

NIGERIAN STREET TRADING REGULATION COMMISSION
(ESTABLISHMENT, PROTECTION OF LIVELIHOODS, ETC.) BILL, 2018

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A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN STREET TRADING REGULATION COMMISSION AS A REVENUE GENERATING AGENCY OF THE FEDERAL GOVERNMENT OF NIGERIA FOR THE PURPOSE OF PROVIDING AN INSTITUTIONAL AND FORMAL APPROACH TO PROTECTING THE LIVELIHOODS OF STREET TRADERS, DOMESTIC WORKERS AND OTHERS WITHIN THE INFORMAL SECTOR OF NIGERIA'S ECONOMY AND LABOUR FORCE AS A LEGACY FOR FUTURE GENERATIONS AND FOR RELATED MATTERS

Sponsored by Hon. Linus Okorie

[] Commencement

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

1 PART I - APPLICATION, ESTABLISHMENT, FUNCTIONS OF THE
2 COMMISSION ETC.

3 1.-(1) This Bill applies to all persons, cooperative societies and
4 other organisations conducting street trading, mobile shops, mobile
5 vending, domestic workers, mobile shoe repairers, bicycle and motorcycle
6 repairers and itinerant traders carrying on trading upon a mobile craft on an
7 itinerant basis within the territorial waters and land mass of Nigeria.

Application of
Scope

8 (2) This Bill applies within to the whole territory of the Federal
9 Capital Territory, the Federal Highways and roads within all the Thirty-six
10 (36) States and the Seven Hundred and Sixty-Eight (768) Local
11 Government Areas in Nigeria as shown in the second column of Part I of the
12 First Schedule to the 1999 Constitution of the Federal Republic of Nigeria
13 (as amended).

14 2.-(1) There is established the Nigerian Street Trading Regulation
15 Commission (NSTRC) (in this bill referred to as the "Commission") to be
16 situate in Abuja, Federal Capital Territory which shall have such powers and

Establishment
of the Nigerian
Street Trading
Regulation
Commission

1 exercise such functions as are conferred upon it by this Bill.

2 (2) The Commission:

3 (a) shall be a body corporate with perpetual succession and a common
4 seal;

5 (b) may sue and be sued in its corporate name; and

6 (c) may acquire, hold and dispose of interests in movable and
7 immovable property for the purpose of carrying out its functions under this
8 Bill.

Governing
Council of the
Commission

9 **3.**(1) There is established for the Commission, a Governing Council
10 (in this Bill referred to as "Council") which shall exercise overall supervision
11 of the Commission in accordance with the provisions of this Bill.

12 (2) The Council shall consist of a chairperson and six other members
13 drawn from the six geo-political zones of Nigeria, the Director-General of the
14 Commission shall serve as Secretary of the Council;

15 (3) The Members of the Council shall be appointed by the President
16 on the recommendation of the Minister for Industry, Trade and Investment, and
17 the Commission shall be under the supervision of the Federal Ministry of
18 Industry, Trade and Investment.

19 (4) The persons appointed to be members of the Council shall be
20 persons appearing to the President to be suitably qualified by reason of their
21 professional, academic or administrative qualifications and cognate
22 experience or by their attainments in any field of human endeavour.

23 (5) Subject to Sub-Section (6) of this Section, a person appointed as a
24 member of the Council shall hold office for four years and shall be eligible for
25 re-appointment for one further period of four years and no more.

26 (6) The President may terminate the appointment of a member of the
27 Council on grounds of misbehavior or inability to discharge the duties of his
28 office by reason of physical or mental incapacity. The office of a member
29 appointed under Sub-sections (3) and (4) of this Bill shall become vacant if:

30 (a) the member resigns his office by notice in writing under his hand,

1 addressed to the Minister; or

2 (b) the Minister is satisfied that it is not in the interest of the
3 Commission for the person appointed to continue in office and notifies the
4 member in writing to that effect.

5 (7) The supplementary provisions set out in the First Schedule shall
6 have effect with respect to the proceedings of the Council and other matters
7 mentioned therein.

