

NIGERIAN AGRICULTURAL PROCESSING ZONES BILL, 2015.

ARRANGEMENT OF SECTION

Sections:

1. Establishment of the Nigerian Agricultural Processing Zones
 2. Establishment, of the Nigeria Agricultural Processing Zones Authority and its governing Board, etc.
 3. Membership of the governing Board
 4. Functions of the Authority
 5. Appointment of Managing Director, Secretary and other employees.
 6. Approved activities, etc. Second Schedule
 7. Vesting of property in the Authority.
 8. Exemption from taxes.
 9. Approval of enterprise to undertake approved activity.
 10. Power to grant licence
 11. Payment of goods and services
 12. Import of goods into the Zone
 13. Persons not to enter zones without permission
 14. Prohibition of retail trade
 15. Special provisions relating to article imported with custom duty cessions
 16. Prohibition of storage of ammunition and dangerous explosives
 17. Export of goods from a zone
 18. Incentives and related matters
 19. Enterprises to submit returns
 20. Work permits
 21. Staff Regulations
 22. Fund of the Authority
 23. Annual estimates, accounts, etc.
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24. Enactments applicable in customs territory to apply
25. Omission and none compliance
26. Regulations
27. Interpretation
28. Short title

A BILL

FOR

AN TO PROVIDE FOR THE ESTABLISHMENT, DEVELOPMENT
OPERATION MAINTENANCE, MANAGEMENT AND
ADMINISTRATION OF THE NIGERIAN AGRICULTURAL
PROCESSING ZONES AND FOR MATTERS CONNECTED
THEREWITH

Sponsored by Senator Francis Alimikhena

[] Commencement

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

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- 1.-(1) The President may, from time to time by order, upon the
recommendation of the Nigeria Agricultural Processing Zones Authority
established under this Act, designate such area as he thinks fit to be an
Agricultural processing zone, (in this Act referred to as “a Zone”).

(2) The Zone established pursuant to subsection (1) of this section,
may be operated and managed by a public, private or a combination of
public and private entity under the supervision of and with the approval of
Nigeria Agricultural Processing Zones Authority established by section 3 of
this Act.

(3) Every order made pursuant to subsection (1) of this section,
shall specify the limits of the area designated and ascribe a name to that
Zone.

(4) The Nigeria Agricultural Processing Zones Authority may,
from time to time, by order, amend, vary or add to the limits of a Zone or
change the name of a Zone.

(5) An order, made under subsection (3) of this section, shall not
affect an approved enterprise existing before the commencement of the
order.
- Establishment of
the Nigerian
Agricultural
Processing Zones
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Objectives and
Purpose

- 1 2. It shall be the intent, purpose and objectives of this Act to:
- 2 Establish the legal framework and mechanism for the integration,
- 3 coordination, planning and monitoring of the Zones;
- 4 (a) Establish the legal framework and mechanism for the integration,
- 5 coordination, planning and monitoring the operation of the Zones;
- 6 (b) Transform selected areas in the country into highly developed
- 7 agricultural centers highly trained personnel and efficient services will be
- 8 available to investors;
- 9 (c) promote the flow of investors, both Foreign and Local into the
- 10 processing zones which would generate employment opportunities establish
- 11 backward and forward integration in the zones;
- 12 (d) stimulate the repatriation of Nigerian capital by providing
- 13 attractive climate and incentives for business activities in the Zones established
- 14 under this Act;
- 15 (e) Promote financial and agricultural cooperation between Nigeria
- 16 and other advanced agricultural countries that will revolutionise the
- 17 agricultural sector and improve productivity levels; and

Establishment
of the Nigeria
Agricultural
Processing Zones
Authority and its
Governing
Board, etc.

- 18 3.-(1) There is hereby established for the Nigeria Agricultural
- 19 Processing Zones, an authority to be known as the Nigeria Agricultural
- 20 Processing Zones Authority (in this Act referred to as "the Authority")
- 21 (2) The Authority shall be a body corporate, with perpetual succession
- 22 and a common seal and may sue and be sued in its corporate name and shall be
- 23 capable of acquiring, holding or disposing of any property movable or
- 24 immovable for the purpose of carrying out its functions.

