

NIGERIA INDUSTRIAL REVOLUTION PLAN BILL, 2015

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SCHEDULE

A BILL

FOR

AN ACT TO PROVIDE FOR THE RAPID BUILD UP OF INDUSTRIAL CAPACITY IN NIGERIA AND TO PROMOTE COMPETITIVENESS OF NIGERIA'S MANUFACTURED GOODS AND PRODUCTS AND FOR OTHER RELATED MATTERS

Sponsored by Hon. Gideon Gwani

[] Commencement

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

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PART I - THE NIGERIA INDUSTRIAL REVOLUTION PLAN

1. There is for Nigeria an Industrial Revolution Plan (in this Act referred to as "the Industrial Plan") which shall be implemented in accordance with the provisions of this Act.

The Nigeria Industrial Revolution Plan

2. -(1) The main objectives of the Industrial Plan are to-

Objectives of the Industrial Plan

- (a) accelerate the build-up of industrial capacity within Nigeria;
- (b) increase manufacturing contribution to Nigeria's Gross Domestic Product; and
- (c) drive the process of intense industrialization based on sectors where Nigeria has comparative and competitive advantages.

(2) The implementation of the Industrial Plan in accordance with the provisions of this Act is to, among other things-

- (a) facilitate job and wealth creation;
- (b) provide for economic and revenue diversification;
- (c) ensure import substitution and export diversification; and
- (d) broaden government's tax base.

3. -(1) The Industrial Plan shall be implemented throughout the Federation.

Scope of Application of the Industrial Plan

(2) The Industrial Plan shall be implemented based on industry

1 groups where Nigeria possesses clear comparative and competitive advantages
2 to commence the process of rapid industrialization.

3 (3) The industry groups referred to in subsection (2) of this section
4 include-

5 (a) agribusiness and agro allied;

6 (b) solid minerals and metals;

7 (c) oil and gas related industry; and

8 (d) construction, light manufacturing and services.

9 (4) To support the attainment of rapid industrialization under the
10 Industrial Plan, Government shall take steps to intervene in broader areas
11 hindering competitiveness of the entire industrial sector in Nigeria by-

12 (a) Establishing infrastructural facilities, including industrial cities,
13 parks and clusters, with support utilities to link industrial hubs to key markets;

14 (b) providing technical and vocational skills development at Federal
15 and States' level, in addition to strengthening existing industrial training"
16 institutions;

17 (c) encouraging national innovation system to enhance
18 competitiveness and building of a three-way partnership structure amongst the
19 academia, the public and the private sector to create a knowledge network and
20 promote key technologies required by industries in addition to strengthening
21 institutions that promote technology transfer, innovation and
22 entrepreneurship;

23 (d) improving the investment climate in Nigeria, and undertaking
24 reviews of laws and regulations hindering investments and strengthening the
25 institutional framework for enforcement of contracts and judgment of courts;

26 (e) strengthening the national quality certifying agencies and
27 cooperating with relevant international quality certifying agencies and
28 organizations to gain the confidence of economic operators;

29 (f) putting in place appropriate mechanism to encourage the
30 consumption and utilization of domestic products and strengthening consumer

1 and environmental protection agencies to carry out their functions
2 effectively; and

3 (g) ensuring the accessibility and availability of favourable
4 financial terms and conditions of finance to support industrial development
5 in Nigeria.

6 4. -(1) The President is the approving authority for plans and
7 programmes under the Industrial Plan and for this purpose, the President
8 shall approve the Nigerian Industrial Revolution Plan document and its
9 annual updated releases based on the recommendations of the Presidential
10 Advisory Committee established under sections of this Act.

Approving
authority for the
Industrial Plan

11 (2) The President, in furtherance of the exercise of his powers
12 under this Act may, as considered appropriate, hold consultations with
13 credible investors interested in investing in Nigeria.

14 5.-(1) There is established under this Part, a Presidential Advisory
15 Committee (in this Act referred to as "the Advisory Committee") which
16 shall be the apex regulatory body for the Industrial Plan with Government
17 and private sectors representatives as follows-

The Presidential
Advisory
Committee

18 (a) the Ministers of-

19 (i) Industry, Trade and Investment, who shall be the Chairman of
20 the Advisory Committee;

21 (ii) Finance;

22 (iii) Power;

23 (iv) Transport; and

24 (v) Works.

25 (b) the Governor of the Central Bank of Nigeria;

26 (c) the Chief Economic Adviser to the President;

27 (d) a leading private sector industrialist, who shall be the alternate
28 chairman; and

29 (e) nineteen other leading private sector industrialists or investors.