8 4.-(1) The Commission shall consist of a Director-General and the
9 following other Principal Officers, the Director-General is to be appointed
10 by the President on the recommendation of the Minister while the other
11 Principal Officers are to be appointed by the Selection Council of the
12 Commission established under Clause 16 of this Bill:

Director-General,
Principal Officers
and Staff of the
Commission

13 (a) a Secretary of the Commission responsible for street trading
14 activities;

15 (b) a Legal Adviser for the Commission who should have not less
16 than ten years' experience in the area of trade and industry law;

17 (c) thirty-seven State Directors representing the thirty-six States of
18 Nigeria and the FCT to serve as Chairpersons of the State Street Trading
19 Committee responsible for consideration of applications for the award of
20 street vending licenses and delimitation of street trading zones within the
21 States and the FCT;

22 (d) one representative of the Central Bank of Nigeria responsible
23 for award of grants and loans to small, and medium enterprises;

24 (e) a representative of the National Identity Management
25 Commission (NIMC) for creation of a digital Register of the database of
26 street traders within Nigeria;

27 (f) a representative of the National Pension Commission for
28 provision of pension services for street traders and others under the purview
29 of this Bill;

30 (g) a representative of the National Insurance Commission to

1 provide insurance policy for street traders and others under the purview of this
2 Bill; and

3 (h) a representative of the National Commission for Nomadic
4 Education to formulate and implement a formal education framework for all
5 street traders.

6 (2) Each State Trading Committee shall consist of:

7 (a) Local Government Area Commissioner or Chief Executive
8 Officer of the LGA Street Trading, as the case may be, who shall be the
9 Chairperson;

10 (b) such number of other members as may be prescribed, to be
11 nominated by the Commission, to represent the Local Government Area Street
12 Trading Committee, consisting of the medical officer of the local authority, the
13 planning authority, traffic police, police, association of street vendors, market
14 associations, traders associations, non-governmental organisations,
15 community based organisations, resident welfare associations, banks and such
16 other interests as it deems proper;

17 (c) the number of members nominated to represent the non-
18 governmental organisations and the community based organisations shall not
19 be less than ten percent; and

20 (d) the number of members representing the street traders shall not be
21 less than forty per cent who shall be elected by the street traders and vendors
22 themselves in such manner as may be prescribed:

23 Provided that one-third of members representing the street vendors
24 shall be from amongst women street traders and vendors:

25 Provided further that due representation shall be given to the persons
26 living with albinism, minorities and persons with disabilities from amongst the
27 members representing street traders and vendors.

28 (3) The Chairperson and the members nominated under sub-section

29 (2) shall receive such allowances as may be prescribed by the
30 Commission.

- 1 **5.** The objectives and functions of the Commission shall be: Objectives and
2 (a) to becoming a self-sufficient revenue generating Commission Functions of the
3 of the Federal Government of Nigeria; Commission
- 4 (b) to enable the flow of affordable financing to all players along
5 entire street trading value chains;
- 6 (c) To reduce the risks of financing institutions while granting
7 street trading and vending loans by building the capacities of both banks and
8 value chain actors on good practices in street vending financing, loans
9 utilization and repayment;
- 10 (d) to address the causes of low funding levels in the street trading
11 and vending sector, including lack of understanding of the sector, perceived
12 high risks, complex credit assessment processes/procedures, and high
13 transaction costs;
- 14 (e) to fix street trading and vending value chains in order to provide
15 a reliable platform for de-risking street trading or vending lending;
- 16 (f) to provide technical assistance through capacity building across
17 the value chains;
- 18 (g) to reduce the cost of borrowing by street traders from
19 commercial banks;
- 20 (h) to provide technical advice to street trading businesses.
- 21 **6.** For the carrying out of the functions of the Commission, the Powers of the
22 Council shall have powers to: Council
- 23 (a) enact the guiding policy of the Commission;
- 24 (b) plan of activities of the Commission;
- 25 (c) carry out research that is to be undertaken by the Commission;
- 26 (d) plan, review and implement the annual estimates of the
27 Commission;
- 28 (e) provide amenities for and make such other provision for the
29 welfare of the staff of the Commission;
- 30 (f) outline the various investment plans of the Commission.

