

A BILL

FOR

AN ACT TO ESTABLISH NIGERIAN AGRICULTURAL ASSOCIATIONS, AND TO PROVIDE FOR A REGISTRAR WHO SHALL BE RESPONSIBLE FOR THE ADMINISTRATION OF THIS ACT IN ACCORDANCE WITH THE OBJECTIVES OF AGRICULTURAL RELATED ASSOCIATIONS SO AS TO ENHANCE THEIR CAPACITY TO EFFECTIVELY REGULATE FARMING ACTIVITIES IN THEIR VARIOUS FIELDS, ESPECIALLY THOSE WITH THE INTENT OF PROFIT MAKING, AND TO PROVIDE SUPPORT TO SUCH FARMERS EVEN IN THE AREA OF DISEASE CONTROL AS WELL AS ENCOURAGE THEIR EXPANSION AND CAPACITY TO MEET LOCAL AND POSSIBLE EXPORT DEMAND AND FOR RELATED MATTERS

*Sponsored by Hon. Abubakar Amuda-Kannike G.*

[ ] Commencement

BE IT ENACTED BY the National Assembly of the Federal Republic of Nigeria as follows:

- 1
- PART I
- 2
- 1.-(1) The Minister:
- 3
- (a) may constitute an Advisory Committee which shall be known
- 4
- as the Nigerian Agricultural Associations Advisory Committee (in this Act
- 5
- referred to as "the Committee") to advise the Minister on:
- 6
- (i) the content and administration of this Act, and
- 7
- (ii) any policy, program, standard, guideline or other matter under
- 8
- the jurisdiction of the Minister with respect to the operations of agricultural
- 9
- associations; and
- 10
- (b) shall provide for sitting allowances and payment of expenses of
- 11
- members of the advisory committee who are not in the public service.
- 12
- (2) The supplementary provisions contained in the Schedule to this
- 13
- Act shall have effect with respect to the proceedings of the Committee and

Establishment  
objectives and  
composition of  
the Advisory  
Committee

1 other matters mentioned therein.

2 (3) The Committee shall consist of the following members, that is:

3 (a) One person to represent each of the following bodies, that is:

4 (i) Agricultural Research Council of Nigeria;

5 (ii) National Veterinary Research Institute;

6 (iii) Nigerian Institute for Oceanography and Marine Research;

7 (iv) Nigerian Institute for Oil-Palm Research;

8 (v) National Root Crops Research Institute;

9 (vi) National Horticultural Research Institute;

10 (vii) Cocoa Research Institute of Nigeria;

11 (viii) Rubber Research Institute of Nigeria;

12 (ix) The Nigerian Stored Products Research Institute;

13 (x) National Cereals Research Institute;

14 (xi) Institute for Agricultural Research;

15 (xii) Institute of Agricultural Research & Training;

16 (xiii) National Agricultural Extension and Research Liaison Services;

17 (xiv) Lake Chad Research Institute;

18 (xv) National Institute for Freshwater Fisheries Research;

19 (xvi) National Animal Production Research Institute;

20 (xvii) National Center for Genetic Resources & Biotechnology;

21 (xviii) Federal Institute Of Industrial Research, Oshodi;

22 (xix) Projects Development Institute;

23 (xx) Nigerian Institute for Trypanosomiasis Research;

24 (xxi) Forestry Research Institute of Nigeria;

25 (xxii) National Research Institute for Chemical Technology;

26 (xxiii) Nigerian Institute of Social and Economic Research;

27 (xxiv) Corporate Affairs Commission;

28 (xxv) Ministry charged with the responsibility of Trade, Commerce

29 and Investment;

30 (xxvi) Ministry charged with the responsibility of Finance and

1 Economic Development;  
2 (xxvii) Nigerian Association of Chambers of Commerce, Industry,  
3 Mines and Agriculture.

4 (b) the President/Chairman, Nigerian Farmers Association;  
5 (c) the Registrar of the Nigeria Agricultural Association who shall  
6 also be the Secretary of the Committee.