30 (2) The representative of the private sector referred to in subsection

1 (1) of this section shall be appointed by the President on the recommendation of
2 Minister.

3 (3) The Minister may, from time to time and as considered
4 appropriate, review the number of private sectors representatives on the
5 Advisory Committee.

6 (4) The Department of Industry in the Ministry shall provide the
7 secretariat for the meetings of the Advisory Committee and the Director in the
8 Department shall serve as the Secretary to the Advisory Committee.

9 (5) The Advisory Committee shall meet at least once in every quarter,
10 or at such other times as may be required to carry out its functions under this
11 Act.

12 (6) The Advisory Committee may establish sub-committees and shall
13 have power to regulate its proceedings and that of its committees.

14 (7) The functions of the Advisory Committee are to-

15 (a) strengthen the coordination mechanism with the private sector by
16 bringing into the Industrial Plan the private sector perspectives;

17 (b) deliberate on the quarterly progress of the Industrial Plan and
18 provide feedback and advice on ways of maximizing the Industrial Plan's
19 impact;

20 (c) provide input into the Industrial Plan work plan for each
21 successive quarter;

22 (d) highlight areas that the private sector requires priority to be
23 accorded to in the key sectors;

24 (e) bring into the implementation programmes of the Industrial Plan
25 international perspectives based on the experiences of other countries;

26 (f) share information on potential milestone investments, with
27 suggestions as to how best the Government and the implementation of the
28 Industrial Plan can facilitate investments; and

29 (g) provide the necessary bridge to link the Government, the private
30 sector and the international community to achieve sustainable economic

1 reform and industrialization.

2 6. -(1) There is established under this Part, a multi-sectoral, inter-
3 Ministerial National Steering Committee (in this Act referred to as “the
4 Steering Committee”) comprising-

Steering
Committee

5 (a) the Minister of State for Industry, Trade and Investment, as the
6 Chairman;

7 (b) Permanent Secretary, Federal Ministry of Industry, Trade and
8 Investment;

9 (c) a representative, not below the rank of a director, from each of
10 the following Federal Ministries and agencies-

11 (i) Agriculture and Rural Development,

12 (ii) Communications Technology,

13 (iii) Mines and Steel Development,

14 (iv) Petroleum Resources,

15 (v) Power,

16 (vi) Finance,

17 (vii) National Planning Commission,

18 (viii) Water Resources,

19 (ix) Science and Technology,

20 (x) Transport,

21 (xi) Works;

22 (xii) Housing and Urban Development,

23 (xiii) Environment,

24 (xiv) Central Bank of Nigeria,

25 (xv) Budget Office of the Federation,

26 (xvi) Bureau of Public Procurement, and

27 (xvi) National Orientation Agency; and

28 (d) three Commissioners of Commerce and Industry representing
29 States of the Federation;

30 (2) The Advisory Committee may, on the recommendation of the

1 Steering Committee, alter the composition of the members of the Steering
2 Committee listed in subsection (1) of this section.

3 (3) The members referred to in section 6 (1) (d) of this section shall be
4 appointed by the President on the recommendation of the Minister.

Functions of the
Steering
Committee

5 7. -(1) The functions of the Steering Committee are to-

6 (a) ensure that the implementation of the Industrial Plan remains on
7 course and consistent with its vision and goals;

8 (b) manage the scope of the Industrial Plan and ensure that its
9 activities are within its objectives and goals;

10 (c) ensure the availability of funds for projects under the Industrial
11 Plan;

12 (d) manage and resolve operational issues brought before it by the
13 institutions or agencies implementing aspects of the Industrial Plan;

14 (e) facilitate the making of decisions across Ministries, Departments
15 and Agencies of Government concerning the implementation of the Industrial
16 Plan;

17 (f) review and approve the Industrial Plan support structure plans and
18 implementation programmes prior to obtaining requisite approval of
19 Government;

20 (g) secure support and commitments from national and international
21 agencies for the Industrial Plan;

22 (h) provide a platform for cross cutting Industrial Plan issues and hold
23 meetings with investors, as may be required, to provide confidence to investors
24 when specific investments require actions or approvals from several
25 Ministries, Departments and agencies of Government.

26 (2) The Steering Committee shall regulate its proceedings and that of
27 its committees.

28 (3) The secretariat of the Steering Committee shall be provided by the
29 Department of Industry in the Ministry and the Director in that Department
30 shall serve as the Secretary to the Steering Committee.

1 8. -(1) There shall be established and located in the Department of The Project
2 Industry of the Ministry, a project office (in this Act referred to as "the Office
3 Project Office") for the day-to-day management of the Industrial Plan.

