

NATIONAL GRAZING ROUTE AND RESERVE COMMISSION

(ESTABLISHMENT) BILL, 2016

ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT OF NATIONAL GRAZING ROUTE AND RESERVE

COMMISSION

1. Establishment of the Commission
2. Composition of the Commission
3. Tenure and cessation of office for members of the Commission
4. Allowances of members of the Commission
5. Establishment of National Advisory Council.

PART II - FUNCTIONS OF THE COMMISSION

6. Functions, powers and objectives of the Commission

PART III - STAFF AND STRUCTURE OF THE COMMISSION

7. Appointment of Director-General of the Commission
8. Staff of the Commission
9. Structure of the commission
10. Management Committee of the Commission

PART IV - FINANCIAL PROVISIONS

11. Funds of the Commission
12. Application and management of the Fund
13. Power to borrow money
14. Annual budget of the Commission
15. Reports.
16. Accounts and audit

PART V - PROCEDURE FOR ACQUIRING GRAZING ROUTE

AND RESERVE ETC.

17. **Procedure for acquiring grazing routes and reserves.**
18. **Duty of the Commission to pay compensation**
19. **List and details of grazing routes and reserves**

PART VI - MISCELLANEOUS PROVISIONS

20. Regulation
 21. Procedure and limitation of suit against the Commission
 22. Service of process
 23. Indemnity of members etc.
 24. Prohibition of any dealing in land without the consent of the Commission
 25. Penalty
 26. Interpretation
 27. Citation
- Schedule

1 Capital Territory whom shall be a legal practitioner, land surveyor, or related
2 disciplines;

3 (c) one representative from:

4 (i) Nigerian Institute of Animal Science;

5 (ii) Nigerian Veterinary Research Institute, and

6 (iii) National Animal Production Research Institute;

7 (d) two representatives of Pastoralist Community;

8 (e) two representatives of Community Leaders;

9 (f) two representatives of Civil Societies group; and

10 (g) Director-General of the Commission, who shall also serve as the
11 Secretary to the Commission.

12 (2) The Chairman and members of the Commission, other than
13 representatives of government agencies, shall be appointed by the President of
14 the Federal Republic of Nigeria on the recommendation of a Minister, subject
15 to the confirmation of the Senate.

Schedule

16 (3) The supplementary provisions contained in the schedule to this
17 Bill shall, have effect with respect to the proceedings of the Commission and
18 other matters.

Tenure and
cessation of office
for members of
the Commission

19 3.-(1) Subject to the provision of subsection (2) of this section, a
20 person appointed as a member of the Commission shall hold office for a period
21 of four years and may be eligible for re-appointment for another term of four
22 years and no more, on such terms and conditions as specified by their letter of
23 appointment.

24 (2) The office of the Chairman or any other member of the
25 Commission shall become vacant if:

26 (a) the person resigns his appointment by notice in writing under his
27 hand addressed to the Minister;

28 (b) the Minister, in consultation with other members of the
29 Commission, is satisfied that it is not in the best interest of the Commission for
30 the person to continue in office and notifies the President to that effect;

1 (c) the person is incapable of performing the functions of the office
2 by reason of disease of body or mind and was declared so by a medical
3 practitioner;

4 (d) by reason of death, bankruptcy or conviction of a criminal
5 offence;

6 (e) the person is guilty of serious misconduct in relations to the
7 duties of the office; or

8 (f) The person ceases to be a member of professional body that the
9 person belongs before the appointment as a member of the Commission,

10 (3) The members of the Commission, except the Director-General,
11 shall be on part time appointment.

12 4. Members of the Commission may receive allowances as are
13 applicable to government agencies or as may be stipulated by the
14 Commission in accordance with applicable Federal Government
15 Regulations,

Allowances of
members of the
Commission

16 5.-(1) There is established for the Commission a National Advisory
17 Council (in this Bill referred to as "the Council"),

Establishment o
National Adviso
Council

18 (2) The Council shall:

19 (a) consist of Vice President, of the Federal Republic of Nigeria,
20 who shall be the Chairperson of the Council, and governors of 36 states of
21 the federation and the Minister of the Federal Capital Territory;

22 (b) meet at least two times in a year, in the absence of the
23 Chairperson the Governors shall nominate one person amongst themselves
24 to preside over for that purpose;

25 (c) serve as an advisory body to the Commission and shall
26 formulate policy on grazing routes and reserves; and

27 (d) Receive reports from the Commission that will advise the
28 federal and state governments on livestock development.

