

NATIONAL GRAZING RESERVE (ESTABLISHMENT) BILL, 2016

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A BILL

FOR

AN ACT TO ESTABLISH GRAZING RESERVE IN EACH OF THE STATES OF THE FEDERATION OF NIGERIA TO IMPROVE AGRICULTURE YIELD FROM LIVESTOCK FARMING AND CURB INCESSANT CONFLICTS BETWEEN CATTLE FARMERS AND CROP FARMERS IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Sadiq Ibrahim

[] Commencement

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

PART I

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1.-(1) There is hereby established the National Grazing Reserve Bill (in this Bill referred to as "the Commission") which shall be a body corporate with perpetual succession and a common seal.

Establishment and Objectives of the National Grazing Reserve Commission

(2) The Commission shall be able to sue and be sued in its corporate name and shall have the power to hold movable and immovable property for the purposes of carrying out its objectives under this Bill.

(3) The Headquarters of the Commission shall be in the Federal Capital Territory Abuja, and shall have one regional office in each of the geo-political zones where the Grazing Reserves are situate.

(4) The objectives of this Commission are as follows:
(a) Increase and Optimize Cattle and Diary Production in Nigeria;
(b) Ensure Peace and Security in Nigeria by preventing clashes and violence between the Cattle Farmers and Crop Farmers;
(c) Discourage Trans-humans and encourage and enforce Ranching and Restricted Grazing in Nigeria;

2.-(1) The Commission shall consist of the following Members to be appointed by the President upon the recommendation of the State

Membership and Commission of the National Grazing Reserve Commission

1 Governors, Minister of Agriculture as the case may be:

2 (a) A Chairman who shall be appointed by the President upon the
3 recommendation of the Minister of Agriculture, being a person who by reason
4 of his ability and experience or specialized knowledge on land and agricultural
5 matters and whose professional attainment is in the opinion of the President is
6 capable and shows professional attainment in the opinion of the President is
7 capable of making outstanding contribution to the Commission.

8 (b) A representative each of the Land Use Allocation Committee of
9 each State, who shall be the representative of the State in the Commission;

10 (c) A member of the Land Use Allocation Committee of the Federal
11 Capital Territory Abuja;

12 (d) A Member of the National Boundary Commission;

13 (e) A representative of the Federal Ministry of Agriculture who shall
14 not be below the rank of a Director and who shall be appointed by the Minister
15 of Agriculture;

16 (f) One Representative from the Border Committee Development
17 Agency;

18 (g) each of the Representative referred to in (b) and (c) above shall be
19 persons either Legal Practitioners, Land Surveyors or other persons
20 knowledgeable in land matters;

21 (h) the chairman of the Commission shall be appointed from amongst
22 the Members referred to above.

Tenure of
Membership

23 3.-(1) A person appointed as a Member of the Commission shall hold
24 office for a term of four (4) years and may be re-appointed for another term of
25 four (4) years.

26 (2) The Minister for Agriculture may, with the approval of the
27 President, at any time remove any member of the Commission from the office,
28 if the Minister is of the opinion that it is not in the interest of the Commission
29 for the Member to continue in office and shall notify the Member of the
30 Commission in writing to that effect.

1 (3) All the Members of the Commission except the Director
2 General shall be part-time members of the Commission.

3 4.-(1) There shall be appointed by the Commission a Director
4 General who shall be a qualified Legal Practitioner of at least ten(10) years
5 post-qualification experience or a Licensed Land Surveyor who is licensed
6 to practice in Nigeria for at least ten(10) years or any other person who by
7 their qualification and experience are knowledgeable in land and
8 agricultural matters.

Director-General
of the Commission

9 (2) The Director General shall be the Chief Executive of the
10 Commission and shall hold office on such terms and conditions as may be
11 specified in his term and condition as may be specified in his term of
12 appointment and on such other terms and conditions that may be determined
13 from time to time, by the Commission with the approval of the Federal
14 Executive Council.

15 (3) The Director General shall be the Accounting Officer of the
16 Commission for the purpose of disbursing and controlling the Funds of the
17 Commission.

18 5.-(1) Service in the Commission shall be the approved Service for
19 the purpose of the pensions Act, accordingly , officers and other persons
20 employed in the Commission shall in respect of their service in the
21 commission be entitled to pensions, gratuities and other retirement benefits
22 enjoyed by persons holding equivalent grades in public service of the
23 Federation, Provided that nothing in this Bill shall prevent the appointment
24 of a person to any office on terms which preclude the grant of a pension and
25 gratuity in respect of that office.

Pensionable
Service of the
Commission

26 6.-(1) The Commission shall be funded from the Annual
27 Appropriation Act passed by the National Assembly.

Funds of the
Commission

28 (2) The Commission shall also be funded from revenues and
29 charges accruing to it in the discharge of its functions.