7 2.-(1) The members of the committee shall elect one of their  
8 member to be the chairman of the committee.

Election to the  
office of the  
Chairman of the  
Committee

9 (2) Election to the office of the chairman shall be held in such  
10 manner as the members may by bye-laws prescribe and until bye-laws are  
11 made in that behalf, the election shall be decided by a show of hands.

12 (3) A chairman who ceases to be a member of the committee shall  
13 also cease to be the chairman.

14 (4) Subject to subsection (3) of this section, the chairman shall hold  
15 office for a period of Four years from the date of his election and shall be  
16 eligible for re-election for the same period but no chairman shall serve for  
17 more than two consecutive periods in office.

18 3.-(1) Subject to the provisions of this section, a member of the  
19 Committee shall hold office:

Tenure of office  
of members of  
the Committee

20 (a) for a period of Four years and shall be eligible for re-  
21 appointment for such further periods, as the body appointing him may  
22 determine.

23 (2) A member of the Committee, including the chairman, may be  
24 removed from office by the Committee, by adopting the methods set out in  
25 any bye-laws which it may adopt, pursuant to this Act, on the ground of ill  
26 health or misconduct or if it is in the interest of the Associations or of the  
27 public that the member or the chairman should be removed from office.

28 (3) A member of the Committee, including the chairman, may in  
29 writing under his hand, resign his appointment by communicating notice of  
30 his intention to the Committee through the body which he represents and on

1 receipt and approval of the notice by the Committee, the resignation shall be  
2 deemed to have taken effect, and the body shall then nominate another  
3 representative to complete the tenure of the resigning member on the  
4 Committee.

5 (4) A body mentioned in section 2 (3) (a) of this Act may withdraw its  
6 representative on the Committee at any time, by giving notice of its intention to  
7 do so to the Committee; and on receipt of the notice by the Committee the  
8 withdrawal shall be deemed to have taken effect, and the body may then  
9 appoint another representative who:

10 (a) shall complete the tenure of the withdrawn member; and

11 (b) may thereafter be eligible for reappointment for one further term  
12 only.

13 REGISTRAR

Appointment  
of Registrar

14 4.-(1) A Registrar of Agricultural Associations may be appointed by  
15 the Minister, in accordance with the Federal Civil Service Commission Act and  
16 shall be an Officer not less than the rank of a Director.

Registrar's  
authority and  
responsibilities

17 (2) The Registrar

18 (a) is responsible for the day-to-day administration of this Act;

19 (b) is responsible for the general direction of regulation of  
20 Associations and for advising Associations with regard to exhibitions, fairs,  
21 competitions and other educational activities;

22 (c) is responsible for registering and maintaining a register of all  
23 registered Associations;

24 (d) is responsible for inspecting the stock owned by such Associations  
25 and see that stock purchased by such Associations is of a sufficiently high  
26 standard;

27 (e) is responsible for inspecting the books and accounts of any  
28 Association registered under this Act, and receiving government or external  
29 aid;

30 (f) receives such accounts and reports of such Associations as are



1 required to entitle such Associations to participate in a government grant or  
2 any other grant and to enforce compliance with this Act;

3 (e) assists such Associations in generally promoting improvements  
4 in agriculture;

5 (f) subject to Section 10(1) (g) of this Act, assists Associations in  
6 accessing funds, grants or loans;

7 (g) provides for the distribution throughout the country of  
8 agricultural literature and information;

9 (h) performs such other duties as may be required of him by the  
10 Minister.

11 5. The Minister may from time to time appoint a person or persons  
12 to assist the Registrar in to carry out responsibilities in accordance with this  
13 Act, including inspecting the stock and the books and accounts of any  
14 association in the country receiving government or external aid in  
15 connection with agriculture and the officers of every such association  
16 whenever required so to do shall permit its stock to be examined and shall  
17 submit its books and accounts to such inspection.