1 PART II - FUNCTIONS OF THE COMMISSION

Functions, powers
and objectives of
the Commission

2 6. Subject to the provisions of this Bill, the Commission shall have the
3 responsibility of:

4 (a) implementing the provisions of this Bill;

5 (b) acquiring, establishing and managing the grazing routes and
6 reserves;

7 (c) promoting private sector investment that will improve the
8 management and development of livestock;

9 (d) providing necessary infrastructures for decent livelihood of
10 livestock in the grazing routes and reserves;

11 (e) determining the persons that will be eligible to benefit in the
12 grazing routes and reserves;

13 (f) expressly providing conditions for permitting foreigners to have
14 access to the grazing routes and reserves;

15 (g) prescribing fees payable for usage of the grazing reserve and
16 routes;

17 (h) Appointing staff for the Commission.

18 (i) conducting workshops, conferences, seminars and other public
19 fora, considered appropriate for the benefit of the stakeholders and the general
20 public in relation to the objectives of this Bill;

21 (j) conducting research that will help in achieving the objectives of
22 this Bill;

23 (k) providing a forum for conflict resolution between farmers and
24 herdsmen;

25 (l) liaising with relevant statutory agencies that have relationship with
26 the grazing routes and reserve to accomplish the objectives of this Bill; and

27 (m) Doing any other thing that will help in achieving the objectives of
28 this Bill.

1 PART III - STAFF AND STRUCTURE OF THE COMMISSION

2 7.-(1) There shall be appointed for the Commission a Director- Appointment of
3 General who shall either be an experienced professional in the field of: Director-General
of the Commission

4 (a) livestock production;

5 (b) veterinary medicine;

6 (c) pastoral development;

7 (d) pasture and range management;

8 (e) animal science and nutrition; or

9 (f) Agriculture, law or management science, with cognate working
10 experience in rearing of Animals.

11 (2) The Director-General shall hold office on such terms and
12 condition as may be specified in the letter of appointment and other
13 conditions as may be specified by the Commission.

14 (3) The Director-General shall:

15 (a) be the Chief-Executive and accounting Officer of the
16 Commission and shall be charged with the general responsibility of matters
17 relating to the day-to-day management and operations of the Commission;

18 (b) be appointed and removed, by the President of the Federal
19 Republic of Nigeria, on the recommendation of the Minister subject to the
20 confirmation of the Senate;

21 (c) hold office for a period of four years and may be re-appointed
22 for further term of four years and no more; and

23 (d) be answerable to the Commission.

24 8.-(1) The staff of the Commission, other than those mentioned in Staff of the
25 this Bill, shall be employed according to the procedure stipulated by the Commission
26 Commission.

27 (2) The Staff may be on permanent or temporary appointment on
28 the terms which preclude the grant of pension and gratuity.

29 (3) The provisions of Pension Reform Act, 2004 apply to the
30 service of this Agency.

Structure of the
Commission

1 **9.**-(1) There shall be established for the Commission, such number of
2 departments as the Commissioners may from time to time determine.

3 (2) Each Department shall be headed by a Director who shall be
4 professionally qualified person appointed through competitive process.

No.2 2004

5 (3) Subject to the approval of the Commissioners, Management
6 Committee established under clause 9 of this Bill, may create additional
7 Departments, Divisions, and Units as it may deem necessary to achieve the
8 objectives of the Commission.

Management
Committee of
the Commission

9 **10.**-(1) There is established for the Commission, a Management
10 Committee comprising all the Directors and the Director-General of the
11 Commission.

12 (2) Director-General of the Commission shall be the chairperson of
13 the Committee.

14 (3) Director in charge of human capital of the Commission shall be the
15 Secretary of the Committee.

16 (4) The Management Committee shall be responsible for the general
17 administration of the Commission, particularly, in recruitment, promotion, and
18 discipline of members of staff of the Commission.

