# NATURAL RESOURCES REGULATORY COMMISSION (ESTABLISHMENT, ETC) BILL, 2018 ARRANGEMENT OF SECTIONS

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# **ABILL**

### **FOR**

AN ACT TO PROVIDE A LEGAL FRAME WORK FOR THE ESTABLISHMENT OF NATURAL RESOURCES REGULATORY COMMISSION CHARGED WITH THE RESPONSIBILITY OF IMPOSING, MANAGING AND DISBURSING THE 1.68% NATURAL RESOURCE FUND FROM THE FEDERAL GOVERNMENT REVENUE AND FOR RELATED MATTERS

Sponsored by Hon. Aliyu B. Ahman-Pategi

Commencement ENACTED by the National Assembly of the Federal Republic of Nigeria as follows: PART 1 - ESTABLISHMENT OF NATURAL RESOURCES 1 REGULATORY COMMISSION 2 1. There shall be a Natural Resources Regulatory Commission (in Establishment 3 of the Natural this Act referred to as "Commission") which will be charged with the Resources Regulatory responsibilities of imposing, managing and disbursing the 1.68% Natural Commission 5 Resource Fund from the Federal Government Share/revenue for research, 6 management and development of natural resources across Nigeria, Interface 7 with owner states across the nation, Cause for the exploration of such 8 Resources by entering into working agreements with State, Local 9 Governments and Private Sectors on behalf of the Federal Government and 10 joint participation of relevant agencies of Government relevant Government 11 agencies to each project. Etc. 12 2. The Head office of the Commission shall be in Abuja with Zonal Head office of 13 the Commission Coordinating Offices in the Six Geo-Political Zones of (Kano-North West, 14 Lagos-South West, Yola-North East, Ilorin-North Central, Enugu-South 15 East and Port-Hacourt-South South Geo-political zones of the country. 16 PART II - GENERAL POWERS AND FUNCTIONS OF THE COMMISSION 17 Functions of the 3.-(1) The commission shall have the following functions: Commission-18

	1	(a) implement the Natural Resources Developmental programmes in
	2	Nigeria;
	3	(b) provide baseline information to stakeholders for the
	4	implementation of the programme;
4	5	(c) formulate strategies and action plans for the implementation of the
	6	programme;
	7	(d) partner with agencies, organizations and institutions involved in
	8	the development of Natural Resources in Nigeria for the attainment of the
	9	objectives of the commission;
	10	(e) capacity building, knowledge and skills at Federal, States and
	11	Local Community levels for the effective implementation of the programme;
	12	(f) Serve as focal point for the coordination of interventions by
	13	regional, sub-regional and international organization and agencies involved in
	14	the natural resources management in Nigeria;
	15	(g) ensure effective liaison with the stakeholders in the Natural
	16	Resources sector;
	17	(h) ensure uniformity of laws, rules and regulations that impact on the
	18	ecosystem;
	19	(i) enter into a specific and technical cooperation with persons and
	20	institutions for effective implementation of the program.
Powers of the Commission	21	4. The commission shall have the powers to:
	22	(a) receive and disburse funds for the carrying out of approved
· · · · · · · · · · · · · · · · · · ·	23	projects;
de la designation designation de la designation	24	(b) acquire, hold and manage movable and immovable property;
*	25	(e) enter into such contracts as may be contained in the approved
. *	26 .	projects and programmes;
		(d) purchase or acquire any asset or business considered necessary for
3	28	the propersconduct of its functions under this act; and
	29	(e) ell, let, lease or dispose of any of the property of the commission

e approval of the Board (3) Commission's Jurisdiction.

1	5. The Federal High court shall have jurisdiction to try offenders	The Consumission's
2 .	under this Act.	A silve a strange and a strang
3	PART 111 - ESTABLISHMENT OF THE COMMISSION'S BOARD	
4	6,-(1) There is established for the Commission, a Board of (in this	Establishment
5	Act referred to as "the Board of Trustees") which shall consist of:	of the Board of Trustees
6	(a) a chairman who shall:	
7	(b) be a representative each of the following Federal	
8	Ministries/Parastatals, who shall not be below the rank of a Director:	
9	(i) Office of the Secretary to the Government of the Federation;	
10	(ii) Federal Ministry of Finance;	
11	(iii) Federal Ministry of Solid Minerals;	
12	(iv) Federal Ministry of Agriculture and Rural Development;	
13	(v) Federal Ministry of Water Resources;	
14	(vi) Federal Ministry of Justice;	
15	(vii) Federal Ministry of Science and Technology:	
16	(viii) Bureau of Public Enterprises (PBE);	
17	(ix) Representatives of Miners Associations:	
18	(x) Chamber of Commerce; and	
19	(xi)ALGON.	
20	7(1) The Board of Trustees shall meet for the conduct of its	
21	ordinary meetings 4 times in a calendar year.	
22	(2) The Board of Trustees shall have the following functions:	Pangartnaosak and Alpa Bangrai
23	(a) receive and consider for approval the audited accounts of the	State and orange
24	commission;	
25	(b) receive and consider for approval the annual budgetary	
26	proposals of the commission;	
27	(c) receive and consider for approval Natural Resources	
28	Development policies and strategies;	
29	(d) receive and consider for approval in changes in the Natural	
30	Resources Development policies:	

