

A BILL

FOR

AN ACT TO AMEND THE PROVISIONS OF THE RIVER BASINS DEVELOPMENT AUTHORITIES ACT, CAP. R9 LFN, 2004 FOR EQUITABLE DISTRIBUTION OF RIVER BASIN DEVELOPMENT AUTHORITIES IN NIGERIA AND OTHER MATTERS CONNECTED THEREWITH

Sponsors:

- | | |
|---------------------------|--------------------------|
| Senator Ike Ekweremadu | Senator Ali Ndume |
| Senator Stella Odua | Senator Obinna Ogba |
| Senator Hope Uzodinma | Senator Gilbert Nnaji |
| Senator Sam Egwu | Senator Mao Ohuabunwa |
| Senator Enyinnaya Abariba | Senator Theodore A. Orji |
| Senator Sunny Ogbuoji | Senator Chukwuka Utazi |
| Senator Andy Uba | Senator Sam Anyawu |
| Senator Kabiru Gaya | Senator Mohammed Nazif |

[] Commencement

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

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| 1 | 1. The River Basins Development Authorities (Establishment, etc.) Decree No. 35 of 1987 is hereby amended by the provision of this Act. | Establishment, etc. of River Basins Development Authorities |
| 2 | 2. The Decree is amended as follows: | Amendment of Section 1 |
| 3 | - (1) in section 1 (1) thereof, by deleting the word "twelve" and inserting the word thirteen | Amendment of Section 2 |
| 4 | 3.- (1) Section 2 (1)(b) by deleting thereof the "word" General Manager and inserting the "word" Managing Director. | Amendment of Section 3 |
| 5 | 4. Section 3 is amended by: | Amendment of Section 3 |
| 6 | (1) deleting in section 3 (1) the figure "three" thereof, and inserting the word "four" | |
| 7 | (2) by adding immediately after the word "member" thereof the | |
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	1	phrase "not being a public officer" before the word "may".
Insertion of a new Section 4	2	5. By adding a new Section 4 on "REMUNERATION" which shall
	3	read as follows:
	4	(1) members of the Board shall be paid such remuneration and
	5	allowances as may be determined by the Salaries and Wages Commission
	6	(2) the Minister may make recommendations to the President which if
	7	approved shall empower the Minister to declare in writing the position of a
	8	member vacant Where—
	9	(a) it appears to the Minister that a member of the Board be removed
	10	from office on grounds of misconduct or inability to perform the functions of
	11	his/her office;
	12	(b) the Minister is satisfied that the continued presence on the Board
	13	of any member is not in the national interest or interest of the authority.
Amendment of Section 4	14	6. Section 4 is amended by:
	15	(1) re-numbering the section as Section 5.
Amendment of Section 5	16	7. Section 5 is amended by re-numbering it as Section 6.
Amendment of Section 6	17	8. Section 6 - (1) which is re-numbered Section 7 is amended by:
	18	(1) deleting the word "General Manager" and inserting the word
	19	"Managing Director"
Amendment of Section 7	20	9. Section 7 is amended by re-numbering it as Section 8.
Amendment of Section 8	21	10. Section 8 is amended by:
	22	(1) re-numbering it as Section 9.
Amendment of Section 9	23	11. Section 9 is amended by:
	24	(1) re-numbering it Section 10.
Amendment of Section 10	25	12. Section 10 is amended by:
	26	(1) re-numbering it Section 11.
Amendment of Section 11	27	13. Section 11 is amended by:
	28	(1) re-numbering the Section as 12.
Amendment of Section 12	29	14. Section 12 is amended by:
	30	(1) re-numbering the Section as 13.

- 1 15. Section 13 is amended by: Amendment of
2 (1) re-numbering the Section as 14. Section 13
- 3 16. This Bill may be cited as the River Basins Development Citation
4 Authority (Establishment, etc.) (Amendment) Bill, 2017.

SCHEDULES

Section 1 (1) and (2)