Application of
the Fund of the
Commission

- 1 **7. The Funds of the Commission shall be utilized for:**
2 (1) The administration of the Commission
3 (2) For the payment of salaries, fees or other remunerations or
4 allowances pensions and gratuities payable to the employees of the
5 Commission;
6 (3) For the maintenance of property acquired or vested in the
7 Commission; and
8 (4) For the furtherance of the objectives of the Commission as
9 stipulated in this Bill.

Duty of the
Commission to
keep Accounts
and prepare
Budgets

10 **8.-(1) The Commission is duty bound to keep proper accounts and**
11 **records of its revenues and expenditure and other undertakings and shall**
12 **prepare in respect of each year a Statement of Account in such form as the**
13 **Federal Executive Council may direct.**

14 (2) The Accounts of the Commission shall be audited not later than
15 six(6) months after the end of the year by auditors appointed by the
16 Commission from the list and in accordance with the guidelines submitted by
17 the Auditor-General of the Federation; the

18 (3) The fees of the auditors referred to in subsection (2) above shall be
19 borne by the Commission;

Duty of the
Commission to
keep Account
and prepare
budget

20 **9. The Commission shall cause to be prepared, not later than 30th**
21 **September in each year, an estimate of its expenditure and income during the**
22 **next financial year and when prepared the same shall be submitted through the**
23 **Director-General for the approval of the National Assembly.**

Duty of the
Commission to
file records of its
activities

24 **10. The Commission shall, not later than 30th June in each year,**
25 **submit to the Federal Executive Council, a report on the activities of the**
26 **Commission during the year immediately preceding, and shall include in such**
27 **report, the audited accounts of the Commission.**

Regulations of
the Commission

28 **11. The Commission may make regulations for the purpose of**
29 **carrying out its functions under this Act.**

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PART II

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*General Functions of the Commission*General functions
of the Commission

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12. The Commission is hereby empowered to undertake and make Regulations for all or any of the following matters in respect of Government Grazing Reserves:

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(1) Establish at least one Cattle Reserve in each State of the Federation;

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(2) Manage, Control and maintain the Cattle Reserves in consonance with the mandate of the Commission and the objectives of this Bill;

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(3) Prescribe the persons who may be licensed to use the Grazing Reserve and determine the type and number of stock permitted therein;

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(4) Prescribe the manner in which the Grazing Reserves may be put to use;

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(5) Fix charges for the Grazing Reserves;

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(6) Maintain and Ensure in co-operation with the Nigerian Police the Security of Lives and Property within the Reserve;

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(7) Provide for and issue grazing permits to persons grazing within the reserves;

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(8) Develop infrastructure and basic amenities, such as Clinics, schools etc within the Reserves;

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(9) Demarcate, publish in official gazette and make known in the manner it thinks best the land boundaries of the Grazing Reserves;

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(10) Fostering peace and unity within the Reserves;

25

(11) Improve land use and management

26

(12) Impose penalties for breach of its regulations under this

27

Section

28

(13) Prosecute persons who graze outside the Grazing Reserves

1 and other offenders of the Regulations of this Commission.

The Grazing
Reserves

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PART III

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The Grazing Reserves

4 **13.** No person other than the official of the Grazing Reserve or a Security
5 Personnel on duty shall enter the Grazing Routes unless he is authorized to do
6 so by law or the Regulations hereunder.

7 **14.** No person shall alienate or deal in any manner (either by sale or
8 mortgage) with any land situate or included as a Government Grazing Reserve.

9 **15.** Grazing Reserves are the property of the Federal Republic of
10 Nigeria and can only alienated with the Consent of the President for other
11 overriding public interest.

12 **16.** If any right within a Government Reserves is not exercised within
13 a period of ten (10) years, it shall be deemed to be extinguished.

14 **17.** Where a Land has been marked a Government Grazing Reserve,
15 the Commission may subject to the consent of the Minister, close any right of
16 way or watercourse where he is of the opinion that there already exists an
17 equally convenient right of way or watercourse.

18

PART IV

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Procedure For Acquisition Of Land For Grazing Reserves

Empowerment
to acquire land
for Grazing
Reserves

20 **18.** The Commission is hereby empowered to acquire land in any part
21 of the Federation for establishing Grazing Reserves.

Commission to
liaise with State
Governors in
obtaining land
for grazing

22 **19.** The Commission shall liaise with the Governor (or Minister of
23 F.C.T. in the case of land in the Federal Capital Territory) of the State in
24 acquiring land for the purpose of Grazing in the State concerned and shall
25 demarcate and designate the acquired land as Grazing Reserves in furtherance
26 of the objectives of the Commission as set out in this Bill.

Analysis to
suitable land

27 **20.**-(1) The Commission shall undertake a physical and geographical
28 analysis of land use in each State in order to ascertain the best and most
29 appropriate place to establish a National Grazing Reserve within the State.

