

1 PART II - COMPOSITION OF THE COMMISSION

Composition of
the Commission2 3.-(i) The Commission shall consist of the following members and
3 their appointments shall reflect the geopolitical zones of Nigeria:

4 (a) a Chairman;

5 (b) the Director General who shall be the Chief Executive and
6 accounting Officer;

7 (c) a representative of the Surveyor-General of the Federation;

8 (d) a representative of the Ministry of Agriculture and Water
9 Resources;10 (e) a representative of the Ministry of Solid Minerals and Steel
11 Development12 (f) a representative of the Ministry of Works, Housing and Urban
13 Development;

14 (g) a representative of the Ministry of Environment;

15 (h) two representatives of the Civil Society;

16 (i) one Traditional ruler from each of the six geopolitical zones:

17 (j) six (6) representatives of state Ministries charged with Land
18 matters across the Six geopolitical zones of Nigeria-19 (i) The members of the Commission, other than the Chairman and
20 Director-General, shall be part time members;21 (ii) The Chairman and Members of the Commission shall be
22 appointed by the President and Commander -in-Chief of the Armed forces of
23 Nigeria.

Tenure of Office

24 4. -(1) The members of the Commission shall hold office for a term of
25 4 years in the first instance from the date of appointment and may be re-
26 appointed for a further term of 4(four) years and no more.27 (2) In the event of a vacancy in 3(a) to (i)-, the President shall with
28 appoint another member to complete the tenure.Cessation of
Membership

29 5. -(1) A member of the Commission shall cease to hold office if-

30 (a) he resigns his appointment as a member of the Commission by

- 1 notice, under his hand, addressed to the Chairman or the President;
- 2 (b) he becomes of unsound mind;
- 3 (c) he is incapable of carrying out his duties by virtue of serious ill
4 health;
- 5 (d) he becomes bankrupt or makes a compromise with his
6 creditors;
- 7 (e) he is convicted of a felony or of any offences involving
8 dishonesty;
- 9 (f) he is guilty of serious misconduct in relation to his duties;
- 10 (g) on withdrawal of his nomination on his Ministry's/
11 organization's instructions;
- 12 (h) the President is satisfied that it is not in the interest of the
13 Commission or in the interest of the public for the person to continue in
14 office and notifies the Chairman or member in writing; or
- 15 (i) he is disqualified or suspended by his professional body from
16 practicing his profession in any part of Nigeria by an order of any competent
17 authority made against him.

18 6.-(1) The Chairman, and members of the Commission shall be
19 paid such remunerations, allowances and incidental expenses consistent
20 with guidelines set forth by the Revenue Mobilization Allocation and Fiscal
21 Commission.

Remuneration of
Board members

22 *Frequency of Board meeting*

- 23 7.-(i) The Commission may make standing orders/rules regulating
24 its proceedings;
- 25 (ii) The members of the Commission shall meet not less than four
26 (4) times in one calendar year; and on such other occasion(s) as may be
27 necessary;
- 28 (iii) Notices of the meeting shall be served on members not later
29 than 14 days before the date fixed for the meeting provided however that in
30 an emergency, the meeting may be convened at a shorter notice;

Meetings

1 (iv) The Chairman shall preside at every meeting of the Commission
2 but in his absence, members shall elect one amongst themselves present to
3 preside at the Meeting;

4 (v) The Quorum for the meeting of the Commission shall be (8) eight.

5 PART III - FUNCTIONS AND POWERS OF THE COMMISSION, ETC.

Functions and
Powers of the
Commission

6 8. -(1) The Commission shall have the power to-

7 (a) collaborate and provide technical assistance to States and Local
8 Governments to undertake land cadastral nation wide;

9 (b) establish individual's land "possessory" rights using best practices
10 and most appropriate technology for processing identification of locations and
11 registration of title holdings;

12 (c) ensure that land cadastral are demarcated in such a way that
13 community, hamlet, village, town, etc boundaries and title holdings will be
14 recognizable;

15 (d) assist and encourage States and Local Government States to
16 establish an alternative dispute resolution mechanism for land ownership
17 conflict;

18 (e) establish and maintain a National Depository for Land Title
19 Holdings and Records in all States of the Federation and the Federal Capital
20 Territory;

21 (f) establish a mechanism for land valuation in both Urban and Rural
22 areas, in all parts of the Federation;

23 (g) develop, and from time to time review a national land policy
24 document for Nigeria;

25 (h) formulate appropriate land administration guidelines and
26 integrate land administration processes and procedure nationwide;