LIST OF RIVER BASINS DEVELOPMENT AUTHORITIES AS AMENDED

S/N	Column 1 Name of Authority	Column 2 Area of Operation	Column 3 Headquarter
1	Anambra River Basin Development Authority	The whole of Anambra, Enugu and Ebonyi States	Enugu
2	Benin-Owona River Basin Development Authority	The whole of Edo, Ekiti, Ondo States and area of Delta State drained by the Benin, Escravos, Forcados and Ramos Rivers Creek' Systems.	Benin
3	Chad Basin Development Authority	The whole of Borno and Yobe States and area of Adamawa State drained by the Yedseram and Goma River Systems	Maiduguri
4	Cross-River Basin Development Authority	The whole of Akwa Ibom and Cross River States	Calabar
5	Hadejia-Jama'are River Basin Development Authority	The whole of Jigawa, and Kano States, and the area of Bauchi State drained by the Misau and Jama'are River System	Kano
6	Imo River Basin Development Authority	The whole of Abia and Imo States	Owerri
7	Lower Benue River Basin Development Authority	The whole of Benue, Nasarawa and Plateau States	Makurdi
8	Lower Niger River Basin Development Authority	The whole of Kwara and Kogi States	Ilorin
9	Niger Delta Basin Development Authority	The whole of Rivers, Bayelsa and part of Delta States	Port-Harcourt
10	Ogun-Osun River Basin Development Authority	The whole of Lagos, Ogun, Osun, and Oyo States	Abeokuta
11	Sokoto-Rima River Development Authority	The whole of Katsina, Kebbi, Sokoto and Zamfara States	Sokoto
12	Upper Benue River Basin Development Authority	The whole of Gombe and Taraba States and the are of Bauchi State drained by the Gongola River system and the whole of Adamawa excluding the area drained by the Yedseram River system	Yola
13	Upper Niger River Basin Development Authority	The whole of Niger and Kaduna states and the Federal Capital Territory	Minna

SCHEDULE 2

Proceedings of the Authorities

1964 No.1.

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4 1. Subject to the provision of Section 26 of the interpretation Act
5 1964 (which provides for decision of a statutory body to be taken by a
6 majority of its members and for the person presiding to have a casting vote)
7 each Authority may make standing orders regulating the proceedings of the
8 Authority or any committee thereof.

9 2. At any meeting of the Authority the Chairman shall preside but
10 if the Chairman is absent, the members present shall appoint one of their
11 members to preside at the meeting.

12 3. Where any Authority desires to obtain the advice of any person
13 on a particular matter, the Authority may co-opt that person as a member for
14 such period as Authority may deem fit, but a person who is a member of the
15 authority by virtue of this paragraph shall not be entitled to vote at any
16 meeting of the Authority and shall not count towards a quorum.

17 4. The quorum for meetings of each Authority shall be the
18 Chairman and four other members and the quorum for any meeting of a
19 committee of the Authority shall be determined by the Authority.

20 5. Each Authority shall meet not less than 4 times in each year and
21 on such other occasions as the Authority may consider necessary.

22 6. Any member of the Authority or any Committee thereof having
23 a personal interest in any contract or arrangement entered into or proposed to
24 be entered into by the Authority or any Committee thereof shall forthwith
25 declare his interest to the Authority or Committee and shall not vote on any
26 question relating to the contract or arrangement.

27 *Advisory Committee and Other Committees*

28 7.-(1) Each authority shall establish an Advisory Committee who
29 shall consist of—

30 (a) the General Manager/Managing Director of the Authority who

1 shall be Chairman;

2 (b) the Zonal Officer of the Federal Ministry of Water Resources;

3 (c) the heads of the following Divisions of the Ministries of Water
4 Resources; Agriculture and Natural Resources of each State in the area of
5 operation of the Authority—

6 (i) Agriculture;

7 (ii) Irrigation;

8 (iii) Fisheries; ,.

9 (iv) Veterinary Services and Livestock;

10 (d) the Directors of research institutes conducting research relevant to
11 the work of the Authority as may be determined by the Authority, or their
12 representatives.

13 (e) the General Managers of the respective States Water Boards or
14 Corporations; and(

15 (f) the District Manager of the National Electric Power Authority.

16 (2) Each Authority may, notwithstanding the foregoing provisions
17 appoint other persons in addition as it thinks fit to be members of the Advisory
18 Committee.

19 (3) It shall be the function of the Advisory Committee to advise the
20 Authority with respect to—

21 (a) the matters of mentioned in section 5 of this Act generally;

22 (b) the technical soundness of specific projects and programme;

23 (c) the co-ordination of the activities of the Authority and the Ministry
24 of Water Resources, operation of the Authority, and

25 (d) such other matters as the Authority may from time to time
26 determined.

27 (4) Each Authority may also establish such other standing, steering
28 and ad-hoc Committees to carry out on behalf of the Authority such of its
29 functions as the Authority may determine.

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Miscellaneous

8. The fixing of the seal of each Authority shall be authenticated by this signature of the Chairman and of a member of the Authority authorized in that behalf by the Authority.

9. Any contract of instrument which if made or executed by a person not being a body corporate would not be required to be under seal may be made or executed on behalf of the Authority by any person generally or specially authorized to act for that purpose.

10. Any document purporting to be a document executed under the seal of Authority and authenticated as aforesaid shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

11. The validity of any proceeding of the Authority shall not be affected by any vacancy in the membership of the Authority or by any defect in the appointment of a member of the Authority or by reason that any person not entitled to do so took part in the proceedings of the Authority.

EXPLANATORY NOTE

This note does not form part of the above Act but is intended to explain its purport)

This Act repeals the River Basin Development Authorities Decree No. 35 of 1987 and establishes the River Basins Development Authorities listed in Schedule 1 thereto.

The Authorities are among other things to undertake Comprehensive development of both surface and underground water resources for multi-purpose use.

