

1 (g) Secretary of the Commission.

Tenure of office

2 4. The Chairman and members of the Council, other than the ex-
3 officio members, shall each hold office-

4 (a) for a term of 4 years and may be reappointed for a further term of 4
5 years and no more; and

6 (b) on such terms and conditions as may be specified in their letters of
7 appointment.

Cessation of
membership

8 5.-(1) A person shall cease to hold office as a member of the Council
9 on the occurrence of any of the following-

10 (a) he becomes bankrupt, suspends payment or compounds with his
11 creditors;

12 (b) he is convicted of a felony or any offence involving dishonesty or
13 fraud;

14 (c) he becomes of unsound mind or is capable of carrying out his
15 duties;

16 (d) he is guilty of a serious misconduct in relation to his duties;

17 (e) he resigns his appointment by a letter under his hand to the
18 President.

19 (2) Where a member of the Council ceases to hold office for any
20 reason whatsoever, before the expiration of the term for which he is appointed
21 another person representing the same interest as that member shall be
22 appointed to the Council for the un-expired term.

23 (3) A member of the Council may be removed by the President on the
24 recommendation of the Minister if he is satisfied that it is not in the interest of
25 the Commission or the public that the member continues in office.

Functions of the
Commission

26 6. The Commission shall be charged with the general duty of-

27 (a) establishing, controlling, managing and maintaining the National
28 Ranches established under this Act;

29 (b) constructing dams, roads, bridges fences and such other
30 infrastructures the Commission may consider necessary for the purpose of the

1 National Ranches:

2 (c) determining the number of ranches to be established per state;

3 (d) conserving and preserving in its natural state of Ranches;

4 (e) ensuring the preservation and protection of any objects of
5 geological, archaeological historical aesthetic or scientific interests in the
6 Ranches;

7 (f) the development of facilities and amenities within the Ranches;

8 (g) fostering in the mind of the general public, particularly the
9 Pastoral and transhumance population the necessity for the establishment
10 and development of National Ranches with the object of developing a
11 greater appreciation of the value of livestock and environmental
12 conservation: and

13 (h) doing all such things incidental to the foregoing functions
14 which, in the opinion of the Commission are calculated to facilitate the
15 carrying on of the duties of the Commission under this Act.

16 7. The Commission may accept gifts, including land, money or
17 other property (whether within or outside Nigeria) upon such terms and
18 conditions, if any, as may be specified by the person or organization making
19 the gift: Provided that the terms and conditions are not contrary to the
20 objectives and functions of the Commission under this Act.

Acceptance of
Gift

21 8. The Commission may from time to time and subject to the
22 written approval of the minister, borrow by overdraft or loan such sums of
23 money as it may require for the performance of its functions under this Act

Borrowing
power

24 9. Subject to the provisions of this Act, the Minister may give to
25 the Commission directions of a general nature or relating generally to
26 particular matters or with regard to the performance by the Commission of
27 its functions under this Act and it shall be the duty of the Commission to
28 comply with the directions.

Directive by the
Minister

29 10.-(1) There shall be established a Secretariat for the
30 Commission.

Commission
Secretary

1 (2) There shall be appointed for the Commission, a Secretary whose
2 rank shall be equivalent to that of a Director in the Civil Service of the
3 Federation and who shall be appointed by the Minister

4 (3) The Secretary shall be responsible for the Administration of the
5 Secretariat, keeping the books and records of the Commission and shall be
6 subject to the Supervision and Control of the Chairman of the Commission.

Staff of the
Commission and
their remuneration

7 **11.**-(1) The Commission may employ such other staff as it consider
8 necessary for the efficient performance of its duties under this Act

9 (2) The terms and conditions of service (including terms and
10 conditions as to remuneration, allowances, retiring benefits and discipline) of
11 the Secretary and other staff of the Commission shall be such as may be
12 determine from time to time, by the Commission.

13 (3) The Commission shall determine the remuneration and tenure of
14 office of its employees.

15 (4) The Commission may accept any member of staff by way of
16 transfer, secondment or deployment from any public service of the Federal
17 State or Local Government approved establishments.

