

A BILL

FOR

AN ACT TO AMEND THE ENVIRONMENT IMPACT ASSESSMENT ACT, CAP. E12, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND FOR RELATED MATTERS

Sponsored by Hon. Samuel Ikon

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria-

- 1 1. The Environment Impact Assessment Act, Cap. E12 Laws of the Amendment of
2 Federation of Nigeria, 2011 (hereinafter referred to as "the principal Act") is the Principal Act
3 amended as set out in this Bill.
- 4 2. Section 4 of the principal Act is amended by 'inserting the word Amendment of
5 "location" immediately after the word proposed in paragraph (a). Section 4
- 6 3. Section 7 of the principal Act is amended by inserting a new Amendment of
7 subsection (1)(a) and (b) to read as follows- Section 7
8 (1) For the purpose of this section "interested groups" means-
9 (a) Members and residents of the particular area where the
10 proposed activities is to take place;
11 (b) Any person or group of persons that claims that serious adverse
12 environmental effects are likely to occur on them as a result of the project or
13 activity.
- 14 4. Section 11 of the principal Act is amended in subsection (2) by Amendment of
15 inserting the following new words "in English and the local language Section 11
16 predominant in the location of the proposed activity" immediately after the
17 word place in line 3.
- 18 5. Section 21 of the principal Act is amended by inserting a proviso Amendment of
19 immediately after subsection (3) to read as follows: Section 21
20 "Provided that such opportunity shall include making available to

1 the public all screening report at no cost”.

Amendment of
Section 24

2 6. Section 24 subsection (1) of the principal Act amended by
3 inserting the following new words “and including in the local language
4 predominant in the area of the proposed project” in line 2 immediately after the
5 word appropriate,

6 And in subsection (1) (a) by inserting the following new words immediately
7 after the word obtained. Provided that one of such places shall be the place of
8 the local community leader where the project is located;

Amendment of
Section 35

9 7. Section 35 of the principal Act is amended by substituting the
10 existing paragraph (a) to read as follows-

11 “(a) appoint as members of the panel including the Chairman thereof,
12 representatives of the Chartered Institute of Surveyors and Valuers, States
13 National Environmental Standards Enforcement and Regulatory Agency and
14 any other professional body the Council may deem fit”.

Insertion of new
Section 58A

15 8. The principal Act is amended by inserting the following heading
16 and new section immediately after section 58--

17 “Security Bond;

18 58A. (1) Every project proponent shall in addition to any other
19 condition, submit a security bond, the value of which the Agency shall
20 prescribe for the remediation of any adverse environmental impact after
21 completion of the project.

22 (2) Provided that such security bond shall be returned to the
23 proponent project if no adverse environment impact occurs 24 month after the
24 completion of the project”.

Amendment
of Section 61

25 9. Section 61 of the Principal Act is amended by re defining the
26 words “Agency” and “Council” in paragraphs 1 and 3 respectively as follows-

27 “Agency” means the National Environmental Standards Regulation and
28 Enforcement Agency;

29 “Council” means the National Environmental Standards Regulation and
30 Enforcement Agency Council.

1 **10.** This Bill may be cited as the Environment Impact Assessment Short Title
2 Act (Amendment) Bill, 2017.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Environment Impact Assessment Act, Cap. E12
Laws of the Federation of Nigeria, 2011 to make it responsive by ensuring
that project developers, approving authority and persons whose livelihood
will be affected by proposed project are involved in the decision making to
safeguard the environment and ensure adequate remediation of the
environment among others.

Amendment of
Section 35

