

# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL COTTON, TEXTILE AND GARMENT (CTG) DEVELOPMENT COUNCIL TO PROVIDE FOR THE PROMOTION AND FACILITATION OF COTTON PRODUCTION, MARKETING AND STANDARDISATION; INVESTMENT IN COTTON VALUE CHAIN, TEXTILES AND GARMENTS AS A PANACEA TO ACHIEVING SELF-SUFFICIENCY IN COTTON, TEXTILES AND GARMENT INDUSTRY IN NIGERIA AND FOR RELATED MATTERS

*Sponsored by: Hon. Abubakar Husaini Moriki*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF NATIONAL COTTON, TEXTILE AND  
2 GARMENT (CTG) DEVELOPMENT COUNCIL

3 1.-(1) There shall be established a body to be known as National  
4 Cotton, Textile and Garment (CTG) Development Council. (In this Bill  
5 referred to as the ("Council")).

Establishment of  
National Cotton,  
Textile and  
Garment (CTG)  
Development  
Council

6 (2) The Council shall be a:

7 (a) Body corporate with perpetual succession; and

8 (b) May sue and be sued in its corporate name.

9 2.-(1) There shall be established a Governing Board for the  
10 Council in this Bill referred to as "the board" which shall be headed by a non-  
11 executive Chairman to be appointed by the President.

Governing Board  
of the Council

12 (2) Other members of the Board shall be appointed on the  
13 recommendation of the Ministries, Departments and Agencies/bodies they  
14 represent as follows:

15 (i). Federal Ministry of Industry, Trade and Investment (MOITI);

16 (ii) Ministry of Agriculture and Rural Development (MOA&RD);

- 1 (iii) Manufacturers Association of Nigeria (MAN);  
2 (iv) National Cotton Association of Nigeria (NACOTAN);  
3 (v) National Cotton Farmers Association of (NCFA);  
4 (vi) Nigerian Textile Manufacturers Association (NTMA);  
5 (vii) National Union of Textile, Garment, and Tailoring Workers of  
6 Nigeria (NUTGTWN);  
7 (viii) Two eminent Nigerian stakeholders;  
8 (ix) One member from Agricultural Research Institutes domiciled in  
9 the region where cotton is dominantly grown;  
10 (x) The Executive Secretary in the Council shall serve as a Member  
11 and Secretary of the Board.

Schedule

- 12 (3) The supplementary provisions contained in the Schedule to the  
13 Bill shall have effect with respect to proceedings of the Council and for other  
14 matters contained therein.

Functions of  
the Council

15 **3.** The functions of the Council shall include:

- 16 (a) To draw comprehensive policy guidelines and action programmes  
17 for issues relating to cotton, textile and garment development;  
18 (b) Promotion and enhancement of Cotton Production through  
19 Demonstration Farms, Farmers out grower Scheme, Best Cotton farming  
20 technologies, quality control and standardization, Cotton marketing, research  
21 and development;  
22 (c) Formulation and implementation of policies aimed at  
23 resuscitation of ailing Textile Industries, establishment of new ones and  
24 promotion of Cotton Value Chain; and Garment sub-sector;  
25 (d) Administration of the funds of the Council;  
26 (e) Promotion and facilitation of investment in cotton, textile and  
27 Garment sub sector;  
28 (f) Advise on the administration of the Council's managed funds by  
29 recommending prospective beneficiaries for consideration of the Financial  
30 Development Institutions where the Council's managed funds are domiciled;

1 (g) To facilitate the availability of credit and other farm inputs for  
2 cotton farmers in liaison with financial institutions and corporate bodies  
3 whose functions relate to Cotton, Textile and Garment Development;

4 (h) To encourage communities to form cooperative societies aimed  
5 at massive production of cottons to satisfy input requirement of textile  
6 industry;

7 (i) To pursue any other matter which is aimed at enhancing the  
8 objectives of the Council; and

9 (j) Perform such other functions as may be assigned by the Minister  
10 from time to time.

