

A BILL

FOR

AN ACT TO AMEND THE NATIONAL CENTRE FOR AGRICULTURAL MECHANIZATION ACT CAP. N13, LFN, 2004 TO PROVIDE FOR PRIVATE SECTOR PARTICIPATION, PROMOTION OF COMMERCIAL AGRICULTURE AND FOR OTHER RELATED MATTERS

Sponsored by Hon. Abdullahi Umar Faruk

[] Commencement

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

1 1. The National Centre for Agricultural Mechanization Act after
2 referred to as "the Principal Act") is amended as set out in this bill.

Amendment of
the National
Centre for
Agricultural
Mechanization

3 2. Section 2 of the Principal Act is amended by deleting sub-
4 section 2 (a) to (h) and substitutes instead new sub-section 2 (a) to (n) as
5 follows:

Amendment of
Section 2

6 (a) to promote the carrying out of applied research designed to
7 facilitate the designing, adaptation and development of machinery and
8 equipment suitable for use in agricultural and rural development;

9 (b) to develop and manufacture approved prototypes, components
10 and cultural techniques and technologies, and evaluate their suitability for
11 adaptation and alternative use in rural agricultural production;

12 (c) to adapt foreign designs of agricultural machinery and
13 equipment to suit local conditions of manufacture and maintenance, for use
14 in rural agriculture;

15 (d) to develop and manufacture approved prototypes, components
16 and spare-parts of agricultural machinery and equipment which are not
17 available in large quantities in the Federal Republic of Nigeria;

18 (e) to perform tests on all types of machinery and equipment
19 intended for use in agricultural and rural development in the Federal

- 1 Republic of Nigeria, and to publish the results of each such test;
- 2 (f) to formulate and conduct short courses designed to provide
3 practical Amendment of the National training and further knowledge to village
4 and other artisans in the use and maintenance of agricultural machinery and
5 other appropriate technology machinery and equipment;
- 6 (g) to advise and provide support services to organizations and
7 persons undertaking the extension and implementation of programmes and
8 projects resulting from the work of the Centre;
- 9 (h) to offer consultancy services on the designing, testing and other
10 technical aspects of agricultural and other machinery and equipment for use in
11 rural development;
- 12 (i) to offer consultancy services relating to the marketing, financial
13 and other managerial aspects of agricultural and rural development through the
14 adaptation and use of appropriate technology;
- 15 (j) to provide relevant information and advice to the agricultural
16 sector relating to the design, production, marketing, supply, use and
17 maintenance of agricultural and other appropriate technology machinery and
18 equipment;
- 19 (k) to formulate and execute projects and programmes designed to
20 encourage or facilitate the establishment and development of village
21 workshops and other rural production and maintenance facilities;
- 22 (m) to act as the national link with other national and international
23 institutions engaged in activities related or similar to the functions of the
24 Centre;
- 25 (n) to create an enabling environment for individuals, firms, private
26 sector participation in all programmers of the Centre for the promotion of
27 Agricultural Mechanization for national development.
- 28 **3. The Principal Act is amended by:**
- 29 (a) introducing new Section 8; and
- 30 (b) re-number the subsequent sections accordingly.

1 8.-(1) There shall be established for the Centre a Department of
2 Research and Development which shall be responsible for the study of all
3 proposals for research and development in aspect of agricultural
4 mechanization.

Establishment of
the Department of
Research and
Development

5 (2) The Department shall take all such measures as are necessary to
6 facilitate the carrying out of the research or development project or, as the
7 case may be, to obtain the decision of the Board on the proposals in question.

8 (3) In determining whether or not any Proposals for a research or
9 development project be carried out by the Centre, the Director or, as the case
10 may be, the Board, shall take into account:

11 (a) the necessity or desirability and propriety of the research or
12 development project proposed to be carried out by the Centre;

13 (b) the cost of the proposed research or development;

14 (c) the possible beneficial consequences of the proposed research
15 or development project on the programmes of the Centre for the promotion
16 of rural technology and the mechanization of agriculture;

17 (d) the financial ability of the Centre to meet the anticipated cost of
18 the proposed research or development project;

19 (e) the ability of the Centre to carry out the proposed research or
20 development project having regard to other projects being carried out by the
21 Centre.