27 (i) prescribe standard information, data, content, form and
28 specification of all Land Application forms and Certificates of Occupancy
29 issued by State and Local Governments under the Land Use Act;

30 (j) facilitate the establishment and maintenance of geographic

- 1 reference centers in such places as shall be determined by the Commission;
- 2 (k) appoint adhoc special technical advisory committee of experts
3 in relevant matters necessary to the effective delivery of its functions under
4 this ACT;
- 5 (l) undertake any other activity that will ensure an effective,
6 simplified, sustainable and successful land administration in Nigeria;
- 7 (m) implement Government policies/directives relating to the
8 Management and operation of this Act;
- 9 (n) acquire, hold, mortgage, purchase and deal with property,
10 whether movable or immovable, real or personal; and
- 11 (o) do all such things as are necessary for or incidental to the
12 carrying out of its functions and duties under this Act.

13 PART IV - STAFF OF THE COMMISSION, ETC.

- 14 9.-(i) There shall be for the Commission, a Director- General to be
15 appointed by the President, Federal Republic of Nigeria.
- 16 (ii) The Director- General shall be the Secretary to the Commission
17 and shall be responsible for-
- 18 (a) execution of the policies/ decisions of the Commission and its
19 day to day administration;
- 20 (b) disposing of all questions relating to the services of the Staff,
21 their pay, allowances, privileges and benefits;
- 22 (c) the direction, supervision and control of all other Staff of the
23 Commission, subject to any direction and restriction imposed on him by the
24 Commission; and
- 25 (d) matters concerning the accounts and records of the
26 Commission.
- 27 (iii) The Commission may, from time to time employ such other
28 Staff as may appear to it expedient and necessary for the proper and efficient
29 performance of its functions under this Act-
- 30 (a) the Commission shall pay its Staff remuneration, allowances

Appointment of
Director-General
and other Staff of
the Commission

1 and; other benefits as may be determined by the Commission, from time to
2 time.

3 (b) the Staff of the Commission shall be entitled to pension in
4 accordance with Pension Reform Act, 2004 and also entitled to gratuities and
5 other retirement benefits.

6 (iv) The Commission may make rules and regulations relating
7 generally to the conditions of services of Staff of the Commission. Without
8 prejudice to the generality of the foregoing, the rules may provide for the
9 appointment and disciplinary control of the Staff of the Commission.

10 (v) The Commission may appoint agents as it deems necessary for the
11 efficient discharge of its functions.

12 (a) the Commission shall from time to time determine the terms and
13 conditions for the engagement or participation of agents in the discharge of its
14 functions.

15 (vi) Creation of Units/Departments/Directorates.

16 (1) For the effective and expedient conduct of the functions of the
17 Commission, there shall be created the following Units/ departments/
18 directorates, that is-

19 (a) Legal Services unit etc; and

20 (b) Such other Units/ departments/directorates as may be deemed
21 necessary by the Commission from time to time.

22 (2) There shall be appointed for each of the Units/ departments/
23 directorates a Principal Officer who shall be known by such designation as the
24 Commission may determine.

25 (vii) Legal Representation-

26 (a) A person appointed in the Legal Services Unit who is a Legal
27 Practitioner and who shall while so appointed, be entitled to represent the
28 Commission in any Suit or proceeding arising for or against the Commission
29 and;

30 (b) shall perform other Legal duties as the Commission may from

1 time to time delegate.

2 PART V - FINANCIAL PROVISIONS; ETC

3 10.-(i) There shall be established and maintained for the Funds of the
4 Commission a fund, into which shall be paid and credited- Commission

5 (a) all subventions and budgetary allocations from the Federal
6 Government;

7 (b) such sums as may be received by the Commission by way of
8 donations, gifts, endowment, bequest, grants or other contribution by
9 persons and organizations;

10 (c) such sums as may be received by the Commission from other
11 sources either in respect of any property vested in or acquired by the
12 Commission;

13 (d) all investments or other monies earned or arising from any such
14 investment, property or assets of the Commission;

15 (e) such sums of money as may be borrowed by the Commission
16 and subject to the approval of the President;

17 (f) such sums as may be collected or received by the Commission
18 for services rendered;

19 (g) foreign aid and assistance from bilateral Agencies;

20 (h) all other sums which may from time to time accrue to the Commission.

21 (ii) The Commission shall from time to time utilize the fund at its Expenditure of
22 disposal to- the Commission

23 (a) pay allowances, expenses and other benefits of members of the
24 Commission or any of its units;

25 (b) pay salaries, fees, allowances, pensions, gratuities and other
26 benefits of members of Staff of the Commission.