Other officers  
and inspection

18 PART III - AGRICULTURAL ASSOCIATIONS

19 6.-(1) all agricultural Associations registered under this Act or  
20 existing by the Companies and Allied Matters Act 1990 and operating with a  
21 subsisting certificate of registration on the day this Act comes into force are  
22 continued. The officers of the Associations continue to hold office until their  
23 successors take office.

Continuation of  
existing  
Associations

24 (2) Certain Associations recognized with respect to subsection (1)  
25 are:

26 (a) Poultry Association of Nigeria;

27 (b) Fisheries Association of Nigeria;

28 (c) Association of Organic Agriculture Practitioners of Nigeria;

29 (d) Agro-Allied Farmers Producers Association of Nigeria;

30 (e) Miyetti Allah Cattle Breeders' Association of Nigeria;

Registration of  
Agricultural  
Association

1 7.-(1) An agricultural association may be registered, whenever a  
2 group of persons who perform such objectives in accordance with Section 9(1)  
3 of this Act and who wish to register the association must submit to the registrar:

4 (a) an application for the Minister's approval, on a form set out in  
5 Schedule 2 to this Act, including or accompanied by the information the  
6 registrar requires; and

7 (b) a copy of the association's constitution

Application for  
permission to  
register

8 (2) Without limiting the generality of subsection (1), the application  
9 must:

10 (a) prove that such association exists with national status and may  
11 have state branches;

12 (b) explain how the association carries out its objectives which must  
13 not be similar to an existing and registered association under the compliance of  
14 this Act and for the purpose of specificity in the administration of this Act

15 (c) be signed by at least 100 farmers or members who are adult  
16 Nigerian citizens and pay the membership fee set out in the constitution; and

17 (d) include at least three directors from among the members.  
18 alongside each one's signed consent.

Constitution must  
not be inconsistent  
with Act

19 (3) An association's constitution and other bye-laws must not be  
20 inconsistent with the objects of this Act specified in section 10. If a provision of  
21 the constitution or another bye-law is inconsistent, it is not effective to the  
22 extent of the inconsistency. Minister's approval required.

23 (4) After considering the application, the minister may give the  
24 registrar permission to register the association or may refuse to give the  
25 permission.

Certificate of  
registration

26 (5) If the minister gives permission to register the association, he or  
27 she is to issue a certificate of registration set out in Schedule 3 to this Act to the  
28 applicants in accordance with the regulations. The certificate of registration is  
29 to state the information about the association prescribed in the regulations and  
30 any other information the registrar considers appropriate.

1 16.-(1) The Nigerian Film Corporation Act is hereby repealed. Repeal

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2 (2) The Nigerian Film Corporation established by the Nigerian  
3 Film Corporation Act is hereby dissolved.

4 17. This Bill may be cited as the Nigerian Film Corporation Act Citation  
5 (Amendment) Bill, 2016.

#### 6 SCHEDULE

#### 7 SUPPLEMENTARY PROVISION RELATING TO THE CORPORATION

#### 8 *Proceeding*

#### 9 *Limitation of suits against the Commission*

10 1.-(1) No suit against the Commission, or member of staff of the  
11 Commission for any act done in pursuance or execution of any enactment or  
12 law, or of any public duties of the Commission or in respect of alleged  
13 neglect, or default in the execution of enactment of law, shall lie or be  
14 instituted in any court unless it is commenced within twelve months, neglect  
15 or default complained of and in the case of a continuance of damage or  
16 injury, within twelve months next after the ceasing thereof.

17 (2) No suit shall be commenced against the Commission before the  
18 expiration of a period of one month after a written notice of intention to  
19 commence the suit shall have been served upon the Commission by the  
20 intending plaintiff or his agent.