11 **4. The Board shall have power to:**

Power of the Board

12 (a) Serve as an advisory Body to the Council for the discharge of its  
13 functions;

14 (b) Approve policies formulated by the management of the Council  
15 in accordance with the provisions of the Act;

16 (c) Approve the salaries, other remunerations, of the staff of the  
17 Council;

18 (d) Receive and approve annual reports on the performance of the  
19 Council;

20 (e) Do such other things that are as necessary for the efficient  
21 performance of the functions of the Council.

22 **5.-(1) The Chairman and Members of the Governing Board of the**  
23 **Council shall hold office for a term of four years, subject to renewal for only**  
24 **one further term of four years and no more.**

Tenures of Office of the Chairman and Members of the Board

25 (2) without prejudice to subsection (1) of this Section, the Minister  
26 may appoint from among the members to act as the Chairman during the  
27 absence or temporary incapacitation by illness or otherwise of the Chairman  
28 and the person so appointed shall while the appointment subsists have the  
29 same powers as exercised by the Chairman.



1 the attainment of the Council's mandate.

2 (4) The Executive Secretary shall hold office in the first instance  
3 for a period of four years and may be reappointed for another term of 4 years  
4 only.

5 (5) Subject to the provisions of this section, the Executive  
6 Secretary shall hold office on such terms and conditions as may be specified  
7 in his letter of appointment.

8 8.-(1) There shall a Management Committee of the Council  
9 comprising of the Executive Secretary as the Chairman and all the Directors  
10 as members.

11 (2) The director of corporate affairs and Human Resources shall  
12 serve as secretary and member of the management committee.

13 9.-(1) The Council shall appoint such other persons as employees  
14 of the Council as it may consider necessary for the purpose of the efficient  
15 performance of the functions of the Council, in accordance with sections 3  
16 and 4 of this Act.

Staff of the  
Council

17 (2) Staff appointed under this section shall be paid by the Council  
18 such remunerations and allowances as applicable by other similar  
19 organizations in the public service; and as may be approved by the  
20 Governing Board of the Council.

21 (3) Subject to the provisions of subsection (2) of this section, the  
22 Council shall have powers to review the salaries and allowances of the staff  
23 of the Council periodically but not more than every five years, on the  
24 approval of the Governing Board of the Council.

25 10. The Secretariat of the Council shall be located in the Federal  
26 Capital Territory, Abuja.

Location of the  
Secretariat of the  
Council

27 PART III - FINANCIAL PROVISIONS

28 11.-(1) The Council shall establish a Fund which shall consist of:

Financial  
Provisions

29 (a) Managed fund to be domiciled and managed by the Bank of  
30 Industry with a matching fund by the Bank according to an agreed formula

1 between the Council and the Bank;

2 (b) 10% levy of the value of all imported textile/ garment materials  
3 into the country;

4 (c) Such sums as may be collected or received by the Council from the  
5 Federation Account to finance its operations;

6 (d) Donations, Aids, Grants and Fees from Development Partners,  
7 Non- Governmental Organisations, other stakeholders, etc.

8 (2) The Council may, from time to time, apply the proceeds of the  
9 fund established under subsection (1) of this section to:

10 (a) augment funding for the payment of the Council's personnel,  
11 overhead and capital expenditure in accordance with approved annual budgets  
12 of the Council;

13 (b) Facilitation and promotion of cotton production, marketing,  
14 research, standardization;

15 (c) Facilitation and promotion of establishment of new and  
16 resuscitation of moribund textile factories;

17 (d) Develop Programmes/projects as catalyst for facilitating import  
18 substitution of textile and garment;

19 (e) Facilitate access to finance for cotton farmers, textile, garment and  
20 tailoring entrepreneurs and other industry players at single digit interest rate  
21 through the Bank of Industry/any other Financial Institution by recommending  
22 prospective beneficiaries to them;

23 (f) Administration of the Council's activities.

Power to borrow

24 **12.**-(1) The council may in consultation with or in accordance with  
25 any special authority given by the Minister, borrow by the way of loan from the  
26 Federal Government or by way of overdraft, approved by the minister sums as  
27 may be required by the council for meeting the functions under this Bill

28 (2) The Council may invest all or any of its fund in such manner for  
29 the attainment of its mandate as may be approved by the Minister, on  
30 recommendation of the Governing Board of the Council.