30 **(2)** After the Commission identifies land suitable for Grazing

1 Reserve, it shall liaise with the Governor or Governors of the State where the
2 land is situate to acquire such land for Grazing Purposes.

3 **21.** Wherever the Commission acquires Land for Grazing as Commission to
4 stipulated above, the Commission shall pay adequate compensation to the compensate for
5 original owners of the land in consonance with the Land Use Act 1978 or land acquisition
6 Land Legislation for the time being in force.

7 **22.** Whenever the Land is transferred by the Governor to the Proclamation by
8 Commission for the furtherance of the objectives of this Bill, the Governor Governors
9 of the said State(s) shall make an order that shall set forth:

10 (1) The limits of the Land that constitute the Reserves

11 (2) The land that has been transferred to the Commission for the
12 purpose of the Reserves

13 (3) That all interest that hitherto existed in the land is now subject to
14 the interest of the Commission for establishment and maintenance of
15 National Cattle Reserves.

16 **23.** Any land transferred to the Commission for National Grazing Publication in
17 Reserves shall be published in the Federal Gazette and such specification Official Gazette
18 shall specify as clearly as possible the limits of such Grazing Reserve, the
19 privileges conceded in respect of the land and the special conditions that
20 shall govern the Reserved Land.

21 **24.** The Commission shall make a comprehensive list and Notices t
22 description of all lands that has been reserved as National Cattle Reserves in
23 any part of the Federation.

24 **25.** The Commission shall cause the particulars of the land Notice to
25 reserved as Grazing Reserves in each State to be known in the communities neighbouring
26 in which the land is situated or other neighboring communities by causing a and adjoining
27 Notice thereof to be read and interpreted in the local vernacular language of Communities
28 the Community and also cause a Notice in writing to the Communities or
29 persons residing or claiming interest on such lands.

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| Lineation of National Grazing Reserves | 1 2 3 | 26. The Commission shall not without the consent of the President for superior overriding interest, alienate any Land in the Grazing Reserve in any manner whatsoever. |
| Infrastructure Development within the reserves | 4 5 6 | 27. The Commission shall establish and maintain basic infrastructure and social amenities such as hospitals, Primary and Secondary Schools, within the Grazing Reserves for the benefit of the inhabitants of the Reserve. |
| Permits and Licences | 7 8 | 28. The Commission shall issue permits and licenses to the occupants or inhabitants of the Reserve. |
| Eligibility of persons that may graze within the reserves | 9 10 | 29. The Commission shall from time to time determine the eligibility of the persons who shall be allowed to enter the Grazing Reserves. |
| Illegality for Non-Nigerians to graze within the reserves without authorization | 11 12 13 14 15 | 30. As from the commencement of this Bill, it shall be unlawful for any non-Nigerian or foreigner to enter into the Grazing Reserve for the purpose of Grazing Animals unless he has met the terms and conditions that the Commission may from time to time set for foreigners to have access to the Reserves. |
| Establishment of one grazing reserve in one geo-political zone | 16 17 18 | 31. As from the date of the commencement of this Bill, the Commission shall establish one Grazing Reserve each in each of the geopolitical Zones. |
| Incidental powers of the Commission | 19 20 | 32. The Commission shall do all that is incidental to the furtherance of its objectives under this Bill. |
| Powers of the Commission to make Regulations | 21 22 | 33. The Commission shall from time to time make regulations necessary for the furtherance of its duties under this Bill. |
| | 23 | PART V |
| Penal Provisions | 24 25 26 27 28 29 30 | 34.-(1) As from the date of commencement of this Bill, it is a criminal offence for any herdsman or anybody to graze in any part of Nigeria outside the National Grazing Reserves or in any public place or land belonging to third parties. (2) Nothing in this Bill shall preclude any herdsman or a cattle farmer to graze on his own farmland, in so far as it does not encroach into the land of another. |

1 (3) Nothing in this Bill shall preclude Corporate Entities or Private
2 individuals from lawfully acquiring land for Cattle Rearing, Ranching or
3 Grazing.

4 (4) Whoever contravenes the provisions of this Subsection (1) of
5 this Section, shall be liable upon conviction of a maximum imprisonment of
6 seven (7) years.

7 **35. In this Bill:**

Interpretation

8 "Grazing Reserves" means Cattle Reserves, Farm Camps, Cattle Farms,
9 Ranch established by this Commission to improve agriculture
10 yield(livestock and dairy), eradicate trans-humans and clashes between
11 herdsmen and crop farmers.

12 **36. This Bill may be cited as the National Grazing Reserve**
13 (Establishment) Bill, 2016.

Citation

EXPLANATORY MEMORANDUM

The essence of this Bill is to establish a Grazing Reserve in each of the States of the Federal Republic of Nigeria to improve agriculture yield from livestock farming and curb incessant conflicts between cattle farmers and crop farmers in Nigeria.