Membership of
the governing
Board

- 25 4. -(1) There shall be for the Authority, a governing Board which shall
- 26 consist of a Chairman to be appointed by the President on the recommendation
- 27 of the Minister and the following other members, that is to say:
- 28 (a) a representative each from the following Federal Ministries, that
- 29 is:
- 30 (i) Agriculture and Rural development;

(ii) Trade and Investment;

(iii) Finance;

(iv) Science and Technology;

(v) Health.

(b) The Comptroller-General of Customs or his representative not below the grade of Assistant Director;

(c) the Managing Director of the Nigerian Ports Authority or his representative not below the grade of a Deputy Director;

(d) one representative each from the following:

(i) the 36 States including the FCT;

(ii) the Nigerian Association of Chambers of Commerce, Industries, Mines and Agriculture;

(iii) All Farmers Association;

(iv) the Manufacturers Association of Nigeria;

(v) the Association of Nigerian Exporters.

(e) two persons to be appointed by the Minister from the private sector who shall be persons possessing practical experience in industry, commerce, finance, export promotion and other related fields;

(f) a representative of the Central Bank of Nigeria not below the grade of Director; and (g) the Managing Director of the Authority.

(2) A member of the Board other than ex-officio member shall subject to the provisions of this Act, hold office for a period of four years from the date of his appointment as a member and shall be eligible for re-appointment for one further period of two years and thereafter he shall no longer be eligible for re-appointment.

(3) Notwithstanding subsection (2) of this section, the President may on the recommendation of the Minister require any member to vacate his office if his continued membership will not be in the interest of the Authority.

(4) Any member of the Board other than an ex-officio member may

- 1 by notice in writing to the Board resign his appointment.
- First Schedule 2 (5) The supplementary provisions contained in the First Schedule to
- 3 this Act shall have effect with respect to the tenure of office of the members and
- 4 the proceedings of the Board and other matters relating to the Board.
- Functions of the 5 5. In addition to any other functions conferred on the Authority by
- Authority 6 this Act, the functions and responsibilities of the Authority shall include:
- 7 (a) Provision of accelerated development of farming communities
- 8 across the country with the necessary infrastructures such that make outreach
- 9 programmes on inputs and out easy to accomplish;
- 10 (b) provision of price support programmes that will guarantee
- 11 minimum price for agricultural produce and make the authority a buyer of last
- 12 resort for designated produce;
- 13 (c) coordination, monitoring and maintenance of quality and
- 14 standards of value chain additions to meet the expected local and export
- 15 grades;
- 16 (d) promotion of import substitution by deploying a low -import
- 17 strategy for all agricultural based manufacturing process in Nigeria;
- 18 (e) employment generation through the involvement of young school
- 19 leavers in the outreach and processing activities of the enterprises operating
- 20 within the zones;
- 21 (f) the administration of the Authority and management of all the
- 22 Agricultural Processing Zones;
- 23 (g) the approval of development plans of the Authority and the Zones
- 24 annual budgets in respect of infrastructures, administrative buildings,
- 25 promotion of Zones, the provision and maintenance of services and facilities;
- 26 (h) the establishment of customs, police, immigration and similar
- 27 posts in the Zones;
- 28 (i) the supervision and co-ordination of the functions of various
- 29 public sector and private sector organisations operating within the Zones and
- 30 resolving any dispute that may arise amongst them;

1 (j) the resolution of trade disputes between employers and
2 employees in the Zone in consultation with the Federal Ministry of
3 Employment, Labor and Productivity;

4 (k) the adaptation of investment promotion strategies in the Zones,
5 including the opening of Investment Promotion Offices abroad; ,

6 (l) the recommendation to the Federal Government of additional
7 incentive measures for the Zones;

8 (m) the establishment and supervision of Zonal Administrations
9 for the purpose of managing the Zones and the grant of all requisite permits
10 and licences to, approved enterprises.

