



1 (vi) Kuje Area Council.

2 (d) one person to represent the Agriculture and Rural Development  
3 Secretariat of the FCDA;

4 (e) one person to represent the Engineering Department of the  
5 FCDA;

6 (f) one person representing the Department of Regional Planning  
7 Land and Survey of FCDA;

8 (g) The Executive Secretary/Chief Executive Officer shall be the  
9 secretary to the Commission.

10 (2) The Chairman and other members of the Council shall-

11 (a) be appointed by the Minister;

12 (b) be persons of proven integrity and ability.

13 (3) The members of the Commission referred to in paragraph (a) - (f)  
14 of subsection (2) of this section shall be part-time members.

Tenure of Office  
of Members

15 3.-(1) Subject to the provisions of section 4 of this Act a member of  
16 the Commission, other than an ex-officio member, shall hold office for a term  
17 of 4 years at the first instance and may be reappointed for a further term of 4  
18 years and no more.

19 (2) A member of the Commission other than ex-officio member, may  
20 resign his appointment by notice, in writing under his hand addressed to the  
21 Minister of the Federal Capital Territory.

Removal/cessation  
from Office

22 4.-(1) Notwithstanding the provisions of section 3 of this Act, a  
23 person shall cease to hold office as a member of the Commission if-

24 (a) he becomes bankrupt, suspends payment or compounds with his  
25 creditors;

26 (b) he is convicted of a felony or any offence involving dishonesty or  
27 fraud,

28 (c) he becomes of unsound mind, or incapable of carrying out his  
29 duties;

30 (d) he is guilty of a serious misconduct in relation to his duties;

1 (e) in the case of a person who possessed a professional  
2 qualifications, he is disqualified or suspended, other than at his own request,  
3 from practicing his profession in any part of the world by an order of a  
4 competent authority made in respect of that member: or

5 (f) he resigns his appointment by a letter addressed to the Minister  
6 of the Federal Capital Territory.

7 (3) Where a vacancy occurs in the membership of the Commission  
8 it shall be filled by the appointment of a successor to hold office for the  
9 remainder of the term of office of his predecessor, so however, that the  
10 successor shall represent the same interest and shall be appointed by the  
11 Minister.

12 5. There shall be paid to every Commission member and staff of  
13 the Commission such remunerations, allowances and expenses as the  
14 Federal Government may, from time to time, direct.

Remuneration of  
Members

15 6.-(1) The Commission shall-

Functions and  
powers of the  
Commission, etc.

16 (a) formulate policies and guidelines on the proper Resettlement  
17 and Compensation and Development of the FCT Aborigines;

18 (b) conceive, plan and implement, in accordance with set rules and  
19 regulations, projects and programmes of the FCT Aborigines in the areas of  
20 Agriculture, Education, Scholarship, Health and Environment;

21 (c) implement all the measures approved for the development of  
22 the rural and satellite areas by the Federal Government and the Commission;

23 (d) identify factors inhibiting the development of such areas and  
24 assist in the formulation and implementation of policies to ensure sound and  
25 efficient management of the resources of the Commission;

26 (e) ensure effective planning, projects assessment, proper  
27 resettlement and compensation of FCT aborigines, economic and social  
28 development of the people;

29 (f) assess and report on any projects being funded or carried out by  
30 the Commission, Federal Government, FCT Administration and the Private

1 Sector including non-governmental organizations and ensure that funds  
2 released for such projects are properly utilized;

3 (g) execute such other works and perform such other functions which  
4 in the opinion of the Commission, are required for the sustainable all round  
5 development of the rural areas and its peoples; and

6 (2) In excising its functions and powers under this section, the  
7 Commission shall have regard to the varied and specific contributions of the  
8 Federal Capital Administration.

9 (3) The Commission shall be subject to the direction, control or  
10 supervision in the performance of its functions under this Act by the Minister of  
11 FCT.

Structure of the  
Commission

12 7. There shall be established in the head office of the Commission, the  
13 following Departments-

14 (a) the Department of Finance, Administration, and Compensation;

15 (b) the Department of Engineering, Re-Settlement and Project  
16 Monitoring;

17 (c) the Department of Regional Planning and Survey;

18 (d) the Department of Social Services and Research and Information.