1 (g) invest the funds of the Commission in securities specified by law
2 or in such other securities in Nigeria as may be approved by the Minister;

3 (h) borrow money within Nigeria in such manner and upon such
4 security as the Minister may from time to time authorise;

5 (i) enter into such contracts as may be necessary or expedient for
6 carrying into effect the objectives and functions of the Commission;

7 (j) recruit staff of the right cadre and determine the career structure of
8 such staff;

9 (k) establish and maintain such training centers and other teaching
10 units within the Commission or extramural departments as the Council may,
11 from time to time, decide; and

12 (l) do such acts and things whether or not incidental to the foregoing
13 powers as may advance the objectives and functions of the Commission.

Power of Minister
to give Direction
to the Council

14 **7.** Subject to the provisions of this Bill, the Minister may give to the
15 Council directions of a general character or relating generally to matters of
16 policy with regard to the exercise by the Council of its functions under this Bill
17 and it shall be the duty of the Council to comply with such directions.

18 **PART II - FINANCIAL PROVISIONS**

Funds of the
Commission

19 **8.-(a)** The Commission shall receive annual appropriation from the
20 National Assembly for a period of five (5) years from the date of
21 commencement of this Bill and thereafter the Commission shall be self-
22 funding;

23 (b) The Commission shall establish and maintain such bank accounts
24 to be applied towards the discharge of its functions which shall consist of and to
25 which shall be credited;

26 (c) a percentage as stipulated by the President and appropriated by the
27 National Assembly not less than five percent (5%) of all sale of street vending
28 licenses made in the preceding financial year, which sum shall be deployed to
29 pay part or all the capital and recurrent expenditures of the Commission;

30 (d) all other moneys which may from time to time, accrue to the

1 Commission from other services;

2 (e) any subvention or other budgetary allocation from the Federal
3 Government; and

4 (f) all monies accruing to the Commission by way of gifts, grants-
5 in-aid, testamentary dispositions, endowments and contributions from any
6 source.

7 **9.** The Commission may from time to time, apply the proceeds of
8 the funds established under Clause 8 of this Bill to: Proceeds of
Funds

9 (a) the cost of administration of the Commission;

10 (b) paying the emoluments, allowances and benefits of members of
11 the Council and for reimbursing members of the Council or of any State
12 Committee of the Commission for such expenses as may be expressly
13 authorized by the Council;

14 (c) the payment of the salaries, fees or other remuneration or
15 allowances to the officers and other employees of the Commission;

16 (d) the development of any property vested in or owned by the
17 Commission; and

18 (e) any other payment for anything incidental to the foregoing
19 provisions or in connection with or incidental to any other function of the
20 Commission.

21 **10.-(a)** The Commission shall, not later than 30th August in each Annual Estimates
and Accounts
22 year submit to the Minister of National Planning an estimate of its
23 expenditure and income - for the next succeeding year for the purpose of
24 submission to the National Assembly for appropriation;

25 (b) The Commission shall keep proper books of accounts in respect
26 of each year and proper records in relation to those accounts and shall cause
27 a comprehensive audit of all its accounts to be undertaken and completed
28 within three months after the end of each financial year by auditors
29 appointed from the list provided and in accordance with guidelines supplied
30 by the Auditor- General for the Federation.

Annual Report, etc.	1	11. -(a) The Commission shall, not later than the 30th day of June in
	2	each year, submit to the Auditor-General of the Federation, a report of its
	3	activities during the immediate preceding year and shall include in such report
	4	the duly audited accounts of the Commission;
	5	(b) The Auditor-General shall within 30 days of receipt of the report,
	6	present a copy of the report to the:
	7	(i) Federal Minister of Industry, Trade and Investment whom shall in
	8	turn submit same to the Federal Executive Council; and
	9	(ii) National Assembly.
Power to accept gifts	10	12. -(a) The Commission may accept any gift of land, monetary or
	11	other property on such terms and conditions, if any as may be specified by the
	12	person or organization making the gift and agreed to by the Council;
	13	(b) The Commission shall not accept any gift if the conditions
	14	attached by the person or organization offering the gift are inconsistent with
	15	any law in force or with the functions of the Commission.
Investment	16	13. The Council may, subject to the provisions of this Bill and other
	17	relevant legislation and the conditions of any trust created in respect of any
	18	property, invest all or any of its funds in any security or any other fund as may,
	19	from time to time, be approved by the Minister.
	20	PART III - APPOINTMENT, RESIGNATION OF PRINCIPAL OFFICERS OF
	21	THE COMMISSION AND PENSIONS
Resignation of appointment of Principal Officers	22	14. A principal officer may resign his appointment:
	23	(a) in the case of the Director-General, by notice in writing to the
	24	Minister; and
	25	(b) in any other case, by notice in writing to the Council.
Other employees of the Commission	26	15. -(1) The Council may appoint such other persons to be employees
	27	of the Commission as the Council may determine to assist the Director-General
	28	in the performance of their functions under this Bill.
	29	(2) Subject to the provisions of this Bill, the remuneration, tenure of
	30	office and conditions of service of the employees of the Council shall be

1 determined by the Council in consultation with the Federal Civil Service
2 Commission.