1                   **13.**-(1) The Council shall prepare and submit to the minister Annual Estimates  
and Accounts  
2 through the Board not later than 31st December of the year in which this  
3 subsection comes into force, however, that the minister may, if he considers  
4 it necessary, extend the period and of each subsequent year, an estimate of its  
5 income and expenditure during the next succeeding year.

6                   (2) The Council shall keep proper accounts in respect of each year  
7 and proper records in relation to those accounts and shall cause its accounts  
8 to be audited within six months after the end of each year to which the  
9 accounts relate by auditors appointed from the list and in accordance with  
10 the guidelines supplied by the Auditor-General of the Federation.

11                   **14.**-(1) The Council shall prepare and submit to the Minister Annual Report  
12 through the Board of the council not later than eighteen clear months after its  
13 establishment, and once every year thereafter, a report in such form as the  
14 Minister may direct on the activities of the council during the last preceding  
15 year, and shall include in the report a copy of the audited accounts of the  
16 council for that year and of the auditor's report on the accounts.

17                   (2) The report prepared in accordance with subsection(1) above,  
18 shall be deemed a public document and without prejudice to any other law,  
19 shall be made available on request by any other Government body or other  
20 Organisation.

21                   **15.** In this Bill- Interpretation  
22 "Board" means Governing Board of the Council established under section 2;  
23 "Chairman" means the non-executive Chairman of the Board;  
24 "Council" means the National Cotton, Textile and Garment (CTG  
25 Development Council established under section I(1);  
26 "Minister" means the Minister responsible for the Ministry of Industry;  
27 "President" means the President and Commander-in-Chief of the Armed  
28 Forces of the Federal Republic of Nigeria.

29                   **16.** This Bill may be cited as National Cotton, Textile and Garment Short Title  
30 (CTG) Development Council (Establishment) Bill, 2017.

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SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC

1.-(1) Subject to this Act and section 27 of the Interpretation Act, the Board may make Standing Orders regulating its proceedings or those of its Committees.

(2) The quorum of the Board shall be the Chairman or the person presiding over the meeting, the Executive Secretary and one third of other members of the Board.

2.-(1) The Board shall meet on quarterly basis or whenever it deemed necessary to be summoned by the Chairman and if the chairman is required to do so by notice given to him by not less than four other Members, he shall summon a meeting of the Board to be held within fourteen (14) days from the date on which the notice is given.

(2) At any meeting of the Board, the Chairman shall preside but in his absence, the Members present at the meeting shall appoint one of their members to preside at the meeting.

*Committee*

3.-(1) The Board may appoint one or more Committees (Standing or Ad Hoc) to carry out, on behalf of the Council such functions as it may determine.

(2) A Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the Committee in accordance with the terms of his appointment.

(3) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.

(4) The Board shall specify the terms of reference in respect of the duties to be performed by Committee appointed in accordance to the provisions of sections (1) & (2) of this section

*Miscellaneous*

4.-(1) the fixing of the seal of the Council shall be authenticated by the



1       signatures of the Chairman or any other member of the Board, generally or  
2       specifically authorized by the Board to act for that purpose and the  
3       Executive Secretary.

4               (2) A document purporting to be a document dully executed under  
5       the seal of Council shall be received in evidence and shall, unless and until  
6       the contrary is proved be presumed to be so executed.

7               5. The validity of any proceedings of the Board or of a Committee  
8       shall not be adversely affected by-

9               (a) A vacancy in the membership of the Board or Committee;

10              (b) A defect in the appointment of a member of the Board or  
11       Committee; or

12              (c) Reason that a person not entitled to do so took part in the  
13       proceedings of the Board or Committee.

EXPLANATORY MEMORANDUM

This Bill seeks to provide a Legal Framework to regulate the growth and development of Cotton production, Textile, and Garment Industry in Nigeria, with a view to achieve self-sufficiency and promote export.