4 (2) The Project Office shall be staffed by-

5 (a) key officers of the Ministry and officers of relevant Ministries,
6 Department and agencies of Government as may be required for the carrying
7 out of the functions of the Project Office under this Act;

8 (b) specialist consultants, where necessary, engaged on contract
9 for the purpose of implementation of the Industrial Plan;

10 (c) representatives of Development Partners assigned to carry out
11 specified tasks in connection with the Industrial Plan.

12 9. -(1) There shall be for the Industrial Plan, a project custodian (in Project
13 this Act referred to as "the Project Custodian") who shall be the Permanent Custodian
14 Secretary in the Ministry with responsibility for ensuring that the
15 responsibilities of the Ministry and Nigeria's vision and goals on
16 industrialization are achieved.

17 (2) The Project Custodian shall be responsible for-

18 (a) ensuring that adequate budgetary provisions are made to meet
19 the activities of the Project Office; and

20 (b) the timely release of appropriated funds made available to the
21 Ministry for the purpose of the Project Office.

22 (3) The Project Custodian shall furnish regularly to the Minister, in
23 such form and details as may be specified in Regulations made pursuant to
24 this Act, reports on the activities of the Project Office and progress made in
25 the implementation of the Industrial Plan.

26 10. -(1) There shall be a Projector Coordinator who shall be the The Project
27 Director in the Industry Department in the Ministry responsible for Coordinator
28 overseeing the affairs of the Project Office.

29 (2) The Project Coordinator shall furnish regularly to the Minister,
30 through the Project Custodian, reports on the operations of the Project

1 Office and progress made in the implementation of the Industrial Plan.

The Project
Manager

2 11. -(1) There shall be appointed for the Project Office, from the
3 directorate cadre of the Ministry or from outside of the Ministry, where the
4 need arises, a project manager (in this Act referred to as “the Project Manager”)
5 who shall be a specialist in the industrial field and for the purpose of executing
6 the plans, programmes and activities of the Industrial Revolution Plan, be
7 responsible for-

8 (a) providing project management expertise; and

9 (b) industry subject matter expertise.

10 (2) The terms and conditions of employment of the Project Manager
11 appointed pursuant of the provision of sub-regulation (1) of this regulation
12 shall be specified in the letter of appointment of the Project Manager.

13 (3) The Project Manager shall, in the execution of his duties under this
14 Act, co-operate fully with Ministry's authorities, the Department of Industry,
15 and other Departments or units of the Ministry to achieve the aims and
16 objectives of the Industrial Plan.

17 (4) The Project Manager shall report to the Project Custodian through
18 the Project Coordinator on the activities of the Project Office and the progress
19 made in the implementation of the Industrial Plan.

Functions of the
Project Office

20 12. The functions of the Project Office are to-

21 (a) provide day-to-day project management to the overall Industrial
22 Plan and within any work stream or sub-project within the Industrial Plan,
23 including developing and maintaining work plan for various parts of the
24 Industrial Plan;

25 (b) carry out policy analysis, coordination and production of policy
26 briefs on the Industrial Plan;

27 (c) carry out necessary impact assessment on the action plan or
28 programmes under the Industrial Plan;

29 (d) prepare Industrial Plan cost estimates for the review and approval

1 of the Steering Committee and for necessary action by the appropriate
2 authority;

3 (e) source for in-house or external resource, industry specialists in
4 specific sectors, including specialists in food processing, beverages, textile
5 apparels, sugar, cocoa, leather and leather products processing, aluminum
6 and auto assembly, basic rolling metals and steel production,
7 petrochemicals, fertilizers, methanol, refineries, plastics, housing, services
8 and light manufacturing;

9 (f) source for expertise to support interventions in the areas of
10 industrial infrastructures, skills, innovation, investment climate, standards
11 local patronage and finance;

12 (g) establish a Special Project Unit with responsibilities for
13 ensuring-

14 (i) that large industrial projects are given appropriate level of
15 visibility and recognition, and

16 (ii) the unlocking of any regulatory hurdles to such large projects.

