointed by the President, Commander-  
15 in-Chief of the Armed Forces, of the Federal Republic of Nigeria on the  
16 recommendation of the Minister responsible for Agriculture and Food  
17 Security;

1 (b) two representatives of each of the six geo-political zones, to be  
2 appointed by the President on the recommendation of the Minister, on  
3 rotational basis;

4 (c) the Director-General of the Agency; and

5 (d) one person representing-

6 (i) National Agricultural Insurance Corporation,

7 (ii) Agricultural Research Council of Nigeria,

8 (iii) Bank of Agriculture,

9 (iv) National Agricultural Quarantine Service,'

10 (v) Small and Medium Enterprises Development Agency of Nigeria,

11 (vi) Federal. Universities of Agriculture, on rotational basis, and

12 (vii) Organized non-governmental organisations.

13 (3) The members of the Board referred to under sub-clause (2) of this  
14 Clause, shall have relevant experience in agriculture for a period of not less  
15 than 10 Years.

16 (4) The supplementary provisions contained in the schedule to this  
17 Bill shall have effect concerning the proceedings of the Board and other  
18 matters.

Powers of the  
Board

19 **3.** The Board shall have the power to:

20 (a) determine the general policy of the Agency;

21 (b) provide for the discipline and general welfare of staff of the  
22 Agency;

23 (c) constitute relevant committees to assist in executing specific  
24 assignments for the Agency; and

25 (d) approve the projects and programs of the Agency.

Tenure and  
cessation of office  
for members of  
the Board

26 **4.-(1)**The Board Chairperson and members of the Governing Board  
27 representing the six geo-political zones shall hold office for four years and may  
28 be eligible for re-appointment for another term of four years and no more, on  
29 such terms and conditions as specified by their letter of appointment.

30 (2) The office of the Board Chairperson or any other member of the

1 Governing Board shall become vacant if-

2 (a) the person resigns his appointment by notice in writing under  
3 his hand addressed to the Minister;

4 (b) the Minister in consultation with other members of the Board is  
5 satisfied that it is not in the best interest of the Agency for the person to  
6 continue in office and notifies the member to that effect;

7 (c) the person is incapable of performing the functions of the office  
8 because of disease of body or mind and was declared so by a medical  
9 practitioner; or

10 (d) because of death, bankruptcy or conviction of a criminal  
11 offence.

12 5. Members of the Agency may receive allowances as are  
13 applicable to government agencies or as may be stipulated by the Board  
14 under applicable Federal Government Regulations.

Allowances of  
members of the  
Board

15 PART II - FUNCTIONS OF THE AGENCY

16 6. Subject to the provisions of this Bill, the Agency shall have the  
17 following responsibilities-

Functions of the  
Agency

18 (a) establish Farm Settlements all around Nigeria with at least one  
19 in each Senatorial Districts of the federation to ensure an increase in food  
20 production and average farm income;

21 (b) demonstrate that by careful planning, farms can be established  
22 and operated by young, educated farmers and provide a comfortable  
23 standard of living comparable to other employment;

24 (c) fostering economic growth across the country by creating agro-  
25 allied industrial processing zones with at least five in each geopolitical zone;

26 (d) promotion of agribusiness opportunities across the country;

27 (e) conduct research studies and educate the citizens on how to  
28 exploit agricultural possibilities in their regions;

29 (f) collaborate with the federating units of the federation to  
30 establish agro-allied processing zones for the purpose of achieving the

1 objectives of this Bill;

2 (g) develop programme and projects that will facilitate public private  
3 relations in financing the prommes and projects of this Agency; and

4 (h) any other function that may be given to the Agency by the Minister.

5 PART III - STRUCTURE OF THE AGENCY

Departments of  
the Agency

6 7.-(1) The Agency shall, subject to the approval of the Board,  
7 establish such departments as the Agency may deem necessary.

8 (2) Each Department shall be headed by a Director who shall be  
9 professionally qualified to hold the office.

10 (3) Subject to the approval of the Board, established under 'clause 8 of  
11 this Bill, additional divisions and units may be created as may be deemed  
12 necessary to achieve the objective of the Agency.

Establishment  
of Management  
and other  
committees for  
the Agency

13 8.-(1) There is established for the Agency, a Management Committee  
14 comprising all the Directors and the Director-General of the Agency who shall  
15 be the Management Committee Chairperson.

16 (2) The Management Committee shall be responsible for the general  
17 day-to-day administration of the Agency.

18 (3) The Board may create additional committees, either standing or  
19 ad-hoc, and give them specific functions.

Appointment of  
Director-General  
and Secretary  
of the Agency

20 9.-(1) There shall be appointed for the Agency, a Director-General  
21 who shall possess appropriate qualifications and cognate working experience  
22 as determined by the Ministry.

23 (2) The Director-General shall-

24 (a) be the Chief-Executive Officer of the Agency and shall be charged  
25 with the general responsibility of matters relating to the day-to-day  
26 management and operations of the Agency;

27 (b) be appointed by the President, Commander-in-Chief of the Armed  
28 Forces, of the Federal Republic of Nigeria, on the recommendation of the  
29 Minister;

30 (c) hold office for four years and may be re-appointed for a further

1 term of four years and no more; and

2 (d) be answerable to the Board.

3 (3) There shall be appointed by the Board for the Agency, a  
4 Secretary who shall qualify as a legal practitioner and is so qualified for not  
5 less than 10 years.

6 (4) The Secretary shall be answerable to the Governing Board of  
7 the Agency.

8 **10.**-(1) The staff of the Agency other than those mentioned in this Other staff of the  
9 Bill shall be employed according to the procedure stipulated by the civil Agency  
10 service regulations.

11 (2) The Staff can be on permanent or temporary appointment as  
12 determined by the Board.