19 (2) The Commission may with the approval of the FCT Minister  
20 increase the number of directorates as it may deem necessary and expedient to  
21 facilitate the realization of the objectives of the Commission.

Establishment of  
the Management  
Committee

22 8. There shall be for the Commission a Management Committee  
23 which shall-

24 (a) consist of a Chairman who shall be the Chief Executive Officer,  
25 the Directors responsible for the Department established under section 7 of this  
26 Act and such number of other members as may be determined from time to time  
27 by the Commission;

28 (b) be responsible to the Commission for the general administration  
29 of the Commission.



1                   9.-(1) There shall be for the Commission, an Executive  
2 Secretary/Chief Executive Officer, and Director of the Departments  
3 established in Section 7 of this Act-

Staff and Other  
Employees of the  
Commission

4                   (a) have such qualification and experience as are appropriate for a  
5 person required to perform the functions of those offices under this Act;

6                   (b) the Minister shall appoint the Executive Secretary, Chief  
7 Executive Officer of the Commission who shall be the accounting officer;  
8 and

9                   (c) hold office on such terms and conditions as to emolument,  
10 conditions of service as may be specified in his letter of appointment, and  
11 subject to the provision of section 3 of this Act.

12                  (2) The Secretary shall, subject to the general direction of the  
13 Commission, be responsible-

14                   (a) for the day to day administration of the Commission;

15                   (b) for keeping the books and Proper records of the proceedings of  
16 the Commission;

17                   (c) the administration of the secretariat of the Commission, and

18                   (d) the general direction and control of all other employees of the  
19 Commission.

20                  (3) The Commission shall have power to employ either directly or  
21 on secondment from any civil or public service in the Federation or a State  
22 such number of employees as may be in the opinion of the Commission, be  
23 required to assist the Commission in the discharge of any of its functions  
24 under this Act.

25                  10.-(1) Service in the Commission shall be approved service in line  
26 with the provisions of the Contributory Pensions Reform Act, 2004.

Application of  
Pensions Reforms  
Act, 2004

27                  (2) The officers and other persons employed into the Commission  
28 shall be entitled to pensions, gratuities and other retirement benefits as are  
29 enjoyed by persons holding equivalent grades as appropriate.

30                  (3) Nothing in subsections (1) and (2) of this section shall prevent

1 the appointment of a person to any office on terms which preclude the grant of  
2 pension and gratuity in respect of that office authority of the Government of the  
3 Federation, other than the power to make regulations under section 23 thereof  
4 is hereby vested in and shall be exercisable by the Commission, and not by any  
5 other person or authority.

Financial  
Provisions

6 11.-(1) The Commission shall establish and maintain a fund from  
7 which shall be defrayed all expenditure incurred by the Commission.

8 (2) There shall be paid and credited to the fund established pursuant to  
9 subsection (1) of this section-

10 (a) Budgetary provision from Federal Capital Development  
11 Authority and the Federal Capital Territory Administration;

12 (b) 5% of all monies accrued to FCTA as charges from the allocation  
13 of plots of land in FCT;

14 (c) such monies as may from time to time be granted or lent the  
15 Commission;

16 (d) all moneys raised for the purposes of the Commission by way of  
17 gifts, loan, grants-in-aid, testamentary disposition or otherwise;

18 (e) proceeds from all other assets that may, from time to time, accrue  
19 to the Commission;

20 (f) specifying the manner in which the assets or the fund of the  
21 Commission are to be held, and regulating the making of payments' into and  
22 out of the fund; and

23 (g) requiring the keeping of proper accounts and records for the  
24 purpose of the fund in such form as may be specified in the rules.

Expenditure of  
the Commission

25 12. The Commission shall apply the proceeds of the fund established  
26 pursuant to section 14 of this Act to-

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

28 (b) the payment of salaries, fees, remuneration, allowances, pensions  
29 and gratuities payable to the members of the Commission specified in section 6

30 of this Act or any committee of the Commission and the employees of the

1 Commission;

2 (c) the payment for all contracts, including mobilization,  
3 fluctuations, variations, legal fees and cost on contract administration;

4 (d) the payment for all purchases; and

5 (e) undertaking such other activities as are connected with all or  
6 any of the Functions of the Commission under this Act.