19 **PART IV - FINANCIAL PROVISIONS**

Funds of the
Commission

20 **11.**-(1) The Commission shall establish and maintain a fund which
21 shall be applied towards the promotion of the objectives of this Bill

22 (2) There shall be paid and credited to the Fund established for the
23 Commission:

24 (a) all subvention and budgetary allocations provided by the Federal
25 Government;

26 (b) sums donated by the State and Local Governments;

27 (c) gifts, donations and contributions from national and international
28 Institutions and philanthropist;

29 (d) interest and revenue accruing from the savings and investments of
30 the Commission; and

1 (e) Fees, if any, charged by the Commission for services rendered
2 and other revenues accruing to the Commission, from time to time.

3 12.-(1) The Commission shall manage and apply its Fund in
4 accordance with the general guidelines made by the Management
5 Committee of the Commission, subject to the approval of the Commission.

Application and
management of
the Fund

6 (2) The Commission shall apply its Funds in the:

7 (a) cost of administration of the Commission;

8 (b) re-imbusement of members, and staff of the Commission for
9 such expenses in accordance with approved rates of the Federal
10 Government;

11 (c) payment of salary, fees, allowances, gratuities and other
12 remuneration;

13 (d) maintenance of property of the Commission;

14 (e) consultancy services made for the benefits of the Commission;

15 and

16 (f) Rendering of any other service for the Commission in
17 connection with the objectives of the Commission.

18 13. The Commission may, with the written approval of the
19 Commissioners, Minister and the President borrow such money needed for
20 the exercise of its function, provided that such borrowing shall be made on
21 the terms and condition that do not compromise the competence of the
22 Commission.

Power to borrow
money

23 14. The Commission shall not later than 30th September each year
24 or other date stipulated by any other law or policy, submit to the National
25 Assembly an estimate of expenditure or income of the Commission as
26 approved by the Commissioners for the next fiscal year for approval and
27 incorporation into the National budget.

Annual budget
of the Commission

28 15. The Director-General shall submit to the Commissioners
29 quarterly report of the activities of the Commission and the Commission
30 shall submit annual report of its activities to the Minister.

Reports

Accounts and
audit

1 **16.-(1)** The Commission shall keep accounts and records and prepare
2 annual accounts in such forms as the Federal Government may direct.

3 **(2)** The accounts of the Commission shall be audited not later than
4 June of every year, by an auditor appointed for the Commission from the list of
5 qualified auditors, and in accordance with guidelines provided by the Auditor-
6 General of the Federation.

7 PART V - PROCEDURE FOR ACQUIRING GRAZING ROUTE AND RESERVE

Procedure for
acquiring grazing
routes and
reserves

8 **17.** The Commission shall:

9 **(a)** undertake physical geographic survey and analysis of areas it
10 consider suitable for grazing routes and reserves in each state of the federation,
11 including Federal Capital Territory;

12 **(b)** After undertaking the survey and analysis, approach the state
13 governor or the Minister of the Federal Capital Territory for negotiation, with
14 the view of getting the land allocated to the Commission.

Duty of the
Commission to
pay compensation

15 **18.-(1)** Where the land is allocated to the Commission for grazing
16 route and reserve, the Commission shall pay the affected person necessary
17 compensation for development, if any, in the land, and the allocating authority
18 shall make an order and publish in an official gazette that sets the boundaries of
19 the land.

20 **(2)** The Commission and the allocating authority shall cause the order
21 as published in the official gazette to be interpreted in the local language of the
22 affected community.

List and details
of grazing routes
and reserves

23 **19.** The Commission shall make a comprehensive list and description
24 of all lands that have been reserved as grazing routes and reserves for the
25 Commission in all the states of the federation and Federal Capital Territory.

26 PART VII - MISCELLANEOUS PROVISIONS.

Regulations

27 **20.** The Commission shall issue regulation, with the approval of the
28 Minister, on:

29 **(a)** condition of service of the employees; and

30 **(b)** All issues that will give full effect to the provision of this Bill.