21 (3) The notice referred to in subsection (2) of this sanction shall  
22 clearly state the:

- 23 (a) cause of action;
- 24 (b) particulars of the claim;
- 25 (c) name and place of abode of the intending plaintiff; and
- 26 (d) relief which the plaintiff claims.

#### 27 *Service of documents*

28 2. The notice referred to in section 20 and any summons or other  
29 document required or authorized to be served on the Commission under the  
30 provisions or any other enactment or law may be served by:

1 and mailing address to the registrar;

2 (c) pay the membership fee required under the association's  
3 constitution; and

4 (d) meet any other requirements provided for in the association's  
5 constitution.

Corporate members

6 (3) A corporate member must provide the association with the name  
7 of a corporate representative and alternate representative, each of whom, in the  
8 absence or incapacity of the other, will be entitled to:

9 (a) receive member notices on the corporation's behalf;

10 (b) cast the corporation's vote on association business requiring a vote  
11 of members; and

12 (c) attend members' meetings.

Objects of an  
Agricultural  
Association

13 9.-(1). The objectives of an agricultural association are:

14 (a) to encourage improvement in agriculture, food production and  
15 rural living;

16 (b) to provide leadership in sustaining the social structure of rural  
17 communities, including, but not limited to, maintaining educational  
18 opportunities and traditional activities in communities;

19 (c) to provide programs, services and facilities based on needs in rural  
20 communities;

21 (d) holding exhibitions or fairs and in connection therewith the  
22 awarding of prizes or premiums for livestock or poultry, for agricultural and  
23 horticultural implements and machinery, for the production of grain and all  
24 kinds of vegetables, plants, flowers, fruits and the products of domestic  
25 manufacture and industry, and generally for excellence in any agricultural or  
26 horticultural productions or operation, article of manufacture or work of art;

27 (e) organizing plowing matches, holding seed fairs, competitions  
28 respecting standing crops and livestock and for the best managed farms;

29 (f) promoting the circulation of agricultural literature;

30 (g) identifying likely sources of agricultural funding;



(h) offering prizes for essays on questions of scientific inquiry relating to agriculture, horticulture, domestic industries, manufactures and the useful arts;

(i) promoting and encouraging the organization and formation of co-operative associations, boys' and girls' clubs and other organizations;

(j) taking action to eradicate diseases, poisonous and noxious insects and weeds;

(k) improving the agricultural and social life of the community;

(l) facilitating the interchange of information among farmers and producers;

(m) promoting better means of farming, commodity production and marketing; and

(n) encouraging and promoting the use of a product.

(2) Any association, which makes expenditure on any of its funds for any purpose inconsistent with the objects mentioned in this Section, shall forfeit all claim to participate in any grant or sum appropriated by the Legislature for the encouragement of agriculture and may risk.

**10.** The officers appointed at the formation of such associations shall, until the election of their successors at the annual meeting, exercise all the powers vested in the associations by this Act.

Power of officer  
at formation

#### PART IV - ENCOURAGING POULTRY FARMING

**11.** Notwithstanding the objects of agricultural associations under this Act and for the purpose of encouraging poultry, the Registrar shall advise the Minister in respect of matters relating to poultry and shall take measures for the promotion of poultry in Nigeria by such means as may from time to time be approved of by the Minister.

Duties of  
Registrar

**12.** The minister charged with the responsibility of finance shall upon recommendation of smallholder farmers by the minister exempt poultry farm implements/ equipment/ drugs from import duty for a period of one year as from the commencement of this Act or as determined by the