3 **16.**-(1) There shall be, for the Commission, a Selection Council Selection Council
4 which shall consist of: for other Principal
Officers

- 5 (a) the Chairperson of the Council;
6 (b) four members of the Council;
7 (c) The Director-General who serves as the Secretary of the
8 Council

9 (2) The functions, procedure and other matters relating to the
10 Selection Council constituted under subsection (1) of this section shall be as
11 the Council may, from time to time, determine.

12 **17.**-(1) The service in the Commission shall be approved service Pensions
13 for the purposes of the Pensions Reform Act, 2014 and, accordingly, officers
14 and other persons employed in the Commission shall in respect of their
15 service in the Commission be entitled to pensions, gratuities and other
16 retirement benefits as are prescribed, so however that nothing in this Act
17 shall prevent the appointment of a person to any office on terms which
18 preclude the grant of a pension and gratuity in respect of that office.

19 (2) For the purposes of the application of the provisions of the
20 Pensions Reform Act, 2014 any power exercisable by a Minister or other
21 authority of the Government of the Federation shall be exercisable by the
22 Commission and not by any other person or authority.

23 PART IV- REGULATION OF STREET TRADING

24 **18.**-(1) Every street trader or vendor shall give an undertaking to Conditions for
25 the State Street Trading Committee prior to the issue of a certificate of issue of
26 vending under this Bill 4, that: certificate of
Street Trading

- 27 (a) he or she shall carry on the business of street trading by himself
28 or herself or through any of his or her family member;
29 (b) he or her has no other means of livelihood;
30 (c) he or she shall not transfer in any manner whatsoever, including

1 rent, the certificate of street trading or the place specified therein to any other
2 person.

3 (2) Where a street trader to whom a certificate of vending is issued
4 dies or suffers from any permanent disability or is ill, one of his family member
5 in following order of priority, may vend in his or her place, till the validity of the
6 certificate of street trading:

7 (a) spouse of the street vendor;

8 (b) dependent child of the street vendor.

Survey of street
traders and
protection from
eviction or
relocation

9 **19.**-(1) The State Street Trading Committee shall, within such period
10 and in such manner as may be specified in the scheme, conduct a survey of all
11 existing street vendors, within the area under its jurisdiction, and subsequent
12 survey shall be carried out at least once in every five years.

13 (2) The State Street Trading Committee shall ensure that all existing
14 street vendors, identified in the survey, are accommodated in the street trading
15 zones subject to a norm conforming to two and half per cent of the population
16 of the ward or zone or State or city, as the case may be, in accordance with the
17 plan for street trading and the holding capacity of the street trading zones.

18 (3) No street trader shall be evicted or, as the case may be, relocated
19 till the survey specified under sub-section (1) has been completed and the
20 certificate of street trading is issued to all street traders.

Issue of
certificate of
street trading

21 **20.**-(1) Every street trader, identified under the survey carried out
22 under sub-section (1) of Clause 18, who has attained the age of sixteen years or
23 such age as may be prescribed by the appropriate Government, shall be issued a
24 certificate of street trading by the State Street Trading Committee, subject to
25 such terms and conditions and within the period specified in the scheme
26 including the restrictions specified in the plan for street trading:

27 Provided that a person, whether or not included under the survey
28 under sub-section (1) of Clause 18, who has been issued a certificate of street
29 trading before the commencement of this Bill, whether known as licence or any
30 other form of permission (whether as a stationary vendor or a mobile vendor or

1 under any other category) shall be deemed to be a street trader for that
2 category for the period for which he has been issued such certificate of street
3 trading.