Ranch Controller

18 **12.**-(1) The Commission shall with the approval of the Minister,
19 appoint from among the staff of the Commission, a Ranch Controller for each
20 Ranch, who shall, in the exercise of his functions under this Act, be responsible
21 to the Commission.

Duties of Ranch
Controller

22 (2) Subject to the provisions of this Act, the Ranch Controller shall be
23 charged with the following responsibilities, that is to say-

24 (a) the execution of the policies of the Commission;

25 (b) the day to day running of the Ranch;

26 (c) such other things as the Minister or the Commission, as the case
27 may be, may require him to do.

28 (3) The Ranch Controller may, subject to the provisions of this Act
29 and to any special or general directions of the Commission, delegate any of his
30 functions to any employee of the Commission.

1 13.-(1) Service in the Commission shall be an approved service for Pension Reform
2 the purpose of Pension Reform Act, and accordingly ,staff and employees of Act. 2004
3 the Commission shall be entitled to pension, gratuities and other retirement
4 benefits as prescribed under the Act.

5 (2) Nothing in this Act shall prevent the appointment of a person to
6 any office on terms which preclude the grant of pensions and gratuity.

7 (3) For the purpose of the application of the provisions of the
8 Pensions Act, any power exercisable there' under by a Minister or other
9 authority of the Federal Government (not being power to make regulations
10 under section 23 thereof) is hereby vested in and shall be exercised by the
11 Commission and not by any other person or authority.

12 PART II - FINANCIAL PROVISIONS

13 14.-(1)The Commission shall establish and maintain a fund which Funds of the
14 shall be applied towards the discharge of its functions under the Act. Commission

15 (2) There shall be paid and credited to the fund established
16 pursuant to subsection (1) of this Section-

17 (a) such sums as may be provided by the government of the
18 Federation for the Commission;

19 (b) any fees or dues charged for services rendered by the
20 Commission or donations, gifts, testamentary dispositions, endowments
21 and contribution from philanthropic persons and organizations or otherwise
22 howsoever.

23 15.-(1) The Commission shall cause to be prepared not later than Annual estimates
24 30th September in each year an estimate of the expenditure and income of accounts and audit
25 the Commission during the next succeeding year and when prepared they
26 shall be submitted to the Minister.

27 (2) The Commission shall cause to be kept, proper account and
28 proper records in relation thereto and when certified by the Commission
29 such account shall be audited as provided in subsection (3) of this section.

30 (3) The accounts of the Commission shall be audited by auditors

1 appointed from the list of auditors and in accordance with the guidelines issued
2 by the Auditor-General of the Federation and the fees of the auditors and the
3 expenses for the audit generally, shall be paid from the funds of the
4 Commission.

Annual report

5 **16.** The Commission shall, not later than six months after the end of
6 Annual Report each year, submit to the Minister a report on the activities of the
7 Commission and its administration during the immediate preceding year and
8 shall include in the report the audited accounts of the accounts of the
9 Commission and the Auditor's comments thereon.

10 **PART III - ESTABLISHMENT AND CONSTITUTION OF RANCHES**

Establishment
of national
Ranches

11 **17.**-(1) the following lands may, subject to the provisions of this Act
12 be Constituted as National Ranches:

13 (a) lands at the disposal of the Federal Government:

14 (b) any land acquired by the Commission through purchase,
15 assignment, gift or otherwise;

16 (c) any land donated by a state Government.

17 (2) The Commission may take over the ownership, control and
18 management of any existing Ranches from any State Government on such
19 terms and conditions as may be agreed between the Commission and the State
20 concerned.

Section 28 (4)
of the Land Use
Act, 1978

21 **18.**-(1) Before any Ranch is established on any land under the
22 provisions of section 17 (1) (a) of this Act, due notice shall be given to the State
23 Governor, where such land is situate, by the Commission on behalf of the
24 President of the Federal Republic of Nigeria, of the intention of the
25 Commission to establish a Ranch and after the acquisition, same shall be
26 published in the official Gazette of the Federal Government and-

27 (a) specifying the location, size or limits of the land;

28 (b) declaring that it is intended to establish a Ranch in such a land
29 either for the general purposes of Government or for the particular Use and
30 benefits, wholly or in part, of any class of persons or for the benefit of any

1 community, State or Local Government.