17 (h) facilitate decision making across multiple stakeholders,
18 Government agencies and relevant entities;

19 (i) liaise with relevant Ministries, Departments and agencies to
20 target, and attract investments from domestic and international investors
21 into existing or new key industrial sectors in Nigeria;

22 (j) establish and agree on performance indicator, benchmark and
23 milestones for monitoring and evaluation methodology and continually
24 benchmark and adopt best practices and successful principles of other
25 jurisdictions within the Industrial Plan;

26 (k) undertake advocacy, mobilization, sensitization and awareness
27 creation on the Industrial Plan;

28 (l) develop and operate a monitoring and evaluation framework to
29 track performance of the Industrial Plan for onward reporting to the Steering
30 Committee;

1 (m) provide capacity building for key staff of the Ministry to sustain
2 the industrialization process;

3 (n) develop basic productivity tools and establish systems to support
4 programme collaboration, data collation and communication; and

5 (o) develop effective communication strategies with all stakeholders.

Establishment of
Sectoral Team
or Committee

6 **13.** -(1) The Project Office shall, from time to time, if and when the
7 need arises, and with the approval of the Steering Committee, establish sectoral
8 teams or committees to carry out necessary tasks to achieve specific goals
9 under the Industrial Plan.

10 (2) The sectoral teams or committees referred to in subsection (1) of
11 this section when constituted, may include representatives of-

12 (a) relevant Ministries, Departments and agencies of Government;

13 (b) the private sector;

14 (c) Development Partners;

15 (d) external consultants; and

16 (e) State Government, where a State Government's involvement is
17 considered necessary.

18 (3) Sectoral teams or committees shall be set up for specified duration
19 with well defined functions.

20 (4) The functions of sectoral teams or committees are to-

21 (a) develop detailed sectoral plans for the Industrial Plan as
22 necessary;

23 (b) track the performance of sectoral plans developed with a view to
24 updating those plans as considered appropriate;

25 (c) provide input into specific policy or regulations or review
26 documents prepared for requisite approval of the relevant approving
27 authorities;

28 (d) provide inputs into any sector specific proposed legislation or
29 regulations;

30 (e) engage stakeholders within specific sectoral groups to ensure their

1 commitment and involvement in the industrial Plan initiatives, plans and
2 programmes;

3 (f) review and monitor the results of specific policy initiatives for
4 the purpose of assessing whether the policy decisions are sustainable or
5 require change as considered necessary; and

6 (g) carry out such other ad-hoc assignments, as may be required in
7 connection with their functions under this Act.

8 (5) Sectoral teams or committees constituted, on need basis, under
9 this section shall be utilized in the specific Industrial Plan sectors, including
10 sugar, palm oil, leather, leather goods and rubber processing, textile and
11 garments, cement, auto assembly, basic metal, aluminum, chemicals,
12 petrochemicals, fertilizers, methanol, plastics production, refineries,
13 construction of houses, light manufacturing and services.

14 **14. -(1) Support Structure and Enabler Technical Teams shall be**
15 **constituted, on need basis, by the Project Office with the approval of the**
16 **Steering Committee to achieve specific goals.**

Constitution of
Support and
Enabler
Technical Teams

17 (2) Support Structure and Enabler Technical Teams established
18 under subsection (1) of this section may be reconstituted as the objectives
19 for setting up such teams change or are amended.

20 (3) The Support Structure and Enabler Technical Teams whenever
21 required to be constituted, may include representatives of-

22 (a) relevant Ministries, Departments and agencies of Government;

23 (b) the private sector;

24 (c) development agencies; and

25 (d) external consultants.

26 (4) The Support Structure and Enabler Technical Teams shall be set
27 up for specified duration with well defined functions.

28 (5) The functions of the Support Structure and Enabler Technical
29 Teams shall include-

30 (a) the development of detailed Industrial Revolution Support

- 1 Structures and Enabler Plans;
- 2 (b) the tracking of the performance of sector all plans developed with
3 a view to their updating as appropriate;
- 4 (c) providing input into specific policy or regulations for requisite
5 approval of the relevant approving authorities;
- 6 (d) providing technical inputs into any enabler proposed legislation or
7 regulations;
- 8 (e) engaging stakeholders within specific enabler groups to ensure
9 their commitment and involvement in the Industrial Plan initiatives and
10 programmes;
- 11 (f) reviewing and monitoring the results of specific policy initiatives
12 for the purpose of assessing whether the policy decisions are sustainable or
13 require change as considered appropriate; and
- 14 (g) carrying out any other ad-hoc assignments as may be required in
15 connection with their functions under this Act.
- 16 (6) A Support Structure and Enabler Technical Team shall be
17 constituted when required for the purpose of the following Industrial
18 Planenablers-
- 19 (a) infrastructure;
- 20 (b) skill acquisition development;
- 21 (c) innovation;
- 22 (d) finance;
- 23 (e) investment climate;
- 24 (f) standards; and
- 25 (g) local patronage.
- 26 **15.-(1)** There shall be created during the period of implementation of
27 the Industrial Plan under this Act-
- 28 (a) an investor database; and
- 29 (b) a programme database,
- 30 which shall be maintained at the Ministry to lay solid foundation for policy

1 consistency, coherence and industrialization process sustainability.