11 6. -(1) There shall be for the Authority, a Managing Director who
12 shall be the Chief Executive and shall be appointed by the President on the
13 recommendation of the Minister.

Appointment of
Managing
Director, Secretary
and other
employees

14 (2) The Managing Director shall be responsible for:

15 (a) the preparation of plans, annual programmes and budget;

16 (b) the recommendation of bye-laws applicable in each Zone;

17 (c) the development of strategies for the promotion of the Zones
18 inside and outside the country;

19 (d) the implementation of the approved plans, programmes and
20 budgets;

21 (e) the day-to-day administration of the Authority.

22 (3) Without prejudice to the generality of subsection (1) of this
23 section, the Authority shall have power to:

24 (a) appoint a Secretary who shall be qualified to practice as a legal
25 practitioner in Nigeria and has been so qualified for not less than ten years;

26 (b) pay the employees such remuneration and allowances as it may,
27 from time to time, determine;

28 (c) pay the employees such pensions and gratuities as are payable
29 to persons of equivalent grades in the public service of the Federation.

Approved activities, etc. Second Schedule	1	7. -(1) Subject to subsection (2) of this section, the activities specified
	2	in the Second Schedule to this Act shall be approved activities for the purposes
	3	of this Act.
Third Schedule	4	(2) The Authority may, from time to time, prescribe the activities
	5	which may be carried on in a Zone, and for this purpose may, by Order, amend
	6	the Second Schedule to this Act.
Vesting of property in the Authority	7	8. The President or Governor of a State respectively may, by Order,
	8	transfer to the Authority, any property belonging to the Federal or State
	9	Governments respectively which appears to be necessary or expedient to the
	10	Authority in carrying out its functions under this Act and such property shall
	11	vest in the Authority by virtue of the Order and without further assurance.
Exemption from taxes	12	9. Approved enterprises operating within a Zone shall be exempted
	13	from all Federal, State and Government taxes, levies and rates.
Approval of enterprise to undertake approved activity	14	10. (1) Any enterprise which proposes to undertake an approved
	15	activity within a Zone, shall apply to the Authority in writing for permission to
	16	do so and shall submit such documents and information in support of its
	17	application, as the Authority may require.
	18	(2) Subject to the provisions of this Act, the Authority may grant,
	19	subject to such terms and conditions as it thinks fit, approval for an enterprise to
	20	undertake the approved activity specified in its application brought under
	21	subsection (1) of this section.
	22	(3) For the purposes of this section, "approved activity" means any of
	23	the activities specified in the Third Schedule to this Act
Power to grant licence	24	11. -(1) The Authority may grant a licence for any approved activity in
	25	a Zone to an individual or business concerned whether or not the business is
	26	incorporated in the customs territory.
	27	(2) The grant of a license by the Authority shall constitute registration
	28	for the purposes of company registration within the Zone:
	29	(3) A licensed company operating within a Zone and undertaking an
	30	approved activity shall notify the Authority of any purchase, assignment or

1 transfer of shares in the company, except where the company's shares are
2 quoted and are freely transferable on any international Stock Exchange.

3 (4) The Authority shall by order from time to time prescribe the
4 regulations governing the Zone.

5 12. -(1) Where an approved enterprise operating in a Zone supplies
6 goods and services to customers within the customs territory, that enterprise
7 shall be entitled to receive payment for such goods and services in foreign
8 currency and for the purposes of such payment, the normal rules and
9 regulations applicable to importation of goods and services into Nigeria and
10 repatriation of the proceeds of sales or services shall apply.

Payments for
goods and service

11 (2) Where a person within the customs territory supplies goods and
12 services to an approved enterprise established within a Zone, that person
13 shall be entitled to receive payment for such goods or services in foreign
14 currency and the rules and regulations applicable to export from Nigeria and
15 the repatriation of proceeds from sales or services shall apply.

16 13.-(1) The Authority and any approved enterprise shall be entitled
17 to import into a Zone, free of customs duty, any capital goods, consumer
18 goods, raw materials, components or articles intended to be used for the
19 purposes of and in connection with an approved activity, including any
20 article for the construction, alteration, reconstruction, extension or repair of
21 premises in a Zone or for equipping such premises but with emphasis on
22 low- import-content.