2 (2) The Commission shall pay the requisite compensation to the
3 affected land owners whose lands are acquired under subsection (1) of this
4 section, for the purpose of establishing a National Ranch for the purpose of
5 rearing cattle, etc.

Payment of
Compensation

6 19. The Commission shall refer any dispute over claim for
7 compensation on any land acquired by the Commission pursuant to this Act,
8 to the appropriate Land Use and Allocation Committee of the State in
9 respect of which the Land is acquired.

Land Use and
Allocation
Committee

10 20. Subject to the provisions of this Act, the Commission shall
11 have power to enter into any negotiation with any holder of either Statutory
12 or Customary Rights of Occupancy for the purpose of assignment or
13 alienation to the Commission of the residue of the unexpired term granted to
14 such person.

Negotiation to
purchase

15 PART IV - REGULATION, RESTRICTIONS, OFFENCES,
16 PUNISHMENT, ETC.

17 21.-(1) The Commission may, make regulations generally for
18 carrying into effect the provisions of this Act, and without prejudice to the
19 generality of the foregoing provisions and those of the schedule to this Act,
20 make regulations:

Regulations

21 (a) prescribing the persons who may use the Ranches including the
22 number and type of livestock or cattle which may be permitted therein;-

23 (b) prescribing the part of the Ranches to be used and the time
24 permitted;

25 (c) providing for the issuance of Ranch permits to persons using the
26 ranch and prescribing the fees for the Ranch permits:

27 (d) regulating the general management of the Ranches, and
28 prescribing the activities which may be carried on therein including
29 conditions of entry into the Ranches;

30 (e) providing how and when the facilities and infrastructures in the

1 reserves are to be used;

2 (f) providing for the recognition of Ranches;

3 (g) compelling any person, livestock, or cattle coming into the ranch
4 to comply with the provisions of this Act or any regulations made hereunder;

5 (h) to collaborate, cooperate, partner, and enter into contract or
6 agreement, with any State Government, public or private organizations or/and
7 individuals for the purpose of executing and fulfilling the Commission's
8 functions and responsibilities pursuant to this Act;

9 (i) to establish, encourage and promote training programmes for its
10 staff and other appropriate individuals from public or private organizations.

Restrictions

11 22.-(1) No person shall alienate any rights affecting land constituted
12 as the National Ranches, by sale, mortgage, assignment, lease, customary
13 pledge, transfer, or otherwise howsoever.

14 (2) No improvements shall be done by anybody in the National
15 Ranches without the approval of the Commission or the Ranch Controller in
16 writing.

17 (3) No encroachment of any kind into the National Ranches, enclave,
18 resting points, water points and other designated areas for stock use by
19 anybody whosoever.

20 (4) Bush burning and hunting are prohibited within National
21 Ranches.

22 (5) The use of chemicals, felling of trees, destruction of ecosystem in
23 whatever form are strictly prohibited under this Act:

24 (6) Movement of cattle from one Ranch to another or market place
25 shall be only by vehicular means.

26 (7) No livestock or cattle shall be allowed by any individual, group of
27 persons or organization to wander, roam, move and or graze outside the
28 National Ranches.

Punishment

29 23.-(1) any person who contravenes any provisions of this Act or
30 Regulations made hereunder shall be guilty of an offence and shall be liable on

1 conviction to a fine of N50,000 or imprisonment for 5 years or both.

2 PART V - MISCELLANEOUS

3 24.-(1) No suit shall be commenced against the Commission
4 before the expiration of a period of one month after written notice of
5 intention to commence the suit shall have been served upon the Commission
6 by the intending plaintiff. Legal Proceedings
and Pre-action
notice

7 (2) The notice referred to in subsection (1) of this section shall state
8 the cause of action, particulars of claim, the name and place of abode of the
9 intending plaintiff and the relief claimed.