27 (c) pay contract sums inclusive of mobilization, fluctuations and
28 variations;

29 (d) maintain any property acquired or vested in the authority;

30 (e) train Staff and ensure development of technical and managerial

	1	skills; and
	2	Such other expenses to be incurred by the Commission in the discharge of its
	3	functions under the Act;
Power to invest	4	11. The Commission shall have power to invest its funds and maintain
	5	a general Reserve.
Power to accept gifts	6	12. The Commission may accept gift of land, money or other
	7	properties unconditionally or upon such conditions as may be convenient with
	8	respect to its functions.
Power to borrow	9	13. The Commission may with the approval of the President, from
	10	time to time borrow such sums as it may require in the exercise of its functions
	11	under this Act.
Power to make regulations	12	14. The Commission shall have power to make regulations from time
	13	to time with respect to the exercise of its duties, functions or powers under this
	14	Act.
Annual estimate account and audit	15	15. The Commission shall submit to the President not later than 30th
	16	June, in each year, an estimate of its expenditure and income during the next
	17	succeeding year-
	18	(a) the Commission shall keep proper accounts and shall prepare in
	19	respect of each year statement of Audited Account in such form as the Auditor-
	20	General of the Federation may direct;
	21	(b) the Commission shall as soon as is possible ,after the end of the
	22	year to which the account relates, cause its accounts to be audited by qualified
	23	external Auditors appointed by the Commission and; in accordance with the
	24	guidelines supplied by the Auditor-General of the Federation;
	25	(c) the Auditor shall on completion of the audit of the account of the
	26	Commission for each year, prepare and submit to the Commission the
	27	following two reports that is-
	28	(i) a general report setting out the observations and recommendation
	29	of the Auditors on the financial affairs of the Commission generally for that
	30	year and on any important matters which the auditors may consider necessary

1 to bring to the notice of the Commission; and

2 (ii) a detailed report setting the observation and recommendation
3 of the auditors on all aspects of the operation of the Commission for the year.

4 **16.-(1)** The Commission shall not later than three months after the
5 end of each year, submit to the President, a report on the activities of the
6 Commission relation to the organization during the immediate preceding
7 year and shall include in such reports the auditor's report thereon.

Annual Reports

8 **PART VI - LEGAL PROCEEDINGS, ETC**

9 **17. -(1)** No suit shall lie against the Commission for any acts done
10 unless it is filed within 12 months of the occurrence of any such act.

Legal Proceedings

11 (2) No suit is to be commenced against the Commission before the
12 expiration of a period of one month after written notice of intention to
13 commence the suit shall have been served on the Commission by the
14 intending Plaintiff or his agent and the notice shall clearly and explicitly
15 state:

16 (a) the cause of action;

17 (b) the name and place of abode of the intending Plaintiff; and

18 (c) the relief claimed.

19 (3) For the purpose of this Act, "suit" means civil proceedings
20 commenced by writ of summons or such other manner as may be prescribed
21 by rules of Court and include an action but not criminal proceedings.

22 (4) The notice referred to in sub-section (2) above and any
23 summons, notices or other documents required or authorized to be served on
24 the Commission in connection with a suit by or against the Commission may
25 be served by-

26 (a) delivering it to any of the Principal officers of the Commission;

27 (b) sending it by registered post addressed to the Chairman or
28 Secretary at the Headquarters of the Commission.

29 (5) A person connected with the direct workings of the
30 Commission shall not be removed under arrest when his immediate removal

1 from duty might result in danger to life or goods, whether in execution of a
2 warrant or otherwise, while actually engaged in the performance of his duties
3 until She has been given a opportunity of providing a substitute by-

4 (a) the head of the department in which he is employed;

5 (b) the officer in immediate charge of the work in which the person is
6 engaged.

7 (6.) In any suit pending before a Court, the Commission may be
8 represented in Court at any stage of the proceedings by any Staff of the
9 Commission who shall satisfy the Court that he is duly authorized by the
10 Commission in that behalf.

Interpretation

11 18. In this Act, unless the context otherwise requires-

12 "commission" means the National Land Reform Commission as established by
13 section 1 of this Act;

14 "chairman" means the chairman of the commission;

15 "members" means any member of the commission including the Chairman;

16 "organisation" includes corporate bodies and non-governmental organisations
17 (NGOs); and

18 "President" means the President of the Federal Republic of Nigeria.

Citation

19 19. This Bill may be cited as the National Land Reform Commission
20 Bill, 2016.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Land Reform Commission for effective Land Co-Ordination and Management and to prescribe standards for general Land Administration in Nigeria