	1	(e) give such other advice that may be necessary to achieve the
	2	objectives of this act.
	3	PART IV - STAFF OF THE COMMISSION
Executive	4	8,-(1) The president on the recommendation of the Secretary to the
Secretary	5	Government of the Federation appoint a Executive Secretary for the
	6	Commission:
	7	(a) The Executive Secretary shall be the Chief Executive and
	8	Accounting Officer of the commission;
	9	(b) be responsible for the execution of the policies, programmes and
	10	plans of the Commission; and
	11	(c) responsible for the day-to-day administration of the Commission
Tenure of office	12	9. The Executive Secretary shall hold office:
of the Executive Secretary	13	(a) for a period of 4 years subject to re-appointment by the President
	14	on the recommendation of the Board for a further term of 4 years and no more;
	15	and
	16	(b) on such other terms and conditions as may be specified in this
	17	letter of appointment:
	18	(i) The Office of the Executive Secretary becomes vacant where:
	19	(a) his term of office expires;
	20	(b) he resigns his appointment by a notice in writing under his hand
	21	addressed to the President;
	22	(c) he dies;
	23	(d) he is incapable of performing the functions of his office due to
	24	mental or physical illness;
	25	(e) he has been convicted of a felony or any offense involving
	26	dishonesty;
	27	(f) he is guilty of gross misconduct relating to his duties; or
	28	(g) the President directs his removal if he is satisfied that it is not the
	29	interest of the Commission or public for the person to continue in office as
	30	Executive Secretary.

1	10. The commission shall have the following administrative	Structure of the
2	structure:	Commission
3	(i) The Executive Secretary shall be the Chief Executive and	
4	Accounting Officer of the Commission while;	
5	(ii) there shall be a Internal Audit unit which will be directly under	
6	the office of the Executive Secretary;	
7	(iii) there shall be a directorate divisions that will subordinates the	
8	office of the Executive Secretary:	
9	(a) there shall be a directorate of:	
10	(i) Operations which comprises the Units of Mineral Resources,	
11	Water Resources, and Agricultural Resources Divisions;	
12	(ii) Finance and Accounts;	
13	(iii) Administration and Supplies;	
14	(iv) Legal and Common Services; and	
15	(v) the Commission shall also have the power to establish	
16	departments, units and such other administrative outfits as the Commission	
17	may deem appropriate with the approval of the Board of Trustees, from time	
18	to time.	
19	11. The commission shall have the following guidelines under this	Staff
20	act for staff remuneration:	Remuneration
21	(i) the National Salaries, Incomes and Wages Commission is	
22	responsible for determining wages and salaries of employees of the	
23	Commission;	
24	(ii) the Commission shall make rules relating generally to the	
25	conditions of service of employees of the Commission, including rules	
26	providing for the appointment, promotion, advancement, determination of	
27	appointment and disciplinary control of those employees.	
28	12. The service to this Commission shall be:	Pension
29	(i) subject to the Pension Reforms Act and nothing in this section	
30	shall exclude the Commission from employing staff on non-pensionable	

1 terms and conditions; (ii) a person seconded to the Commission under this section may elect 2 to be transferred to the service of the Commission and any previous service that 3 person may have rendered in the public service shall count as service in the 4 Commission for the purpose of any pension or entitlement under the Pension 5 6 Reform Act. PART V - FUNDS OF THE COMMISSION 7 13. The 1.68% of the Natural Resources fund shall be credited to the 8 Funds of the Commission commission for the purpose of achieving the Natural Resources development 9 in Nigeria; 10 14.-(a) The commission shall accept gifts of land, money or other Power to accept H I gifts property on such terms and conditions, if any, as may be specified by the person 12 or organization making the gift; 13 (b) the Commission shall not accept any gift if the conditions attached 14 by the person or organization making the gift are inconsistent with the 15 functions of the commission under this act. 6 15. The Commission may, with the approval of the Board, borrow Power to borrow 7 such sums of money as may be required, from time to time, to execute or 18 complete any special project of the commission. 10 16. The Commission shall, not later than 30th September in each Annual Budget 20 Estimates of the financial year, submit to the National Assembly through the Secretary to the Commission 21 Government of the Federation, an estimate of income and expenditure of the 22 Commission during the next succeeding year. 23 17.-(a) the Commission shall keep proper and regular accounts and Accounts and 24 Ambits other records of monies received and paid by the Commission and of the 25 several purposes for which the monies have been received or paid, and of its 26 assets, credits and liabilities: 27 (b) the Board shall cause the accounts of the Commission to be 28 audited quarterly and shall be externally audited once every year; 29 (c) The Auditor General of the Federation inspect and sadit the 30

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]	accounts and records of financial transactions of the Commission;	
2	(d) the Auditor General or an officer authorize by him is entitled at	
3	all reasonable time to a full and free access to all accounts, records,	
4	documents and papers of the Commission relating directive or Indirectly to	
5	the receipt or payment of money by the Commission or to the acquisition,	
6	receipt, custody or disposal of assets by the Commission;	
7	(e) as soon as the accounts and financial statements of the	
8	Commission have been audited in accordance with the requirement of this	
9	act, the Board shall forward a copy of the audited financial statements to the	
10	Secretary to the Government of the Federation for onward transmission to	
11	the National Assembly, together with any report or observation made by the	
12	auditors and the Auditor General on the statement of accounts.	
13	18. The Commission shall submit to the Secretary to the	Annual Report
14	Government of the Federation not later than 20th June of each financial year,	
15	a report of its activities during the preceding financial year and it shall	
16	include a copy of the audited accounts of the Commission for that year and a	
17	copy of auditor's report thereon.	

#### PART V - CITATION

19. This Bill may be cited as Natural Resources Regulatory Citation Commission (Establishment) Bill, 2018.

## EXPLANATORY MEMORANDUM

This Bill seeks to provide a legal frame work for the establishment of Natural Resources Regulatory Commission charged with the responsibility of imposing, managing and disbursing the 1.68% natural resource fund from the Federal Government Revenue.

