

NIGERIA AGRICULTURAL QUARANTINE SERVICE

(ESTABLISHMENT) BILL, 2015

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SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

A BILL

FOR

AN ACT TO ESTABLISH NIGERIA AGRICULTURAL QUARANTINE SERVICE
AND MATTERS CONNECTED THEREWITH

Sponsored by Senator Soni Ogbuoji

[] Commencement

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

1 PART 1 - ESTABLISHMENT OF THE NIGERIA AGRICULTURAL
2 QUARANTINE SERVICE AND THE GOVERNING BOARD

3 1. There is established a body to be known as the Nigeria
4 Agricultural Quarantine Service (in this Act referred to as "the Service")
5 which:

Establishment of
the Nigeria
Agricultural
Quarantine
Service

6 (a) shall be a body corporate with perpetual succession and a
7 common seal; and

8 (b) may sue and be sued in its corporate name.

9 2. -(1) There is established for the Service, a Governing Board
10 which shall consist of:

Establishment of
the Governing
Board

11 (a) a chairman;

12 (b) representative of the Federal Ministry of Agriculture and Water

13 Resources;

14 (c) representative of the Federal Ministry of Health;

15 (d) representative of the Federal Ministry of Transportation;

16 (e) representative of the Federal Ministry of Finance;

17 (f) one other person to represent public interest; and

18 (g) the Director - General of the Service.

19 (2) Members, other than ex-officio shall:

20 (a) be appointed by the President on the recommendation of the

21 Minister; and

1 (b) hold office on part-time basis for a term of four years and no more.

2 (3) The supplementary provisions set out in the First Schedule to this
3 Act shall have effect with respect to the proceedings of the Board and other
4 matters contained therein.

Cessation of
membership

5 (3)-(1) A member shall cease to be a member if:

6 (a) he resigns as a member by notice in writing under his hand
7 addressed to the Minister and from the date specified in the notice or, if no date
8 is specified, from the date of the receipt by the Minister of the notice, he shall
9 cease to be a member;

10 (b) he is without permission of the Board absent from more than two
11 consecutive meetings or without such permission is absent from the country for
12 a period exceeding one year; or

13 (c) the Minister subject to the approval of the President, is satisfied
14 that is not in the interest of the Service or the public for the person appointed to
15 continue in office and notifies the member in writing to that effect.

16 (2) If the Minister is satisfied that a member of the Board:

17 (a) has become bankrupt; or

18 (b) is incapacitated by physical or mental illness;

19 (c) holds any other office of profit under the Service;

20 (d) enters into contract with the Service or is engaged or participates
21 in the sharing of the profits of any contract with the Service;

22 (e) is guilty of serious misconduct in relation to his duties;

23 (f) has been convicted at any time by any court of law in Nigeria or
24 elsewhere for an offence involving financial dishonesty; or

25 (g) is otherwise unable or unfit to discharge the functions of a
26 member; the Minister may declare his office as a member of the board to be
27 vacant.

28 (3) Where a member ceases to hold office for any reason whatsoever
29 before the expiration of his term of office, President after consulting the
30 Minister may appoint another person for the unexpired term.

1 4. Notwithstanding anything to the contrary in this Act, the Dissolution

2 Minister shall exercise the powers of the Board where:

3 (a) the Board has not been constituted;

4 (b) the Board has been dissolved; and

5 (c) any action taken or decision reached in compliance with the
6 provisions of this subsection shall be valid for all intent and purpose.