Import of goods
into the Zone,
1988 No.1

23 (2) For the purposes of this section, articles for equipping premises
24 shall be deemed to include equipment for offices and other ancillary
25 facilities necessary for the proper administration of the premises and for the
26 health, safety, hygiene and welfare of the premises and of persons employed
27 therein.

28 (3) The Authority may by Order, amend or vary the articles
29 specified in the Fourth Schedule to this Act.

30 (4) All goods brought into a Zone shall be consigned:

1 (a) to the Authority or to an approved enterprise and the goods may,
2 with the approval of the Authority, be transferred from one approved enterprise
3 to another or from the Authority to an approved enterprise or from an approved
4 enterprise to the Authority; or (b) without prejudice to the provisions of section

5 (2) of this section, to a bank acting on behalf of any party to a
6 transaction involving the Authority or an approved enterprise.

7 (5) The Authority may take such steps as it deems necessary to
8 preserve goods within a Zone, whether by moving the goods from one place to
9 another or by storing the goods and where any expenses are incurred by the
10 Authority in so doing, the owner or consignee of the goods shall reimburse the
11 Authority for the expenses.

12 (6) Subject to the provisions of this Act and any regulations made
13 thereunder, goods brought into a Zone pursuant to this section may:

14 (a) unless otherwise directed by the Authority, be stored, sold,
15 exhibited, broken up, packed, graded, cleaned, marked, re-marked, loaded,
16 unloaded, reloaded, divided, mixed, separated or otherwise manipulated;

17 (b) be worked, processed or reprocessed or otherwise manipulated or
18 manufactured;

19 (c) be consumed if the goods are meant for consumption in the Zone,
20 unless otherwise directed by the Authority;

21 (d) subject to subsection (7) of this section, be removed from a Zone
22 or sent into the customs territory, whether as originally packed or otherwise; or

23 (e) subject to any enactment pertaining thereto, be destroyed.

24 (7) Where any goods which are dutiable on entry into the customs
25 territory are sent from a Zone into the customs territory, the goods shall be
26 subject to the provisions of the Customs, Excise Tariff, Etc. (Consolidation)
27 Act and any regulations made thereunder, and if the goods are intended to be
28 disposed of in the customs' territory, shall not be removed from the Zone
29 unless:

30 (a) the consent of the Authority has been obtained; and

1 (b) the relevant customs authorities are satisfied that all import
2 restrictions relevant thereto have been complied with and all duties payable
3 in connection with the importation thereof into the customs territory have
4 been paid.

5 (8) Samples of goods being taken into the customs territory shall be
6 subject to the provisions of subsection (6) of this section, except in cases
7 where the relevant customs authority is satisfied that such goods are of no
8 commercial value.

9 (9) Where goods are brought from the customs territory into a Zone
10 for the purposes of an approved activity, the goods shall be deemed to be
11 exported.

12 (10) The Pre-Import Inspection Scheme shall not apply to imports
13 of goods into the Zones for use by approved enterprises in the Zones.

14 14. -(1) No person shall enter, remain in or reside in a Zone without
15 the prior permission of the Authority.

Persons not to
enter zones
without
permission

16 (2) Any person who contravenes the provisions of subsection (1) of
17 this section shall have his permit revoked by the Authority.

18 15. -(1) No retail trade shall be conducted within a Zone without
19 the prior approval of the Authority and which may be subject to such terms
20 and conditions as may be imposed, from time to time, by the Authority

Prohibition of
retail trade

21 (2) Any person who contravenes the provisions of subsection (1) of
22 this section or of a term or condition imposed pursuant to that subsection
23 shall have his licence revoked by the Authority.