10 25. In this Act, unless the context otherwise requires: Interpretation

11 "Chairman" means the Chairman of the Commission;

12 "Customary right of occupancy" means the right of a person or community
13 lawfully using or occupying land in accordance with customary law and
14 includes a customary right of occupancy granted by the Local Government;

15 "Enclave" means an area completely surrounded by Ranches, Communal
16 Ranch and excluded from that Ranch;

17 "Governor" means the Governor of the State where the Ranch is situated or
18 located or is to be situated or located;

19 "Lands at the disposal of the Government" means any land which the
20 Federal Government has acquired or may acquire by agreement or
21 otherwise and include lands leased to the Federal Government for Ranches
22 purposes;

23 "Land Use And Allocation Committee" means the Land Use And Allocation
24 Committee established under section 2 (2) of the Land Use Act cap 202
25 Laws of the Federation of Nigeria 1990;

26 "Member" means a member of the Commission;

27 "Minister" means the Federal Minister for the time being in charge of
28 Agriculture;

29 "Native Community" means any group of persons occupying any lands in
30 accordance with the subject to native law and custom;

1 "National Ranches" means any area constituted or established as National
2 Ranch under this Act;

3 "President" means the President of the Federal Republic of Nigeria;

4 "Statutory right of occupancy" means a right of occupancy granted or deemed
5 to be granted by the Governor;

6 "Tertiary or inter-state stock route" means a stock route from grazing reserve to
7 grazing reserve, watering and resting points, Fadama areas and homesteads.

Short Title

8 **26.** This Bill may be cited as the National Ranches Commission Bill.
9 2016.

10 SCHEDULE

11 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

12 *Proceedings of the Commission*

13 **1.** Subject to this Act and section 27 of the Interpretation Act the
14 Commission may make standing orders regulating its proceedings or those of
15 its Committees.

16 **2.** Every meeting of the Commission shall be presided over by the
17 Chairman or if the Chairman is unable to attend a particular meeting, the
18 members present at the meeting shall elect one of their numbers to preside at
19 that meeting.

20 **3.** The quorum at a meeting of the Commission shall consist of the
21 Chairman (or, in an appropriate case, the person presiding at the meeting
22 pursuant to paragraph 2 of this Schedule) and six other members.

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

28 *Committees*

29 **5.**-(1) Subject to its standing orders, the Commission may appoint
30 such number of standing and ad-hoc committees as it thinks fit to consider and

1 report on any matter with which the Commission is concerned.

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

7 6. The decision of a committee shall be of no effect until it is
8 confirmed by the Commission.

9 *Miscellaneous*

10 7. The fixing of the seal of the Commission shall be authenticated
11 by the signature of the Chairman and of the Secretary of the Commission or
12 such other member authorized generally or specially by the Commission to
13 act for that purpose.

14 8. Any contract or instrument which, if made by a person not
15 being a body corporate, would not be required to be under seal, may be made
16 or executed on behalf of the Commission by the Chairman or by any other
17 person generally or specifically authorized by the Commission to act for that
18 purpose.

19 9. Any document purporting to be a contract, instrument or other
20 document signed or sealed on behalf of the Commission shall be received in
21 evidence and, unless the contrary is proved, be presumed, without further
22 proof, to have been so signed or sealed.

23 10. The validity of any proceedings of the Commission or a
24 committee thereof shall not be adversely affected:

25 (a) by any vacancy in the membership of the Commission or
26 committee;

27 (b) by any defect in the appointment of a member of the
28 Commission or Committee; or committee; or

29 (c) by reason that a person not entitled to do so took part in the
30 proceedings.

1 **11.** Any member of the Commission or a committee thereof who has
2 a personal interest in any contract or arrangement entered into or proposed to be
3 considered by the Commission or committee shall forthwith disclose his
4 interest to the Commission or committee and shall not vote on any question
5 relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of National Ranches Commission for the regulation, management, preservation and control of Ranches throughout Nigeria.