2 16.-(1) A relevant Ministry, Department and agency of Establishment of
3 Government with responsibilities for the execution of plans, programmes or Industrial
4 activities under the Industrial Plan shall establish an Industrial Revolution Plan
5 Plan Unit in its Ministry, Department or agency. Units

6 (2) The Unit to be established pursuant to the provision of
7 subsection (1) of this section shall be staffed with such staff as are necessary
8 to carry out the plans, programmes or activities of the Industrial Plan in that
9 Ministry, Department or Agency.

10 (3) The functions of the Unit established under this section are to-

11 (a) carry out such plans, programmes and activities contained in
12 the Industrial Plan and any updates to it relevant to that Ministry,
13 Department or Agency;

14 (b) liaise with the Steering Committee through the Project Office
15 on operational issues concerning the implementation of the Industrial Plan
16 in the relevant Ministry, Department or agency;

17 (c) furnish information to the Steering Committee or the Project
18 Office in such form and at such intervals and details as may be required on
19 the implementation of the Industrial Plan in the relevant Ministry,
20 Department or agency.

21 17. -(1) Relevant Ministries, Department and agencies shall ensure Budget for the
22 that the annual financial requirements for the implementation of the Industrial Plan
23 Industrial Plan are provided for in the annual budget estimates for each
24 successive financial year and the Medium Term Sector Strategy and
25 Expenditure Framework throughout the duration of the Industrial Plan and
26 any extension granted pursuant to the provision of section 20 (2) of this Act.

27 18. -(1) There shall be established for the Industrial Plan a fund Funding of the
28 ("the Fund") into which shall be paid- Industrial Plan

29 (a) the annual budgetary allocation made available by the National
30 Assembly for the purpose of implementing plans and programmes under the

1 Industrial Plan;

2 (b) such moneys as may be provided to the Industrial Plan by the
3 Federal Government by way of grants or loans;

4 (c) gifts, testamentary dispositions or donations, provided that the
5 terms and conditions attached to the gifts, testamentary dispositions or
6 donations are not inconsistent with the attainment of the objectives of this Act;
7 and

8 (d) such other sum of moneys as may accrue to the Fund, from time to
9 time.

10 (2) There shall be paid out of the Fund-

11 (a) expenditures incurred in the implementation of the Industrial Plan;

12 (b) reasonable travelling expenses and allowances of the committees,
13 sectoral and support structure teams referred to in this Part; and

14 (c) the remuneration and allowances of staff, experts and consultants
15 appointed for the Project Office.

16 (3) The Fund shall be domiciled in the Ministry under the control and
17 management of the Project Custodian.

18 (4) The Project Custodian shall prepare and submit to the Minister on
19 a quarterly basis, a report in such form and details may be required on the
20 activities of the Industrial Plan and of receipts and disbursements made from
21 the Fund.

22 (5) The Fund shall be audited as provided under the applicable
23 Government rules and regulations.

Implementation
by States of the
Industrial Plan

24 19. -(1) States of the Federation may, as considered appropriate,
25 implement the Industrial Plan in their respective areas of jurisdiction in
26 accordance with the provisions of this Act.

27 (2) Subject to the provisions of subsection (1) of this section, State
28 Commissioners of Commerce and Industry shall be engaged in the
29 implementation of the plans and programmes under the Industrial Plan in their
30 respective States.

1 (3) The Industrial Plan Implementing Agencies shall work closely
2 with the State Commissioners of Commerce and Industry and keep them
3 regularly updated on achievements of the programmes by developing and
4 circulating quarterly project newsletter with opportunities for feedback
5 from the States.

6 (4) States may set up committees to implement aspects of the
7 Industrial Revolution Plan in their respective States as considered
8 appropriate.

9 (5) The committees referred to in subsection (4) of this section may
10 be related to the development of targeted industrial infrastructure or to the
11 implementation of sectoral initiatives that may be specific to a State.

12 20.-(1) The implementation period for the Industrial Plan provided
13 for by this Act is five years.

Review of the
Industrial Plan,
etc.

14 (2) The five year period referred to in subsection (1) of this section
15 may be extended by order made by the President on the recommendation of
16 the Advisory Committee.