24 16. -(1) An approved enterprise which imports into a Zone an
25 article with a benefit in respect of customs duty under the provisions of this
26 Act shall:

Special
provisions relating
to articles imported
with custom duty
concessions

27 (a) keep such records of the articles so imported in such forms and
28 containing such particulars as may be required by the Authority;

29 (b) cause the articles to be marked with such mark and in such
30 manner as may be required by the Authority;

1 (c) permit the Authority or a person authorised by the Authority at all
2 reasonable times:

3 (i) to inspect the records relating to those articles; and

4 (ii) to have access to any factory, warehouse, assembly plant or other
5 premises under the control of the approved enterprise for the purpose of
6 examining the article which the Authority believes to be therein and of
7 satisfying itself of the accuracy of the particulars in relation to the article
8 contained in such records.

9 (2) Any person who contravenes the provisions of subsection (1) of
10 this section is guilty of an offence.

Prohibition of
storage of
ammunition and
dangerous
explosives

11 **17.-(1)** Notwithstanding any other provision of this Act, the following
12 goods shall not be imported, taken into or stored in a Zone:

13 (a) firearms and ammunition, other than by members of the Nigeria
14 Police Force or the Armed Forces of the Federation or by Security Agencies
15 employed to work in a Zone in the course of their duties or by such other
16 persons as may be authorised by the Authority

17 (b) dangerous explosives without prior approval of the Authority;

18 (c) petrol, inflammable materials, hazardous cargoes or oil fuels,
19 other than in such quantities and on such terms and conditions as may be
20 prescribed by the Authority;

21 (d) goods which the Authority by Order has imposed specific or
22 absolute prohibition on their importation into a Zone.

23 (2) Any person who contravenes the provisions of subsection (1) of
24 this section is guilty of an offence.

Export of goods
from a Zone

25 **18.** Export of goods from a Zone to the customs territory shall, except
26 prescribed by or pursuant to this Act, be subject to the same customs
27 requirements as apply to goods imported from other countries as otherwise and
28 licensing.

Incentives and
related matters

29 **19.-(1)** Approved enterprises within the Zones shall be entitled to the
30 following incentives:

1 (a) legislative provisions pertaining to taxes, levies, duties and
2 foreign exchange regulations shall not apply within the Zones;

3 (b) repatriation of foreign capital investment in the Zones at any
4 time with capital appreciation of the investment;

5 (c) remittance of profits and dividends earned by foreign investors
6 in the Zones;

7 (d) no import or export licences shall be required;

8 (e) up to 25 per-cent of production may be sold in the customs
9 territory against a valid permit, and on payment of appropriate duties;

10 (f) rent free land at construction stage, thereafter rent shall be as
11 determined by the Authority;

12 (g) up to 100 per-cent foreign ownership of business in the Zones
13 allowable;

14 (h) foreign managers and qualified personnel may be employed by
15 companies operating in the Zones.

16 (2) The Authority shall be the only agency qualified to:

17 (a) give all approvals; and

18 (b) cancel all licenses.

19 (3) The Authority shall simplify all procedure necessary for
20 authorisation of investments in a Zone and state by Order from time to time
21 its requirements for the grant of authorisations for investments in a Zone.

22 (4) Operations within a Zone shall commence on the date when the
23 construction of the perimeter fence and gate of the Zone has been completed
24 and the Authority has assumed duties.

25 (5) There shall be no strikes or lockouts for a period of 10 years
26 following the commencement of operations within a Zone and any trade
27 dispute arising within a Zone shall be resolved by the Authority.

28 20. An approved enterprise shall submit to the Authority at such
29 intervals as may be prescribed, such statistical data, and such information
30 and returns as regards the sales and purchases and other operations of the

Enterprises to
submit returns

1 enterprise as the Authority may require or as may be prescribed, from time to
2 time.

Work permits

3 **21.** Where a person who is a non-Nigerian citizen is employed by the
4 Authority or by an approved enterprise established in a Zone, upon application
5 by the enterprise for a licence to establish itself within the Zone or at any time
6 thereafter, the enterprise shall apply on behalf of the non-Nigerian citizen,
7 direct to the Authority for the purpose of immigration and employment
8 permits, in such manner as may be prescribed by the Authority.