4 (2) Where, in the intervening period between two surveys, any
5 person seeks to trade or vend the State Street Trading Committee may grant
6 a certificate of street trading to such person, subject to the scheme, the plan
7 for street trading and the holding capacity of the street trading zones.

8 (3) Where the number of street traders identified under sub-section
9 (1) or the number of persons seeking to vend under sub-section (2) are more
10 than the holding capacity of the vending zone and exceeds the number of
11 persons to be accommodated in that street trading zone, the State Street
12 Trading Committee shall carry out a draw of lots for issuing the certificate of
13 street trading for that street trading zone and the remaining persons shall be
14 accommodated in any adjoining street trading zone to avoid relocation.

15 **21.**-(1) The certificate of street trading shall be issued under any of
16 the following categories, namely:

- 17 (a) a stationary trader;
- 18 (b) a mobile trader or vendor;
- 19 (c) a domestic worker; or
- 20 (d) any other category as may be specified in the scheme.

21 (2) The certificate of street trading issued for the categories
22 specified in sub-section (1) shall be in such form, and issued in such manner,
23 as may be specified in the scheme and specify the street trading zone where
24 the street trader shall carry on his street trading activities, the days and
25 timings for carrying on such vending activities and the conditions and
26 restrictions subject to which he shall carry on such street trading activities.

27 (3) Every street trader who has been issued certificate of street
28 trading under sub-section (1) shall be issued identity cards in such form and
29 manner as may be specified in the scheme.

Categories of
certificate of
street trading and
issue of identity
cards

Rights and obligations of Street Traders

1 **22.**-(1) Every street trader shall have the right to carry on the business
2 of street trading activities in accordance with the terms and conditions
3 mentioned in the certificate of street trading.

4 (2) Notwithstanding anything contained in sub-section (1), where any
5 area or space, as the case may be, has been earmarked as non-street trading
6 zone, no street trader shall carry out any street trading activities within that
7 zone.

8 (3) Every street trader, who possesses a certificate of street trading,
9 shall, in case of his or her relocation under section 18, be entitled for new site or
10 area, as the case may be, for carrying out his or her street trading activities as
11 may be determined by the local authority, in consultation with the State Street
12 Trading Committee.

13 (4) Where a street trader occupies space on a time sharing basis, he or
14 she shall remove his or her goods and wares every day at the end of the time-
15 sharing period allowed to him or her.

16 (5) Every street trader shall maintain cleanliness and public hygiene
17 in the vending zones and the adjoining areas.

18 (6) Every street trader shall maintain civic amenities and public
19 property in the street trading zone in good condition and not damage or destroy
20 or cause any damage or destruction to the same.

21 (7) Every street trader shall pay such periodic maintenance charges
22 for the civic amenities and facilities provided in the vending zones as may be
23 determined by the local government area council.

Relocation and eviction of Street Traders

24 **23.**-(1) The local government area council may, on the
25 recommendations of the State Street Trading Committee, declare a zone or part
26 of it to be a non-street trading zone for any public purpose and relocate the
27 street traders vending in that area, in such manner as may be specified in the
28 scheme.

29 (2) The local government area council shall evict such street trader
30 whose certificate of street trading has been cancelled under Clause 18 of this

1 Bill or who does not have a certificate of street trading and trades without
2 such certificate, in such manner as may be specified in the scheme.

3 (3) Every street trader who fails to relocate or vacate the place
4 specified in the certificate of street trading, after the expiry of the period
5 specified in the notice, shall be liable to pay for every day of such default, a
6 penalty which may extend up to two hundred and fifty naira, as may be
7 determined by the local government area council, but shall not be more than
8 the value of goods seized.

9 24.-(1) If the street trader fails to vacate the place specified in the
10 certificate of street trading, after the lapse of the period specified in the
11 notice given under sub-section (3) of Clause 23, the local government area
12 council, in addition to evicting the street trader under Clause 23, may, if it
13 deems necessary, seize the goods of such street trader in such manner as may
14 be specified in the scheme:

Seizure and
reclaiming of
goods

15 Provided that where any such seizure is carried out, a list of goods
16 seized shall be prepared, as specified in the scheme, and a copy thereof, duly
17 signed by the person authorised to seize the goods, shall be issued to the
18 street trader.