17 PART II - THE NATIONAL ENTERPRISE DEVELOPMENT PROGRAMME:

18 OBJECTIVES AND SCOPE OF APPLICATION

19 21.-(1) The National Enterprise Development Programme (in this
20 Act referred to as "the Programme") is the strategy for the development of
21 micro, small and medium enterprises in Nigeria which shall be implemented
22 under the Industrial Plan as provided for under this Act.

The National
Enterprise
Development
Programme

23 (2) For the purpose of subsection (1) of this section, the following
24 are the priority areas of the Programme to support the development of micro,
25 small and medium enterprises under the industrialization process-

- 26 (a) strengthening of the institutional framework for the
27 development of micro, and medium enterprises;
28 (b) implementation of a robust delivery and monitoring structure;
29 (c) increasing access to affordable finance;
30 (d) increasing access to market;

- 1 (e) encouraging business development skills;
 2 (f) developing technical skills;
 3 (g) promoting youth inclusion in enterprise; and
 4 (h) reducing high operation costs.

5 (3) The Programme shall address each of the areas listed in
 6 subsection (2) of this section and in addition, coordinate the efforts of relevant
 7 Ministries, Departments and agencies and the private sector towards enterprise
 8 development and industrialization.

Scope of the
Programme

9 22.-(1) The Programme shall cut across all tiers of enterprises and
 10 provide tools to assist enterprises grow from micro to small, small to medium
 11 and medium to large.

12 (2) The Programme shall be implemented in all States and Local
 13 Government areas of the Federation.

14 (3) Enterprise areas shall be created in every State of the Federation
 15 by the Programme Implementing Agencies which shall be equipped with
 16 essential infrastructure for small businesses to thrive for the realization of
 17 sustainable industrialization.

Implementing
Agencies for
the Programme

18 23. For the purpose of carrying out the Programme under this Act, the
 19 following are the Implementing Agencies-

- 20 (a) the Bank of Industry;
 21 (b) the Small and Medium Enterprise Development Agency of
 22 Nigeria; and
 23 (c) the Industrial Training Fund.

National Council
on Micro, Small
and Medium
Enterprises

24 24.-(1) There is established for the Programme, the National Council
 25 on Micro, Small and Medium Enterprises (in this Act referred to as "the
 26 National Council") with membership, functions and duties as provided for
 27 under this Act.

28 (2) The National Council shall be the apex body responsible for the
 29 development of policies for micro, small and medium enterprises in Nigeria.

30 (3) The National Council shall comprise-

1 (a) the Vice-President of the Federal Republic of Nigeria
2 who shall be the Chairman;

3 (b) Ministers responsible for-

4 (i) Industry, Trade and Investment,

5 (ii) Finance,

6 (iii) Power,

7 (iv) Transport,

8 (v) Works, and

9 (vi) Youth development;

10 (c) the Governor of the Central Bank of Nigeria;

11 (d) the Chief Economic Adviser to the President;

12 (e) the Chief Executive Officers of the-

13 (i) Bank of Industry,

14 (ii) Small and Medium Enterprise Development Agency of
15 Nigeria,

16 (iii) Industrial Training Fund, and

17 (iv) National Orientation Agency; and

18 (f) thirteen representatives from the private sector to include key
19 Micro, Small and Medium Enterprises Associations, to be appointed by the
20 Minister.

21 (4) The Minister may, from time to time, as considered appropriate
22 review the number of private sector representatives on the National Council.

23 (5) The secretariat for the National Council shall be provided by
24 the Small and Medium Enterprises Development Agency of Nigeria and the
25 Director-General of that Agency shall be the Secretary of the National
26 Council.

27 (6) The National Council shall meet at least once in every quarter,
28 or at such other times as may be required, to carry out its functions under this
29 Act.

30 (7) The National Council may establish sub-committees and shall

- 1 regulate its proceedings and that of its committees.
- Functions of the
National Council 2 **25.** The National Council is responsible for-
- 3 (a) providing guidance and coordination on the establishment of
- 4 strategies and polices for the wholesome support of micro, small and medium
- 5 enterprises in Nigeria; and
- 6 (b) ensuring linkages between the Programme and all enterprise
- 7 development activities in Nigeria.
- Establishment of
a Programme
Monitoring Unit 8 **26.** -(1) There is established under this Part, a Programme Monitoring
- 9 Unit (in this Act referred to as “the Programme Monitoring Unit”).
- 10 (2) The Programme Monitoring Unit shall comprise-
- 11 (a) an officer from the Industry Development of the Ministry;
- 12 (b) a qualified personnel from each of the Programme Implementing
- 13 Agencies; and
- 14 (c) four representatives of independent bodies from the private sector
- 15 appointed by the National Council on the recommendation of the Programme
- 16 Implementing Agencies.
- Implementation
States of the
Programme 17 **27.** -(1) States may, as considered appropriate, set up State Councils
- 18 similar to the National Council to be headed by the State Commissioner of
- 19 Commerce and Industry as considered appropriate.
- 20 (2) State Councils referred to in subsection (1) of this section, shall
- 21 ensure collaboration and cooperation with enterprises for seamless linkages of
- 22 micro, small and medium enterprises projects and programmes in States of the
- 23 Federation.
- 24 (3) States Councils, may be structured along the lines as of the
- 25 National Council established under this Act with members comprising of
- 26 representatives from the public sector, the private sector and heads of key
- 27 micro, small and medium enterprises in the States.
- 28 (4) To ensure that interventions and policies derived at the national
- 29 level shall take into consideration the needs of businesses in States of the
- 30 Federation, the Small and Medium Enterprises Agency of Nigeria shall