9 **22.** -(1) The Authority may make staff regulations relating generally
10 to the conditions of service of the employees of the Authority and without
11 prejudice to the generality of the foregoing such regulations may provide for:

12 (a) the appointment, promotion and disciplinary control of all
13 employees of the Authority; and

14 (b) appeal by such employees against dismissal or other disciplinary
15 measures and until such regulations are made, the regulations relating to the
16 conditions of service of the officers in the civil service of the Federation and the
17 provisions of the Pensions Act shall be applicable with such modifications as
18 may be necessary to the staff of the Authority. (2) Approved enterprises
19 operating within the Zones shall make provisions for the pensions and
20 gratuities for their employees.

Fund of the
Authority

21 **23.** -(1) The Authority shall establish and maintain a fund which shall
22 consist of:

23 (a) all moneys received from the Federal, States and Local
24 Governments;

25 (b) proceeds from all activities, services and operations of the
26 Authority;

27 (c) grants, gifts and donations made to the Authority; and

28 (d) such other sum as may accrue, from time to time, to the Authority.

29 (2) The Authority shall, from time to time, apply the proceeds of the
30 fund established pursuant to subsection (1) of this section:

(a) to the cost of administration of the Authority;

(b) to the payment of the salaries, fees or other remuneration or allowances, pensions and gratuities payable to the officers and employees of the Authority;

(c) for reimbursing members of the Board or of any committee set up by the Board for such expenses as may be expressly authorised by the Authority in accordance with the rates approved by the President;

(d) for the maintenance of any property vested in the Authority; and

(e) for investment, maintenance of Zones, marketing, promotion, training, research and similar activities.

24. -(1) The Authority shall, not later than 31st October in each year, submit to the Minister an estimate of its expenditure and income (including payments into the fund of the Authority) during the next succeeding year.

Annual estimates,
accounts, etc.

(2) The Authority shall keep proper accounts in respect of each year (and proper records in relation thereto) and shall cause its accounts to be audited within six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

25. -(1) Except as provided under this Act, an enactment applicable in a customs territory shall apply within the Zones.

Enactments
applicable in
customs territory
to apply

(2) The Minister may, by Order published in the Gazette, modify the application of any enactment which is made applicable in a Zone by subsection (1) of this section, where the enactment concerned restricts or interferes with the smooth running of the Zone or operation of licences therein.

26. -(1) Every omission or neglect to comply with and every act done or attempted to be done contrary to the provisions of this Acts or any regulations made thereunder shall be an offence and in respect of any such offence for which no penalty is expressly provided the offender shall be

Omission and
none compliance

1 liable on conviction to a fine of N100, 000 or to a term of imprisonment for
2 three months or both.

3 (2) Whoever attempts to commit any offence punishable under this
4 Act or any regulations made thereunder or abets the commission of such
5 offence shall be punished with the punishment provided for such an offence.

6 (3) Where a body corporate is guilty of an offence under this Act, and
7 that offence is proved to have been committed with the consent or connivance
8 of, or to be attributable to any neglect on the part of any director, manager,
9 secretary or other similar officer of the body corporate, or any person who was
10 purporting to act in any such capacity; he, as well as the body corporate, shall
11 be guilty of that offence and shall be liable to be proceeded against and
12 punished accordingly

Regulations 13 27. The Authority may, with the approval of the Minister make
14 regulations for the proper implementation of this Act.

Interpretation 15 28. In this Act, unless the context otherwise requires:
16 “approved activities” means activities specified in the Third Schedule to this
17 Act; “approved enterprise” means any enterprise established within a Zone
18 approved by the Authority;
19 “Authority” means the Nigeria Agricultural Processing Zones Authority
20 established by section 2 of this Act;
21 “member” means a member of the Board and includes the Chairman;
22 “Minister” means the Minister charged with responsibility for matters relating
23 to trade.

Short title 24 29. This Bill may be cited as the Nigerian Agricultural Processing
25 Zones Bill, 2015.

FIRST SCHEDULE

Section 3(5)

SUPPLEMENTARY PROVISIONS RELATING TO THE AUTHORITY

Proceedings of the Board

1.-(1) Subject to this Act and to section 27 of the Interpretation Act, the Board may make standing orders regulating the proceedings of the Authority or of any committee thereof.