13 (3) The provisions of the Pension Reform Act, 2004 shall apply to  
14 the service of the Agency.

15 **11.**-(1) The Board may subject to the provision of this Bill, make Staff regulations  
16 Staff Regulations relating generally to the Conditions of Service of the  
17 employees of the Agency, such regulations may provide for Appointment,  
18 Promotion, Discipline and Appeals of the staff of the Agency.

19 (2) The Staff Regulations made under sub-clause (1) of this clause  
20 shall not have effect until they are approved by the Minister and gazetted.

21 PART IV - FINANCIAL PROVISIONS

22 **12.**-(1) The Agency shall establish and maintain a Fund which shall Establishment  
23 be applied towards the promotion of the objectives of this Bill. of fund for the  
Agency

24 (2) At the beginning of every year, the Board shall approve the  
25 expenditure of the Agency in line with the budgetary provisions in the extant  
26 Appropriation Act.

27 (3) There shall be paid and credited to the Fund established for the  
28 Agency-

29 (a) sums donated by the Federal, State and Local Governments;

30 (b) direct Agric-Credit Scheme Creation through Commercial

	1	banks at single interest rate as a Policy;
	2	(c) through various government agencies and institutions such Bank
	3	of Agriculture (BOA), Nigeria Incentive-Based Risk Sharing System for
	4	Agricultural Lending (NIRSAL), etc;
	5	(d) gifts, donations, and contributions from National and
	6	International Institutions and philanthropists; and
	7	(e) fees, if any, charged by the Agency for services rendered.
Management and application of the fund	8	<b>13.</b> -(1) The Agency shall manage and apply its Fund under the
	9	general guidelines made by the Management Committee subject to the
	10	approval of the Board.
	11	(2) The Agency shall apply its Funds in the-
	12	(a) administration of the Agency;
	13	(b) fees payable for procurement; and
	14	(c) consultancy services made for the benefit of the Agency.
Power to borrow money	15	<b>14.</b> The Agency may, with the written approval of the Board and
	16	subject to the guidelines and policy of the Federal Government, borrow such
	17	money needed for the exercise of its function, provided that such borrowing
	18	shall be made on the terms and conditions that do not compromise the
	19	competence of the Agency.
	20	PART V - MISCELLANEOUS PROVISIONS
Procedure and limitation of suit against the Agency	21	<b>15.</b> A person who has a cause of action against the Agency must-
	22	(a) give the Agency one month notice of intention to commence an action in
	23	writing disclosing the cause of action and be served to the principal office of the
	24	Agency; and
	25	(b) any cause of action against the Agency for any claim must
	26	commence within one year from the date the cause of action arose.
Service of process	27	<b>16.</b> Any document, summons, notice, process or any other thing
	28	required or authorized to be served to the Agency shall be served by delivering
	29	same to the office of the Director-General of the Agency.

1	17.-(1) Every member of the Board, agent or employee of the	Indemnity of
2	Agency shall be indemnified from the Fund of the Agency against any	members, etc.
3	liability incurred in defending any proceeding brought against the persons	
4	under this Clause, in the person's capacity as member, agent or employee of	
5	the Agency.	
6	(2) For official functions of members and staff of the Agency, the	
7	members and the staff of the Agency shall enjoy the provisions of the Public	
8	Officers Protection Act.	
9	18. The Minister shall have the power to make regulations to give	Power of the
10	effect to the provisions of this Bill.	Minister to make
11	19. In this Bill-	regulations
12	"Board" means Governing Board as established in clause 2(1);	Interpretation
13	"Board Chairperson" means Chairperson of the Governing Board as	
14	provided for in clause 2(2);	
15	"Management Committee" means the committee established for the	
16	management of the Agency in clause 8(1);	
17	"Management Committee Chairperson" means the chairperson of the	
18	Management Committee;	
19	"Minister" means Minister of Agriculture and Food Security; and	
20	"Ministry" means Ministry of Agriculture and Food Security.	
21	<b>Citation</b>	
22	20 This Bill is cited as the National Farm Settlement Agency	Citation
23	(Establishment) Bill, 2024.	

## 1 SCHEDULE

## 2 SUPPLEMENTARY PROVISIONS RELATING TO THE AGENCY

3 *Proceeding of the Board*

4 1.-(1) Subject to the provisions of this Bill and other applicable laws,  
5 the Board may make standing orders regulating its proceedings.

6 (2) The Board shall meet whenever it is summoned by the Board  
7 Chairperson, or if required to do so by at least 6 members of the Board and shall  
8 meet for a minimum of 4 times in a year.

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

12 (4) The quorum of the Board shall be formed by the Chairperson or a  
13 person sitting in his place and five other members of the Board including the  
14 Secretary.

15 *Committees*

16 2.-(1) The Management Committee may appoint sub-committees to  
17 carry out, on its behalf, such functions that the Committee shall so do.

18 (2) The decision of the sub-committee appointed under paragraph  
19 2(1) shall have no effect until it is approved by the Management Committee.

20 *Miscellaneous*

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

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

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

30 (4) Where the Board desires to obtain an expert opinion from a person

1 not being a member of the Board, the Board may co-opt such person for such  
2 period the Board may determine but the co-opted person shall not have the  
3 right to vote or to count in forming a quorum.

4 (5) The validity of any proceeding of the Board or a Committee  
5 shall not be adversely affected by any vacancy in the membership of the  
6 Board or Committee or by any defect in the appointment of a member of the  
7 Board or Committee or by reason that a person not entitled to take part in the  
8 proceedings of the Board or the Committee took part.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Farm Settlements Agency to promote agricultural development, ensure food security and foster economic growth by creating agro-allied industrial processing zones, with a view to facilitate value addition in the agricultural sector, and promote agribusiness opportunities in Nigeria.