1 provide secretarial support to a State Council upon request by a State.

2 28. The Programme Implementing Agencies for the execution of
3 the Programme shall ensure that adequate budgetary provisions are made to
4 finance the execution of the Programme under this Act.

Budget for the
Programme

5 PART III - GENERAL PROVISIONS

6 29.-(1) The provisions of the Industrial Plan and the Programme
7 shall be adhered to by all relevant Ministries, Department and agencies, the
8 Industrial Plan Implementing Agencies and the Programme Implementing
9 Agencies referred to in Parts I and II of this Act as well as other public and
10 private sector organizations, bodies corporate and individuals involved in
11 Nigeria's industrialization programmes and processes.

Obligations of
Implementing
Agencies for the
Industrial Plan
and Programme

12 (2) The Government, Ministries and agencies listed in the
13 Schedule to this Act shall ensure that their laws, rules and regulations are
14 regularly reviewed to bring them in substantial conformity with the
15 provisions of this Act for the smooth and effective implementation of the
16 Industrial Plan and the Programme.

17 (3) The Minister may, by order, add to or remove from the list
18 contained in the Schedule to this Act the name of a Ministry, Department or
19 agency as considered appropriate.

20 30. For the purpose of the effective implementation of the
21 Industrial Plan and the Programme in States of the Federation, the Steering
22 Committee, the Programme Implementing Agencies may, as considered
23 appropriate, make recommendations to the Advisory Committee or the
24 National Council, as the case may be, for the approval of the approving
25 authority, to provide to States that-

Support to
States on the
implementation
of the Industrial
Revolution Plan
and the
Programme

26 (a) adopt arrangements similar to the arrangements contained in
27 the Industrial Revolution Plan or the Programme;

28 (b) pass legislation in substantial conformity with the provisions of
29 this Act;

30 with such technical support and other assistance for the rapid

1 industrialization and execution of the Industrial Plan or the Programme in the
2 States.

Enforcement

3 **31.** -(1) Any issue as to the interpretation of any of the provisions of
4 this Act or rules or regulations made pursuant to this Act shall be laid before the
5 Federal High Court.

6 (2) A person shall have legal capacity to enforce any of the provision
7 of this Act by obtaining prerogative orders or other remedies at the Federal
8 High Court, without having to show any special particular interest.

Power to make
regulations

9 **32.**-(1) The Minister may make such regulations as are necessary for
10 the efficient implementation of the provisions of this Act.

11 (2) The regulations may include regulations on-

12 (a) procedures for the carrying out of any duty and responsibility
13 under this Act;

14 (b) the form of reports and issuance of notices and publicity to be
15 issued under this Act;

16 (c) the making of representation about anything or matter to be
17 included in the Industrial Plan;

18 (d) the nature and extent of consultation with and participation by the
19 public of anything done pursuant to the Industrial Plan or the Programme under
20 this Act; and

21 (e) the monitoring of programmes, plans and arrangements under the
22 Industrial Plan or the Programme.

Interpretation

23 **33.** In this Act unless the context otherwise requires-

24 "approving authority" means the Federal Government;

25 "Development Partners" include the World Bank, United Nations Industrial
26 Development Organization, United Nations Development Program, Japan
27 Industrial Cooperation Agency, Department for International Development,
28 German International Cooperation;

29 "enterprise" means the carrying on of business or economic activities relating
30 to manufacturing, production or distribution or any other related functions;