(2) The quorum of the Board shall be eight and the quorum of any committee of the Board shall be as may be determined by the Board from time to time.

2.-(1) The Board shall meet not less than four times in each year and, subject thereto, the Board shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice given to him by not less than three other members; he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Board, the Chairman shall preside, but if he is absent, the members present at the meeting shall appoint one of their number to preside at that meeting.

(3) Where the Board desires 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:

Provided that 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 the quorum.

Committees

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

(2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Board) as may be determined by the Board; and a person other than a member of the Board

1 shall hold office on the committee in accordance with the terms of his
2 appointment.

3 *Miscellaneous*

4 4.-(1) The fixing of the seal of the Authority shall be authenticated by
5 the 'signature' of the Chairman and of any other member authorised generally
6 or specially by the Board to act for that purpose.

7 (2) Any contract or instrument which, if made or executed by a person
8 not being a body corporate, would not be required to be under seal may be made
9 or executed on behalf of the Board by the Chairman and the Managing Director
10 or any person authorised generally or specially by the Authority to act for that
11 purpose.

12 5. Members of the Board shall be paid out of moneys at the disposal of
13 the Board such remuneration; fee or allowances in accordance with such scales
14 as may be approved, from time to time, by the Minister.

15 6. The validity of any proceedings of the Board or of a committee
16 thereof shall not be adversely affected by any vacancy in the membership of the
17 Board or of a committee or by the defect in the appointment of any member of
18 the Board or committee or by reason that a person not entitled to do so took part
19 in the proceedings.

20 7.-(1) A member of the Board who is:

21 (a) directly or indirectly interested in any company or enterprise the
22 affairs of which are being deliberated upon by the Authority; or

23 (b) is interested in any contract made or proposed to be made by the
24 Authority; shall as soon as possible after the relevant facts have come to his
25 knowledge disclose the nature of his interest at a meeting of the Board.

26 (2) A disclosure under subparagraph (1) of this paragraph shall be
27 recorded in the minutes of the meeting of the Board and the member shall:

28 (a) not take part after such disclosure in any deliberation or decision
29 of the Board with regard to the subject matter in respect of which his interest is
30 thus disclosed;

1 (b) be excluded for the purposes of constituting a quorum of the
2 Board for any such deliberation or decision.

3 SECOND SCHEDULE

4 *Section 6(2)*

5 APPROVED ACTIVITIES

- 6 1. Processing of Agricultural goods for local consumption and
7 export;
8 2. Warehousing freight forwarding and customs clearance;
9 3. Handling of duty free goods (transshipment, sorting, marketing,
10 packaging, etc.);
11 4. Banking, stock exchange and other financial services; insurance
12 and re-insurance;
13 5. Import of goods for special services, exhibitions and publicity;
14 6. International Commercial Arbitration Services;
15 7. Activities relating to integrated zones;
16 8. Other activities deemed appropriate by Nigeria Agricultural
17 Processing Zones Authority.

18 THIRD SCHEDULE

19 *Section 12(3)*

20 DUTY FREE ARTICLES

- 21 1. Building materials;
22 2. Tools;
23 3. Plant;
24 4. Machinery;
25 5. Pipes;
26 6. Pumps;
27 7. Conveyor belts;
28 8. Other appliances and materials necessary for construction,
29 alteration, and repair of premises;
30 9. Capital and consumer goods, raw materials components of all
-

- 1 articles intended to be used for the purpose of, and in connection with
- 2 reconstruction, extension or repair of premises in a Zone or for equipping such
- 3 premises and any other items approved by the Authority.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Nigerian Agricultural Processing Zones that will coordinate the establishment of Processing Zones in the geo political zones of the federation and facilitate a conducive environment and incentives for Agricultural development in Nigeria.

The Bill also seeks to revive the neglected Agriculture sector institute value addition, diversify the economy through processing of Agriculture products and ensuring a minimum price guarantee.