Exemption of  
import duty

	1	minister charge with the responsibility of finance.
International Trade and Development Agreement	2	<b>13.-(1)</b> Nigeria's trade and development agreement shall encourage
	3	the promotion of indigenous poultry development
	4	(2) Notwithstanding the international trade and development pacts or
	5	agreements to which Nigeria is signatory before the commencement of this
	6	Act, the National Assembly shall for purpose of ratification do so in accordance
	7	with sub-section (1) of this Section.
Tax Holiday	8	<b>14.</b> The minister shall recommend to the appropriate authority,
	9	Poultry Association of Nigeria and its group(s) of farmers registered in
	10	accordance with this Act as tax free entities due to their moderate margins and
	11	their objectives to create social impact.
Grant and Loans	12	<b>15.</b> The minister shall
	13	-(1) Regulate the Nigeria Incentive Risk Sharing Agricultural Loan to
	14	support commercial banks to issue agricultural loans at 15 percent with an
	15	interest drawback program of up to 50 percent and ensure that poultry farmers
	16	are amongst targeted priority.
	17	(2) Lend support to the Nigeria Poultry Association to access
	18	agricultural loans and grants from issuing authorities
	19	PART V - ENCOURAGEMENT OF DIARY
Powers of the Minister	20	<b>16.</b> Notwithstanding the objects of agricultural associations under
	21	this Act and for the purpose of encouraging dairy, the minister shall:
	22	(1) Upon advice and recommendation from the committee and/or the
	23	registrar, perform such actions aimed at furthering the interest of the dairy
	24	industry in Nigeria;
	25	(2) As a matter of policy direct the inclusion of at least 5% of local
	26	milk in the making of dairy produce;
	27	(3) Regulate the Nigeria Incentive Risk Sharing Agricultural Loan to
	28	support commercial banks to issue agricultural loans at 15 percent with an
	29	interest drawback program of up to 50 percent and ensure that dairy farmers are
	30	amongst the targeted priority;

1 (4) Lend support to dairy farmers/association to access agricultural  
2 loans and grants from issuing authorities

3 17. The Registrar shall:

Duties of  
Registrar

4 (1) encourage the registration of a Dairy Association in accordance  
5 with the provisions of this Act and for the purpose of furthering the interest  
6 of the dairy industry;

7 (2) advise the Minister with respect to matters relating to dairy and  
8 shall take measures for the promotion of dairy in Nigeria by such means as  
9 may from time to time be approved of by the Minister.

10 18. The Registrar and any officer appointed for such cause shall,  
11 for the purpose of carrying out this Part, inspect dairy product factories  
12 carrying out business activity in Nigeria and advice as may be deemed  
13 necessary for the promotion of dairying.

Inspection and  
promotion of  
dairying

14 19.-(1) Any person who fails to utilize local milk in the making of  
15 dairy products shall be deemed to have contravened the provisions of this  
16 Act.

Offences involving  
local milk

17 (2) Any person contravening any provisions of this section shall on  
18 conviction be liable to imprisonment for a term not less than 30 days for the  
19 first offence or to a fine of not less than N10,000.00 and to imprisonment for  
20 a term not exceeding 2 months for subsequent offence or a fine of not less  
21 than N20,000.00.

22 20. In this Act, unless the context otherwise requires:

Interpretation

23 "minister" means the Minister charged with responsibility for agriculture;

24 "Committee" means the Nigerian Agricultural Associations Advisory  
25 Committee constituted in Section 2 of this Act;

26 "registrar" means the Registrar of Agricultural Associations appointed  
27 under Section 5(1);

28 "association" means an agricultural association registered or continued  
29 under this Act;

30 "certificate of registration" means a certificate issued by the registrar in

1 respect of the registration or continuation of an association;  
2 "officers" means an association's president, vice-president and other directors,  
3 and includes the association's secretary and treasurer;  
4 "dairy produce" means produced forms of milk like cheese, butter, yogurt, ice  
5 cream etc.

## Citation

6                    21. This Bill may be cited as the Nigerian Agricultural Associations  
7      Bill, 2016.

8 SCHEDULE 1

9 [Section 2 (2).]