1 "enterprise areas" are specially equipped areas or zones in States of the
2 Federation for the nurturing of businesses covered under Part II of this Act;
3 "Industrial Plan Implementing Agencies" means the agencies referred to in
4 Part I of this Act responsible for the implementation of the Industrial Plan;
5 "Programme Implementing Institutions" means the institutions and
6 agencies referred to in Part II of this Act responsible for the implementation
7 of the Programme;
8 "Government" means the Federal Government of Nigeria;
9 "Minister" means the Minister of the Government responsible for Industry,
10 Trade and Investment and "Ministry" shall be construed accordingly;
11 "national quality certifying agencies include the Standards Organization of
12 Nigeria, National Agency for Food and Drug Administration, Federal
13 Produce Inspection Services;
14 "President" means the President of the Federal Republic of Nigeria;
15 "product" includes goods and services;
16 "relevant Ministries, Departments and agencies" means the Ministries,
17 Department or agencies that have statutory or assigned responsibilities for
18 the implementation of aspects of the plans or programmes under the
19 Industrial Plan and listed in the Schedule to this Act;
20 "services" include tourism, banking, hotel business, insurance, provision of
21 transport services, information communication technology services,
22 medical services and insurance;
23 "support services" include provisions of energy, construction of road, rail,
24 air and water transportation;
25 "the Nigerian Industrial Revolution Plan" means the industrial plans and
26 programmes contained in the current version of the document captioned
27 "NIRP - Release 1.0 (January, 2014)" to be formally updated annually based
28 on lessons from implementation and available new information; and
29 "the Nigerian Enterprise Development Programme" is the plans and
30 programmes contained in the version of the document captioned "National

1 Enterprise Development- NEDP - Release 1.0” to be updated based on lessons
2 from implementation of the Programme and available new information.

Short title

3 34. This Act may be cited as the Nigeria Industrial Revolution Plan
4 Bill, 2015.

5 SCHEDULE

6 *Section 29 (2)*

7 LIST OF FEDERAL GOVERNMENT MINISTRIES AND AGENCIES

8 A. FEDERAL GOVERNMENT MINISTRIES

- 9 (i) Ministry of Agriculture & Rural Development
10 (ii) Ministry of Industry, Trade and Investment
11 (iii) Ministry of Environment.
12 (iv) Ministry of Land, Housing and Urban Development
13 (v) Federal Capital Territory Administration
14 (vi) Ministry of Finance
15 (vii) Ministry of Information
16 (viii) Ministry of Communication Technology
17 (ix) Ministry of Interior
18 (x) Ministry of Labour
19 (xi) Ministry of Mines and Steel Development
20 (xii) Ministry of Petroleum Resources
21 (xiii) Ministry of Power
22 (xiv) National Planning Commission
23 (xv) Ministry of Science & Technology
24 (xvi) Ministry of Transportation
25 (xvii) Ministry of Water Resources
26 (xviii) Ministry of Women Affairs
27 (xix) Ministry of Works
28 (xx) Ministry for Youth Development

29 B. FEDERAL GOVERNMENT AGENCIES

- 30 (i) Central Bank of Nigeria

- 1 (ii) Bureau of Public Procurement
- 2 (iii) Budget Office of Nigeria
- 3 (iv) National Orientation Agency
- 4 C. PARASTATALS AND AGENCIES UNDER THE FEDERAL MINISTRY OF
- 5 INDUSTRY, TRADE AND INVESTMENT
- 6 (i) Abuja Securities and Commodity Exchange
- 7 (ii) Bank of Industry
- 8 (iii) Consumer Protection Council
- 9 (iv) Corporate Affairs Commission
- 10 (v) Industrial Training Fund
- 11 (vi) Nigeria Export Processing Zone Authority
- 12 (vii) Nigeria Export Promotion Council
- 13 (viii) National Automotive Council
- 14 (ix) National Sugar Development Council
- 15 (x) Oil and Gas Free Zone Authority
- 16 (xi) Small and Medium Enterprise Development Agency of
- 17 Nigeria
- 18 (xii) Standard Organisation of Nigeria

EXPLANATORY MEMORANDUM

This Act seeks to establish a legal and institutional framework for the implementation of the Industrial Revolution Plan and the National Enterprise Development Programme of the Federal Government to provide for their implementation, continuity and sustainability. It seeks to ensure ownership of the processes, plans activities of the Industrial Plan and the Programme by relevant Ministries, Department and agencies of Government for the overall realization and delivery of the Industrial Plan and the Programmes. The Act involves participation by States of the Federation in the Industrial Plan and the Programme and has taken due cognizance of the concurrent nature of the responsibility for industrialization between the Federal and State Governments under the 1999 Constitution (as altered). The Act also offers assistance to States of the Federation to encourage them adopt similar legislation in carrying out the Industrial Plan and the Programme in States of the Federation.