22 (4) The Board may, after considering the factors specified in
23 subsection (3) in respect of any proposed research or development project
24 referred to it, approve or withhold its approval, and, in the latter case, may
25 require that further information or particulars in connection with the
26 proposed research be Provided to Board by the Director.

27 4. The Principal Act is amended by:

28 (a) introducing new Section 9; and

29 (b) re-number the subsequent sections accordingly:

Introduction of
new Section 9

Testing and
Manufacturing

1 **9.-(1)** The Centre shall be the sole body for the testing of such
2 machinery and equipment intended for use in agriculture in the Federal
3 Republic of Nigeria as the Minister may, by order published in the Gazette,
4 prescribed.

5 **(2)** The Board shall establish a system of co-operation with the
6 Standard Organization of Nigeria, with a view to establishing factors to be
7 taken into account in the testing of various machinery and equipment for use in
8 agriculture in the Federal Republic of Nigeria.

9 **(3)** The Minister may, upon the advice of the Board, by regulations
10 published in the Gazette, make provision for regulating the exercise, the
11 manner and the procedure for testing machinery and equipment, and may, in
12 those regulations provide for the compulsory testing of certain or all
13 agricultural machinery or equipment prior to its importation or use in the
14 Federal Republic of Nigeria.

15 **(4)** The Centre may undertake the manufacture, distribution or sale of
16 any agricultural machinery and equipment designed by it and, for that purpose,
17 the Centre shall manufacture agricultural and other appropriate technology and
18 equipment designed by it with a view to meeting the demand for them aim at
19 securing revenue for the Centre dissemination to interested persons of bodies
20 of persons, and the exchange between them and the Centre, of information
21 relating to agricultural mechanization and rural technology.

22 **(5)** The Centre may collect, publish and disseminate literature and
23 other materials on agricultural mechanization and other related subjects, and
24 may provide facilities for the members of the public to have access to those
25 materials.

Introduction of
new Section 10

26 **5. The Principal Act is amended by:**

27 **(a) introducing new section 10; and**

28 **(b) Re-number the subsequent sections accordingly.**

Discovery of
Farm Machines
and Equipment

29 **10.-(1)** The Centre shall invent farm machines and equipment or other
30 discoveries which shall become the property of the Centre.

1 (2) For the purposes of commercial agriculture any invention or
2 discovery which the Centre considers appropriate for, or incidental to, the
3 effective and efficient performance of its functions, the Centre shall arrange
4 with any person or body of persons to buy, sell, take, or grant patent rights in
5 the Invention or discovery, subject to terms approved by the Board.

6 (3) The Centre may, with the prior approval of the Minister enter
7 into any arrangement under subsection (2) one of the terms of which
8 requires the centre to provide financial assistance in the form loan or grant to
9 the person or body of persons with whom the arrangement is entered.

10 (4) Except the consent of the Minister the Centre shall not, in
11 pursuance of any of the provisions under this section, undertake to incur any
12 expenditure which exceeds one percent of the estimated recurrent
13 expenditure budget of the Centre for any financial year.

14 (5) Every invention or discovery made as result of research carried
15 out under this Bill shall be registered by the Centre in such form and upon
16 such conditions as the Minister may, by regulation made under this Bill,
17 prescribe.

18 (6) The Centre shall, with the prior approval of the Minister, grant
19 to any person who makes an invention or discovery, or who materially
20 assists or contributes to the making of that invention or discovery, such
21 reward as may be approved by the Board.

22 6. Section 15 of the Principal Act is amended:

Amendment of
Section 15

23 (i) (a) by introducing new subsections (1) and (2); and

24 (b) Re-number the existing subsections (2) and (3) as sub-section
25 (3) and (4) respectively.

26 (1) There shall be established a special fund which shall be
27 responsible for the research, inventions, discovery of farm machines and
28 other equipment for the notion of commercial agriculture.

29 (2) This fund shall be made up of 7 % of the total annual budget for

1 agriculture under the supervision of the Board in consultation with the
2 Minister.

Short Title

3 7. This Bill may be cited as the National Centre for Agricultural
4 Mechanization Act (Amendment) Bill, 2015.

EXPLANATORY NOTE

This Bill seeks to amend the National Centre for Agricultural Mechanization Act Cap. N13 by providing the establishment of a special fund for the development of indigenous farm machines, provide an enabling environment for private sector participation in Agricultural Mechanization for National Development.