19 (2) The street trader whose goods have been seized under sub-
20 section (1) may, reclaim his goods in such manner, and after paying such
21 fees, as may be specified in the scheme:

22 Provided that in case of non-perishable goods, the local authority
23 shall release the goods within two working days of the claim being made by
24 the street trader, and in case of perishable goods the local government area
25 council shall release the goods on the same day of the claim being made by
26 the street trader.

27 25.-(1) The appropriate State Street Trading Committee or Local
28 Government Council may constitute one or more committees consisting of a
29 Chairperson who has been a retired Senior magistrate and two other
30 professionals having such not less than ten years post-qualification

Dispute
Resolution
Mechanism

1 experience as may be prescribed for the purpose of deciding the applications
2 received under sub-section (2):

3 Provided that no employee of the appropriate State Street Trading
4 Committee or the local government area council shall be appointed as
5 members of the committee.

6 (2) Every street trader who has a grievance or dispute may make an
7 application in writing to the committee constituted under sub-section (1) in
8 such form and manner as may be prescribed.

9 (3) On receipt of grievance or dispute under sub-section (2), the
10 committee referred to in sub-section (1) shall, after verification and enquiry in
11 such manner, as may be prescribed, take steps for redressal of such grievance or
12 resolution of such dispute, within such time and in such manner as may be
13 prescribed.

14 (4) Any person who is aggrieved by the decision of the committee
15 may prefer an appeal to the local authority in such form, within such time and in
16 such manner as may be prescribed.

17 (5) The State Street Trading Committee or the local government area
18 council shall dispose of the appeal received under sub-section (4) within such
19 time and in such manner as may be prescribed:

20 Provided that the State Street Trading Committee or the local
21 government council shall, before disposing of the appeal, give an opportunity
22 of being heard to the aggrieved person.

23 PART V - MISCELLANEOUS AND SUPPLEMENTARY

Offices and
premises

24 **26.**-(1) For the purpose of providing offices and premises necessary
25 for the performance of its functions, the Commission may:

26 (a) purchase any interest in or take on lease any land; and

27 (b) build, equip and maintain offices and premises.

28 (2) The Commission may, with the approval of the Minister, sell any
29 interest in or lease any land, offices or premises held by it and no longer
30 required for the performance of its functions.

Returns 1 **30.** Every State Street Trading Committee shall furnish, from time to
2 time, to the Commission and the local government area council such returns as
3 may be prescribed.

Interpretation 4 **31.**-(1) In this Act, unless the context otherwise requires:

5 (a) "holding capacity" means the maximum number of street traders
6 who can be accommodated in any street trading zone and has been determined
7 as such by the local government area council on the recommendations of the
8 State Street Trading Committee;

9 (b) "local government area council" means a Local Government Area
10 council or such other body entitled to function as a local authority in any Town,
11 city or LGA to provide civic services and regulate street trading and includes
12 the "planning authority" which regulates the land use within that town, city or
13 LGA;

14 (c) "mobile traders" means street traders who carry out vending
15 activities in designated area by moving from one place to another place
16 vending their goods and services;

17 (d) "neighbourhood or village market" means a market where sellers
18 and buyers have traditionally congregated for the sale and purchase of products
19 or services and has been determined as such by the local authority on the
20 recommendations of the State Street Trading Committee;

21 (f) "notification" means a notification published in the Official
22 Gazette and the term "notify" shall be construed accordingly;

23 (g) "planning authority" means an Urban Development Authority or
24 any other authority in any town, city or State designated by the appropriate
25 Government as responsible for regulating the land use by defining the precise
26 extent of areas for any particular activity in the master plan or development
27 plan or zonal plan or layout plan or any other spatial plan which is legally
28 enforceable under the applicable State Planning Act or the Urban Development
29 Act or the Local Government Area Act, as the case may be;

30 (h) "prescribed" means prescribed by rules made under this Act by the

1 appropriate Government;

2 (i) "Schedule" means the Schedule annexed to this Act;

3 (j) "scheme" means a scheme framed by the Commission or the
4 appropriate LGA under this Bill;

5 (k) "Stationary vendors" means street traders who carry out street
6 trading activities on regular basis at a specific location;

