

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A RURAL AREAS DEVELOPMENT AGENCY TO PROVIDE FOR THE ECONOMIC AND SOCIAL SUSTAINABILITY OF RURAL AREAS IN NIGERIA

Sponsored by Hon. Chechukwu Nnam-Obi

[] Commencement

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

1 1.-(1) There is established a body to be known as "the Rural Areas
2 Development Agency" (in this Act referred to as the "Agency").

Establishment of
the Rural Areas
Development
Agency

3 (2) The Agency shall be a body corporate with perpetual
4 succession and a Common seal and may sue and be sued in its corporate
5 name.

6 2.-(1) There is hereby established for the Agency a Board, charged
7 with the administration of Agency which shall consist of the following:

Establishment
of the Board

8 (a) A Chairman;

9 (b) Six Representatives, each from the six geo-political zones of
10 Nigeria;

11 (c) A representative each of the following Federal Ministries, who
12 shall be ex-Officio members:

13 (i) Works;

14 (ii) Water Resources;

15 (iii) Environment;

16 (iv) Agriculture;

17 (v) Health;

18 (vi) Power;

19 (vii) National Planning Commission.

20 (2) The Chairman and other members of the Board shall be

- 1 appointed by the President and shall be persons of proven integrity and
2 competence.
- Tenure 3 3. The Chairman and other members of the Board, other than ex-
4 officio members, shall hold office for a term of 4 years and may be re-appointed
5 for a further term and no more.
- Cessation of membership 6 4.-(1) A person shall cease to hold office as a member of the Board if:
7 (a) He becomes bankrupt;
8 (b) he is convicted of a felony or any offence involving dishonesty or
9 fraud;
10 (c) he becomes of unsound mind or incapable of carrying out his
11 duties;
12 (d) In the case of a person in possession of professional qualifications,
13 he is disqualified or suspended, from practising in Nigeria by an order of a
14 competent authority made in respect of that member;
15 (e) he is removed by the President for serious misconduct in relation
16 to his duties;
17 (f) he resigns his appointment by a letter under his hand addressed to
18 the President.
- Appointment of Executive Secretary of the Board 19 5.-(1) There shall be appointed for the Agency an Executive
20 Secretary.
21 (2) The Executive Secretary shall be the Secretary of the Board and
22 shall be the Chief Executive Officer of the Agency and shall be responsible for
23 the execution of the policies of the Agency and shall be charged with the day-
24 to-day running of the Agency.
25 (3) The Executive Secretary shall possess such qualification and
26 experience as are appropriate for a person required to perform the functions of
27 that office under this Act.
28 (4) The Executive Secretary shall be paid such emoluments as may be
29 specified in his letter of appointment.

1 6.-(1) The Board may appoint such other persons to be officers and
2 employees of the Board who shall assist the Executive Secretary in the
3 exercise of his Functions under this Act

Other staff of and
Consultants to the
Board

4 (2) The Executive Secretary may, with the approval of the Board,
5 engage such number of persons not exceeding thirty at any given time, being
6 persons with knowledge or experience in rural development and matters
7 relevant to the functions of the Board to assist the Board otherwise than on
8 the basis of fulltime employment.

9 7. Service in the Board shall be approved service for purposes of
10 the Pension Reform Act, 2004 and accordingly, officers and other persons
11 employed in the Board shall be entitled to pension, gratuity and other
12 retirement benefits.

Application of
Pension Reform
Act of 2004

13 8. -(a) The functions of the Board shall be:

Functions of the
Board

14 (i) Recommend to the Federal Executive Council, through the
15 Minister of the National Planning Commission, programmes and economic
16 initiatives that would improve the living standards of the rural areas in
17 Nigeria, foster integrated community development efforts geared towards
18 increased community-based wealth creation and expanded economic
19 opportunities;

20 (ii) recommend to all Federal Agencies, policies, strategies and
21 programmes to address the needs of rural communities in the Federation by
22 aggregating the thrusts of efforts of States and Local governments to reduce
23 conflicts, overlaps and duplications;

24 (iii) Be the liaison between the Federal, States and Local
25 governments by providing a forum for decisions on issues pertaining to rural
26 development;

27 (iv) Conduct needs assessment and co-ordinate the developmental
28 needs and interests of rural communities in a comprehensive and
29 collaborative manner;

30 (v) Support and encourage local communal development efforts

1 by engaging community organisers and development vendors towards the
2 enthronement of multi-stakeholdership community partnerships;

3 (vi) find collaborative means and ways to increase available
4 financing in rural areas for:

5 (a) Small and medium scale businesses;

6 (b) Agricultural enterprise;

7 (c) Decent housing developments;

8 (d) Essential public facilities;

9 (e) Healthcare.

10 (vii) Support strategic planning and research for the evaluation of
11 community development initiatives and service provision;

12 (viii) Establish information collecting centres on rural needs and
13 resources;

14 (ix) Serve as advisory platform to Federal, State and Local Agencies
15 and to all Legislative Committees on Rural Development;

16 (x) engage in all other activities essential to the attainment of the goals
17 of this Act.

18 (b) In addition to the functions mentioned in Section 8 (a) above, all
19 functions of the Department for Rural Development of the Federal Ministry of
20 Agriculture are hereby transferred to the Agency.

Establishment
of the Rural Areas
Development
Fund

21 9.-(1) There is hereby established a Fund to be known as the Rural
22 Areas Development Fund to assist rural communities and efforts across the
23 Federation.