## 10 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMITTEE

11 *Proceedings of the Committee*

12           1. Subject to this Act and Section 27 of the Interpretation Act (which  
13 provides for decisions of a statutory body to be taken by a majority of its  
14 members and for the chairman to have a second or casting vote), the Committee  
15 may make standing orders regulating the proceedings of the Committee and  
16 any of its ad-hoc committees.

17           2. A meeting of the Committee shall be presided over by the  
18 chairman or if the chairman is unable to attend a particular meeting, the  
19 members present at the meeting, shall elect one of their number to preside at  
20 that meeting.

21           3. The quorum at a meeting of the Committee shall consist of the  
22 chairman (or, in an appropriate case, the person presiding at the meeting  
23 pursuant to paragraph 2 of this Schedule), the Secretary and seven other  
24 members.

25           4. Where on a special occasion, the Committee desires to obtain the  
26   advice of a person on a particular matter, the Committee may co-opt that person  
27   to be a member for as many meeting as may be necessary, and that person while  
28   so co-opted, shall have all the rights and privileges of a member, except that he  
29   shall not be entitled to vote or count towards a quorum.



*Ad-hoc and Special Committees*

1  
2           5.-(1) Subject to its standing order, the Committee may appoint  
3 such number of ad-hoc and special committees as it thinks fit to consider and  
4 report on any matter with which the Committee is concerned.

5           (2) Every committee appointed under the provisions of sub-  
6 paragraph (1) of this paragraph, shall be presided over by a member of the  
7 Committee and shall be made up of such number of persons, not necessarily  
8 members of the Committee, as the Committee may determine in each case.

9           6. The decision of a committee shall be of no effect, until it is  
10 confirmed by the Committee.

*Miscellaneous*

11  
12           7. The validity of proceedings of the Committee or of its  
13 committee shall not be adversely affected by:

14           (a) Vacancy in the membership of the Committee;

15           (b) by a defect in the appointment of a member of the Committee or  
16 committee: or

17           (c) by reason that a person not entitle to do so, took part in the  
18 proceedings

19           8. A member of the Committee or of its committee, who has a  
20 personal interest in any arrangement or agreement entered into or proposed  
21 to be considered by the Committee or committee, shall forthwith disclose  
22 his interest to the Committee or committee and shall not vote on any  
23 question relating to the arrangement or agreement.

SCHEDULE 2

[Section 8 (1) (a)]

FEDERAL MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT OFFICE/DEPARTMENT OF  
AGRICULTURAL ASSOCIATIONS, ABUJA AGRICULTURAL ASSOCIATIONS REGISTRATION FORM

The Registrar,

.....

.....

.....

APPLICATION FOR REGISTRATION OF AGRICULTURAL ASSOCIATION

Application is hereby made under the Nigerian Agricultural Associations Act, Section 8(1) (a) for registration of agricultural association to promote agriculture development with respect to..... (Agricultural activity) as contained in Section 10 (1) of the Act.

Name of Applicant/Association.....

Address of Applicant (Head Office).....

.....

CAC Registration Number.....

Signature.....

Application made on this.....day of.....

.....

President/ Chairman

SCHEDULE 3

[Section 8(5)]

MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

Certificate of Registration of Agricultural Association

Nigerian Agricultural Associations Act No .....of 2016

No.....(Reg No.)

I hereby certify that.....

.....

*has been this day registered under the Nigerian Agricultural Associations Act 2016.*

*Given under my permission this..... day of..... Two thousand and.....(year)*

official stamp

**Registrar of Agricultural Associations**

Ministry of Agriculture & Rural Development

EXPLANATORY MEMORANDUM

This Bill seeks to establish Nigerian Agricultural Associations, and to provide for a Registrar who Shall be responsible for the administration of this Act in accordance with the objectives of Agricultural related associations so as to enhance their capacity to effectively regulate farming activities in their various fields, especially those with the intent of profit making, and to provide support to such Farmers even in the area of Disease Control as well as encourage their expansion and capacity to meet local And possible export demand.