7 **13.-(1)** The Commission may accept gifts of land, money, or other  
8 property on such terms and conditions, if any, as may be specified by the  
9 person or organization making the gift. Power to accept  
Gifts

10 (2) The Commission shall not accept any gift if the conditions  
11 attached by the person or organization making the gift are inconsistent with,  
12 the functions of the Commission under this Act.

13 **14.** The Commission may, with the consent of the Minister, borrow,  
14 on such terms and conditions as the Commission may determine, such sums  
15 of money as the Commission may require in the exercise of its functions  
16 under this Act. Power to borrow

17 **15.-(1)** The Commission shall submit to the Minister of FCT its  
18 annual Budget for the succeeding year for consideration. Submission of  
Annual Budget

19 (2) The Commission shall be cause to be kept proper accounts of  
20 the Commission in respect of each year and proper records in relation  
21 thereto and shall cause the accounts to be audited not later than 6 months  
22 after the end of each year by auditors appointed from the list and in  
23 accordance with the guidelines supplied by the Auditor-General for the  
24 Federation.

25 **16.** The Commission shall, at the end of every quarter in each year,  
26 submit to the Minister of the Federal Capital Territory report on the activities  
27 and administration of the Commission. Annual Report

28 **17.-(1)** The Commission shall prepare and submit to the Minister of  
29 the Federal Capital Territory, not later than 30th June in each year, a report in  
30 such form as the FCT Minister may direct on the activities of the Audit Report

1 Commission during the immediately preceding year, and shall include in the  
2 report a copy of the audited accounts of the Commission for that year and the  
3 auditor's report thereon.

4 (2) The Minister shall, upon receipt of the report referred to in  
5 subsection (1) of this section, cause a copy of the report and the audited  
6 accounts of the Commission and the auditor's report thereon to be submitted to  
7 each House of the National Assembly.

Office Premises  
of the Commission

8 18. For the purposes of providing offices and premises necessary for  
9 the performance of its functions under this Act, the Commission may, subject  
10 to the Land Use Act-

11 (a) purchase or take on lease any interest in land, or other property;

12 and

13 (b) construct offices and premises and equip and maintain same.

14 (2) The Commission may, subject to the Land Use Act, sell or lease  
15 out any office or premises held by it, which office or premises is no longer  
16 required for the performance of its functions under this Act.

Directives

17 19.-(1) Subject to the provisions of this Act, the provisions of the  
18 Public Officers Protection Act shall apply in relation to any suit instituted  
19 against any officer or employee of the Commission.

20 (2) Notwithstanding anything contained in any other law or  
21 enactment, no suit shall lie against any member of the Council, the Executive  
22 Secretary or any other officer or employee of the Commission for any act done  
23 in pursuance or execution of this Act or any other law or enactment, or of any  
24 public duty or authority or in respect of any alleged neglect or default in the  
25 execution of this Act or such law or enactment, duty or authority, shall lie or be  
26 instituted in any court unless-

27 (a) it is commenced within three months next after the act, neglect or  
28 default complained of; or

29 (b) in the case of a continuation of damage or injury, within six  
30 months next after the ceasing thereof.



1                   20. A notice, summons or other document required or authorized to  
2 be served upon the Commission under the provisions of this Act or any other  
3 law or enactment may be served by delivering it to the Executive Secretary  
4 or by sending it by registered post and addressed to the Executive Secretary  
5 as the principal officer of the Commission.

Service of  
document

6                   21.-(1) In any action or suit against the Commission, no execution  
7 or attachment of process in the nature thereof shall be issued against the  
8 Commission.

Limitation of  
suits against the  
Commission

9                   (2) Any sum of money which may by the judgment of any court be  
10 awarded against the Commission shall, subject to any direction given by  
11 court where notice of appeal of the said judgment has been given, be paid  
12 from the general reserve fund of the Commission.