24 (2) There shall be paid and credited to the Fund the following:

25 (a) All monies accruing to the Board by way of annual budgetary
26 appropriations;

27 (b) All monies accruing to the Board by way of donations, grants in
28 aid and other sources as may not be in conflict with the objectives of this Act;

29 (c) such monies as may from time to time be lent, granted or deposited
30 with the Board by the Federal Government or any State or Local Government.

- 1 10.-(1) The Board may from time to time apply the proceeds of the
2 Fund towards: Application of
the Fund
- 3 (a) All capital projects as may be approved by the Board spread in
4 an equitable manner across the six-geo political zones;
- 5 (b) The cost of administration of the Agency;
- 6 (c) The payment of salaries, fees and other remunerations such as
7 allowances, gratuity and pensions payable to members or employees of the
8 Board or professionals who may have rendered service to the Board;
- 9 (d) All expenses incurred in the course f the administration of the
10 Board.
- 11 (2) The Board may, subject to the Land Use Act, acquire any land
12 for the purpose of discharging its functions under this Act.
- 13 11.-(1) The Board may accept gift of land, money or other property Power to accept
gift
14 upon such terms and conditions, if any, as may be prescribed by the
15 Organisation making the gift.
- 16 (2) The Board shall not accept any gift if the conditions attached by
17 the person or Organisation making the gift is inconsistent with the
18 realization of the objectives of this Act.
- 19 12.-(1) The Board shall cause to be prepared not later than 30th Annual Reports
estimates of
accounts and audit
20 August in each year estimates of its expenditure and income during the next
21 succeeding year and shall submit same through the President to the national
22 Assembly for appropriation.
- 23 (2) The Board shall keep proper accounts and records of its
24 activities and such accounts shall be audited by auditors appointed from the
25 list of auditors and in accordance with the guidelines supplied by the
26 Auditor-General of the Federation.
- 27 (3) Such accounts and records as in (2) above shall include the
28 detailed activities of the Board and the administration of the Fund and shall
29 be submitted to the President not later than the 30th of September of every
30 year.

Limitations
against suits

1 **13.-(1)** No suit shall be commenced against the Chairman or any
2 member of the Board, or its officer or employee before the expiration of a
3 period of one month after a written notice of intention to commence the suit
4 shall have been served upon the Board by the intending plaintiff or his agent.

5 (2) The notice, referred to in sub-section (1) above, shall state the
6 name of the plaintiff, the cause of action, the particulars of the claim and the
7 relief sought.

Service of
documents

8 **14.** A notice, summons or any other document required or authorized
9 to be served upon the Board under the provision of this Act, or any other law or
10 enactment, may be served by delivery to the Executive Secretary at the
11 principal office of the Board.

Satisfying
judgement debt

12 **15.** Any sum of money which may be the judgment of any court
13 awarded against the Board or the Agency shall, subject to any direction given,
14 be paid from the fund of the Agency.

Rules and
Regulations

15 **16.** The Board may make regulations for the purpose of carrying out
16 or giving full effects to the provisions of this Act.

Interpretation

17 **17.** In this Act, unless the context otherwise requires:
18 "Board" means the Board Rural Areas Development Agency established under
19 Section 2 of this Act;
20 "Fund" means the Rural Areas Development Fund established under Section 9
21 of this Act;
22 "President" means the President of the Federal Republic of Nigeria;
23 "rural area" means any part of Nigeria which is neither urban or semi urban.
24 "Six geo-political zones" means: North-Central; North-East; North-West,
25 South-East; South-South; and South-West.

Citation

26 **18.** This Act may be cited as the Rural Areas Development Agency
27 (Establishment, etc) Bill, 2017.

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SCHEDULE 1

Proceedings of the Board

1.-(1) Subject to this Act and to Section 26 of the Interpretation Act, the Board may make Standing Orders regulating the proceedings of the Board or of any of its Committees established for any purpose.

(2) The quorum of the Board shall be 10 members and the quorum of any Committee shall be determined by the Board.

2.-(1) The Board shall meet not less than 4 times in each year and, provided that the Board shall meet whenever it is summoned by the chairman, or if the chairman is required to do so by notice given to him by not less than 5 other members which latter meeting shall hold within 14 days from the receipt of the notice.

(2) At a meeting of the Board, the Chairman shall preside, but if he absent, the members present, shall, by majority vote, appoint of the members to preside at the meeting.

(3) Where the Board desire to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit, but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

3.-(1) The Board may appoint one or more Committees to carry out on its behalf, such of its functions as the Board may determine.

(2) A Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person other than a member of the Board shall hold office on the committee in accordance with the terms of his appointment.

(3) A decision of a Committee established in sub-paragraph of this paragraph shall require the ratification of the Board for validity.

1 *Miscellaneous*

2 4.-(1) The fixing of the seal of the Board shall be authenticated by the
3 signature of the Chairman or of some other member authorised generally or
4 specifically to act for that purpose by the Board.

5 (2) Any contract or instrument which, if made or executed by a person
6 not being a body corporate, would not be required to be under seal may be made
7 or executed on behalf of the Board by the Executive Secretary or any person
8 generally or specifically authorised to act for that purpose by the Board.

9 (3) Any document purporting to be a document duly executed under
10 the seal of the Board shall be received in evidence and shall, unless the contrary
11 is provided, be presumed to be so executed.

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

17 (5) Any member of the Board or any person holding office on a
18 Committee of the Board who has a personal interest in any contract or
19 arrangement entered into or proposed to be considered by the Board or a
20 committee shall forth with disclose his interest to the Board or committee and
21 shall not vote on any question relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a Rural Areas Development Board and to establish a fund, to among other things, advocate and recommend programmes of action to foster community sustainability and economic initiatives for a rapid development of Nigeria's rural areas.