

A BILL

FOR

AN ACT TO AMEND THE BORDER COMMUNITIES DEVELOPMENT AGENCY ACT CAP B10 LAWS OF THE FEDERATION OF NIGERIA 2004 TO REVIEW THE NATURE OF THE SERVICES TO BE RENDERED TO THE BORDER COMMUNITIES BY THE AGENCY, TO REVIEW THE FUNDING REGIME OF THE AGENCY, AND TO REDEFINE THE TERRITORIAL BOUNDARIES OF THE AGENCY, AND FOR RELATED MATTERS

Sponsored by Hon. O.K. Chinda

[] Commencement

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

1 **1.** The Border Communities Development Agency Act Cap B10
2 Laws of the Federation of Nigeria 2004 (in this Bill referred to as "the
3 Principal Act") is amended as set out under this Bill.

Amendment of
the Boarder
Communities
Development
Agency Act
Cap B10 LFN
2004

4 **2.** Section 2(8) of the Principal Act is amended-
5 (a) by substituting the words "Notwithstanding the foregoing
6 provisions of section 2 of this Act, a person shall cease to hold office as a
7 member of the Board if' for the words" A member of the Board shall cease to
8 hold office as a member of the Board if', before the existing paragraph "(a)";
9 and

Amendment of
Section 2 of the
Principal Act

10 (b) in paragraph "(f), by deleting the words and a figure "section 5
11 of.

12 **3.** Section 3 of the Principal Act is amended by inserting after the
13 existing paragraph "(I)", a new paragraphs "(m)" and "(n)"-

Amendment of
Section 3 of the
Principal Act

14 "(m) provide the masterplan, off-grid power and communication
15 solutions; agricultural development and social welfare for Border
16 communities"; and

17 "(n) support security agencies in gathering intelligence in border

	1	areas and communities through community participation/engagement".
Amendment of Section 6 of the Principal Act	2	4. Section 6 of the Principal Act is amended by deleting subsections
	3	"(3)" and "(4)".
Amendment of Section 7 of the Principal Act	4	5. Section 7 of the Principal Act is amended-
	5	(a) in subsection (1), by substituting the word "Commission" for the
	6	words "Board on the recommendation of the Secretary";
	7	(b) in subsection (2), by substituting the words "tenure of office" for
	8	the words "conditions of service" and the words "Federal Civil Service
	9	Commission" for the words "Office of the Head of Service of the Federation
	10	and the National Incomes, Salaries and Wages Commission"; and
	11	(c) in subsection (3), by deleting the words "any of" immediately after
	12	the word "from".
Amendment of Section 9 of the Principal Act	13	6. Section 9 of the Principal Act is amended by substituting the
	14	existing section "9" for a new section "9"-
	15	"9 The Agency shall establish and maintain a Fund into which shall be
	16	paid and credited -
	17	(a) a take- off grant from the Federal Government;
	18	(b) annual subvention from the Federal Government;
	19	(c) such counterpart funding as may be provided from time to time by
	20	a Border State or Local Government Area;
	21	(d) loans and grants - in - aid from national, bilateral and multilateral
	22	Agencies;
	23	(e) rents, fees and other internally generated revenues from services
	24	provided by the Agency;
	25	(f) 5 percent of the 20 percent Ecological Fund accruable to the
	26	Federal Government for the amelioration of ecological problems and
	27	infrastructural deficits in the Border Communities;
	28	(g) all other sums accruing to the Agency, from time to time;
	29	(h) 1 percent of annual profit (before tax) due (made by) construction

1 companies including manufacturers of construction materials operating in
2 Nigeria;

3 (i) a sum equivalent to 1.5 percent of the annual VAT collection as
4 first-line charge, deductible at source from the Federation Account as
5 Federal Government contributions; and

6 (j) 1 percent of profit before tax of all companies operating in
7 border states in the federation."

8 7. Section 23 of the Principal Act is amended by inserting after the
9 interpretations of the word "Board" the interpretations of "Border"- "Border
10 Communities means Communities in the Local Government Areas of the
11 Border States listed in the First Schedule to this Act and situated within 50
12 kilometers from the international border with neighboring countries or as
13 may from time to time be decided by the Agency".

Amendment of
Section 23 of the
Principal Act

14 8. The First Schedule to the Principal Act is amended by
15 substituting the existing items "1 to 4" for new items "1 to 21"-

Amendment of
the First Schedule
to the Principal
Act

- 16 1. Adamawa
- 17 2. Akwa-Ibom
- 18 3. Bayelsa
- 19 4. Benue
- 20 5. Borno
- 21 6. Cross River
- 22 7. Delta
- 23 8. Jigawa
- 24 9. Katsina
- 25 10. Kebbi
- 26 11. Kwara
- 27 12. Lagos
- 28 13. Niger
- 29 14. Ogun
- 30 15. Ondo

	1	16. Oyo
	2	14. Rivers
	3	15. Sokoto
	4	16. Taraba
	5	17. Yobe
	6	18. Zamfara"
Citation	7	9. This Bill may be cited as the Border Communities Development
	8	Agency Act (Amendment) Bill, 2024.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Border Communities Development Agency Act Cap B10 Laws of the Federation of Nigeria 2004 to review the nature of the services to be rendered to the border communities by the Agency, to review the funding regime of the Agency, and to redefine the territorial boundaries of the Agency.