1	21. An Individual or corporate person who has a cause of action	Procedure and limitation of suit against the Commission
2	against the Commission must:	
3	(a) give three months' notice of intention to commence an action in	
4	writing disclosing the cause of action and relief sought and served at the	
5	principal office of the Commission; and	
6	(b) Any cause of action against the Commission for any claim must	
7	commence within four years from the date the cause of action arose.	
8	22. Any document, summons, notices, process or any other thing	Service of process
9	required or authorized to be served on the Commission shall be served by	
10	delivering same at the office of the Director-General of the Commission.	
11	23. Every member of the Commission, agents or employees of the	Indemnity of members etc.
12	Commission shall be indemnified from Funds of the Commission against	
13	any liability incurred in defending any proceeding brought against the	
14	persons under this Clause, in the person's capacity as member, agent or	
15	employee of the Commission.	
16	24.-(1) A person shall not alienate, mortgage, sale or transfer any	Prohibition of any dealing in land without the consent of the commission
17	right affecting the land allocated for grazing route or reserve without the	
18	consent of the Commission:	
19	(2) A person shall not:	
20	(a) enter into any grazing route or reserve, exclusively reserved by	
21	the Commission, to graze; or	
22	(b) graze Livestock outside the reserves, without the authority of	
23	the Commission.	
24	25. Any person who contravene any of the provision of this Bill or	Penalty
25	regulation made pursuant to this Bill, commits an offence liable on	
26	conviction to a fine of N50,000.00k or to imprisonment for a term not	
27	exceeding 6 months or both	
28	26. In this Bill:	Interpretation
29	"Chairman" means Chairman of the Commission;	
30	"Grazing Areas" includes areas which has been designated, by the	

1 government, as grazing route or reserve;
2 "Minister" means Minister in charge of Agriculture; and
3 "President" means president of the Federal Republic of Nigeria.

Citation

4 27. This Bill is cited as the National Grazing Routes and Reserve
5 Commission (Establishment) Bill, 2016.

6 *Schedule 2(3)*

7 SCHEDULE

8 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

9 PART I - PROCEEDINGS OF THE COMMISSION

10 1.-(1) Subject to the provisions of this Bill and other applicable laws
11 the Commission may make standing orders regulating its proceedings.

12 (2)The Commission shall meet whenever summoned by the
13 Chairman, or if required to do so by at least 6 members of the Commission and
14 shall meet for a minimum of 4 times in a year.

15 (3)The Chairman shall preside over the meetings of the Commission
16 and in his absence; members of the Commission shall appoint one person
17 among themselves to act for that meeting as the Chairman.

18 (4)The quorum of the Commission shall be formed by the Chairman
19 or a person sitting in his place and five other members of the Commission
20 including the Secretary.

21 PART II - COMMITTEES

22 2.-(1) The Commission may appoint committees to carry out, on its
23 behalf, such functions that the Commission may carry.

24 (2) The decision of the committee shall have no effect until it is
25 approved by the Commission.

26 PART III - MISCELLANEOUS

27 3.-(1) The Secretary of the Commission shall be the custodian of the
28 seal of the Commission.

29 (2) Fixing of the common seal of the Commission shall be
30 authenticated by the signature of the Chairman of the Commission or some

1 other persons authorized to do so.

2 (3) Any contract or instrument, which if made or executed by a
3 person not being a body corporate, shall not be required to be made under
4 seal, shall be executed on behalf of the Commission by the Director-General
5 or any other person authorized to do so.

6 (4) Where the Commission desires to obtain an expert opinion
7 from a person not being a member of the Commission, the Commission may
8 co-opt such person for such period the
9 Commission may determine but the co-opted person shall not have the right
10 to vote or to count in forming a quorum.

11 (5) The validity of any proceeding of the Commission or of a
12 committee shall not be adversely affected by any vacancy in the
13 membership of the Commission or Committee or by any defect in the
14 appointment of a member of the Commission or Committee or by reason
15 that a person not entitled to take part in the proceedings of the Commission
16 or the Committee took part.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Grazing Route and Reserve Commission to manage national grazing routes and reserve in Nigeria, thereby enhancing good agro-allied and zoo technical management procedure of our feed resources within and outside the grazing routes and reserves.