7 (l) "street trader" means a person engaged in vending of articles,
8 goods, wares, food items or merchandise of everyday use or offering
9 services to the general public, in a street, lane, side walk, footpath,
10 pavement, public park or any other public place or private area, from a
11 temporary built up structure or by moving from place to place and includes
12 hawker, peddler, squatter and all other synonymous terms which may be
13 local or region specific; and the words "street trading" with their
14 grammatical variations and cognate expressions, shall be construed
15 accordingly;

16 (m) "State Street Trading Committee" means the body constituted
17 by the Commission or the appropriate LGA under this Bill;

18 (n) "Street Trading Zone" means an area or a place or a location
19 designated as such by the Commission or the appropriate LGA Council, on
20 the recommendations of the State Street Vending Committee, for the
21 specific use by street traders for street trading and includes footpath, side
22 walk, pavement, embankment, portions of a street, waiting area for public or
23 any such place considered suitable for street trading activities and providing
24 services to the general public;

25 "Chairperson" means the chairman of the Council;

26 "Council" means the Council of the Commission established by or pursuant
27 to section 2 of this Bill;

28 "Functions" includes powers and duties;

29 "Minister" means the Minister charged with responsibility for matters
30 relating to Industry, Trade and Investment;

1 "Member" means a member of the Council including the chairperson;
2 "President" means the President and Commander in Chief of the Federal
3 Republic of Nigeria.

4 (2) Any reference in this Bill to any enactment or any provision
5 thereof, shall, in relation to an area in which such enactment or such provision
6 is not in force be construed as a reference to the corresponding law, if any, in
7 force in that area.

Short title

8 **32.** This Bill may be cited as the Nigerian Street Trading Regulation
9 Commission (Establishment, Protection of Livelihoods, etc.) Bill, 2018.

10 FIRST SCHEDULE

11 *Clause 3 (7)*

12 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

13 *Proceedings of the Council*

14 1. Subject to Section 27 of the Interpretation Act (which provides for
15 decisions of a statutory body to be taken by a majority of its members and for
16 the person presiding at any meeting, when a vote is ordered, to have a second or
17 casting vote), the Council may make standing orders regulating its proceedings
18 or any of its committees.

19 2. At every meeting of the Council, the Chairman shall preside and in
20 his absence the members present shall appoint one of them, other than the
21 Secretary, to preside.

22 3.-(1) The quorum at a meeting of the Council shall not be less than
23 half of the total number of members of the Council at the date of the meeting
24 and the quorum of a committee of the Council shall be determined by the
25 Council.

26 (2) A majority decision of the members on any matter obtained by
27 written correspondence shall be treated in all respects as though it was a
28 decision of the Council in meeting.

29 4. The Council shall for the purpose of this bill, meet not less than
30 four times in each year. The Council shall also meet whenever it is summoned

1 by the Chairman, and if required to do so, by notice given to him by not less
2 than seven members, he shall summon a meeting of the Council to be held
3 within 14 days from the date on which the notice is given.

4 5. Where the Council desires to obtain the advice of any person on
5 a particular matter, the Council may co-opt such person to the Council for
6 such period as it thinks fit, but a person who is a member by virtue of this
7 paragraph shall not be entitled to vote at any meeting of the Council and
8 shall not count towards a quorum.

9 6. A member of the Council who is directly or indirectly interested
10 in any matter being deliberated by the Council, or is interested in any
11 contract made or proposed to be made by the Council shall, as soon as
12 possible after the relevant facts have come to his knowledge, disclose the
13 nature of his interest at a meeting of the Council.

14 7. A disclosure under this paragraph shall be recorded in the
15 minutes of the meetings of the Council and the member concerned shall:

16 (a) after the disclosure, not take part in any deliberation or decision
17 of the Council; and

18 (b) be excluded for the purpose of constituting a quorum of any
19 meeting of the Council for any deliberation or decision with regards to the
20 subject matter in respect of which his interest is so disclosed.

21 *Committees*

22 8.-(1) Subject to its standing orders, the Council may appoint such
23 number of standing and ad-hoc committees as it thinks fit to consider any
24 report on any matter with which the Council is concerned.

25 (2) A committee appointed under this paragraph shall consist of
26 such number of persons (not necessarily members of the Council) as may be
27 determined by the Council, and a person, other than a member of the
28 Council, shall hold office on the committee in accordance with the terms of
29 his appointment and the committee shall be presided over by a member of
30 the Council.