13                  22. A member of the Commission, the Executive Secretary, any  
14 officer or employee of the Commission shall be indemnified out of the assets  
15 of the Commission against any proceeding, whether civil or criminal, in  
16 which judgment is given in his favour or in which he is acquitted, if any such  
17 proceeding is brought against him in his capacity as a member of the  
18 Commission, the Executive Secretary, officer or employee of the  
19 Commission.

Indemnity of  
staff

20                  23. The Commission may, with the approval of the Minister, make  
21 regulations, generally for the purposes of giving full effect to this Act. From  
22 the commencement of this Act, the Unit of Resettlement, and Compensation  
23 of the Federal Capital Development Authority stands scrapped and its  
24 functions subsumed into the FCT Resettlement, Compensation and  
25 Development Commission established by this Act.

Power to make  
regulations

26                  24. In this Act, unless the context otherwise requires-  
27 "Chairman" means the Chairman of the Commission;  
28 "Commission" means the FCT Resettlement, Compensation and  
29 Development Commission;  
30 established by section 1 of this Act;

Interpretation

1 “Member” means a member of the Commission and includes the Chairman,  
2 and other Members of the Commission.

Citation

3 **25.** This Bill may be cited as the FCT Resettlement, Compensation  
4 and Development Commission (Establishment, etc.) Bill, 2016.

5 SCHEDULE

6 *Section 2 (4)*

7 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION, ETC.

8 *Proceedings of the Commission*

9 **1.-**(1) Subject to this Act and section 27 of the Interpretation Act, the Council  
10 may make standing orders regulating its proceedings or those of any of its  
11 committees.

12 (2) The quorum of the Commission shall be the Chairman the person  
13 presiding at the meeting, Executive Secretary and one third of other members  
14 of the Commission. The quorum of any Committee of the Commission shall be  
15 as determined by the Commission.

16 **2.-**(1) The Commission shall meet whenever it is summoned by the  
17 Chairman and if the Chairman is required to do so by notice given to him by not  
18 less than 4 other members, he shall summon a meeting of the Commission to be  
19 held within 14 days from the date on which the notice is given.

20 (2) At any meeting of the Commission the Chairman shall preside but  
21 if he is absent, the members present at the meeting shall appoint one of their  
22 members to preside at the meeting.

23 **3.-**(1) The Commission may appoint one or more committees to carry  
24 out, on behalf of the Commission such functions as the Commission may  
25 determine.

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

30 (3) A decision of a committee of the Commission shall be of no effect

1 until it is confirmed by the Commission.

2 4.-(1) The fixing of the seal of the Commission shall be  
3 authenticated by the signatures of the Chairman or any other member of the  
4 Commission generally or specifically authorized by the Commission to act  
5 for that purpose and the Executive Secretary.

6 (2) A document purporting to be a document duly executed under  
7 the seal of the Commission shall be received in evidence and shall, unless  
8 and until the contrary is proved be presumed to be so executed.

9 5. The validity of any proceedings of the Commission or of a  
10 committee shall not be adversely affected by-

11 (a) a vacancy in the membership of the Commission or committee;

12 (b) a defect in the appointment of a member of the Commission or  
13 committee; or

14 (c) reason that a person not entitled to do so took part in the  
15 proceedings of the Commission or committee.

#### EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the FCT Resettlement, Compensation and development Commission which shall be responsible for formulating policies and guidelines for the proper resettlement, compensation and development of the FCT aborigines; conceiving, planning and implementing, in accordance with set rules and regulations, projects and programmes for the sustainable development of the rural areas of the FCT, rural industrialization, agriculture and water supply; causing the rural areas to be surveyed in order to ascertain measures which are necessary to promote its agricultural and socio-economic development; preparing master plans and schemes designed to promote the physical development of the areas and the estimates of the costs of implementing such master plans and schemes; implementing all the measures approved for the development of the rural areas by the FCTA; identifying factors inhibiting the proper resettlement of such areas and assist in the formulation and implementation of policies to ensure sound and efficient management of the resources of the Commission.