7 5. A member shall be paid such remuneration and allowance as the Allowances of
8 Federal Government may from time to time direct. members

9 PART 11- FUNCTIONS OF THE SERVICE AND POWERS OF THE BOARD

10 6. -(1) The Service shall:

11 (a) enforce compliance with laws, guidelines, policies and
12 standards on agricultural quarantine matters;

13 (b) coordinate and liaise with stakeholders within and outside
14 Nigeria to ensure compliance with matters of agricultural quarantine
15 standards, regulations and enforcement;

16 (c) enforce compliance with the provisions of international
17 agreements, protocols, conventions and treaties on agricultural quarantine,
18 including forestry, endangered species, plants, plants products, animal,
19 animal products, animal biologics, sanitation, marine and wildlife, and such
20 other agricultural quarantine agreements as may from time to time come into
21 force such as International Plant Protection Convention,
22 International Office of Epizootics, etc;

23 (d) enforce compliance with any legislation on disposal of spent
24 animal, animal product, biologics, plants, fish and fish products, wood and
25 other wood packaging materials and regulated articles at the ports of entry
26 and Agricultural Quarantine Stations;

27 (e) enforce compliance through monitoring the agricultural
28 quarantine regulations and standards on plant, fishes, animals, and forestry
29 wood and their product;

30 (f) enforce compliance with regulations on the implementation and

Functions of the
service

1 exportation of fishes and fish products, animals, animal products, biologics,
2 plants, plant products, wildlife and wildlife trophies, and wood products;

3 (g) ensure that agricultural quarantine projects funded by donor
4 organizations and external support agencies are carried out in compliance to
5 regulations in plant health, animal public health, safety and environmental
6 protection;

7 (h) enforce compliance with agricultural quarantine control measure
8 using the registration, plant health, public health, licensing and permit systems,
9 permits, inspection and certification system;

10 (i) conduct agricultural quarantine audit, pest survey and disease
11 surveillance, containment and eradication programmes on regulated pests and
12 establish data bank on regulatory and enforcement mechanisms of agricultural
13 quarantine standard;

14 (j) prohibit the use of processes, equipment and materials that are
15 capable of undermining public health, sanitation, and endangering the
16 agricultural economy;

17 (k) develop agricultural quarantine monitoring networks, compile
18 and synthesize data on agricultural quarantine measures compliance from all
19 sectors;

20 (l) enter into agreement with public or private organizations and
21 individuals to develop, utilize, coordinate and share monitoring programmes,
22 research works, data on the effect of various activities as they concern the
23 mandate of the Service;

24 (m) collect and make available, through publications and other
25 appropriate means and in co-operation with public and private organizations,
26 scientific data and other information pertaining to agricultural quarantine
27 measures and standards;

28 (n) charge fees for tests, investigations and other services performed
29 by the Service;

30 (o) develop pest and animal diseases diagnostic and analytic

1 capabilities and establish laboratories and quarantine stations at such places
2 as may be deemed necessary and encourage and promote activities related to
3 be functions of the Service;

4 (p) collaborate with relevant agencies in the conduct of public
5 investigation on epidemic, public health and sanitation occasioned by the
6 spread or outbreak of quarantine-able diseases or pests;

7 (q) train and develop the staff of the Service; and

8 (r) other relevant agencies (national and international) with the
9 approval of the Minister, establish the programmes for setting standards and
10 regulations for the prevention, reduction and elimination of quarantine-able
11 diseases, pest and epidemics caused by these diseases or brought about by
12 these pests.

13 (2) The Service shall to the greatest extent be consistent with the
14 performance of its duties under this Act, collaborate and co-operate with
15 Ministries, Departments particularly parent Departments of Agriculture,
16 Livestock and Pest Control Services, Fisheries, Forestry, branches and
17 agencies of any Government in Nigeria and international organizations
18 having duties related to those of the Service.

19 (3) The Minister shall approve collaboration referred in sub-
20 section (2) and such approval shall be laid before the Board within 60 days.

21 (4) The Service may cause to be published such studies and reports,
22 which shall include a review of medium and long-term economic prospects
23 and problems, prepared for the use of the Service as it sees fit.

24 (5) It shall be the duty of the Board to comply with any directives
25 given by the President under this section.

26 7.-(1) The Board shall have power to:

27 (a) manage and superintend the affairs of the Service;

28 (b) subject to the provisions of this Act, make, alter and revoke
29 rules and regulations for carrying on the functions of the Service;

30 (c) fix the terms and conditions of service including remuneration

Powers of the
Board

1 of employees of the Service in conjunction with the office of the Head of
2 Service of the Federation;

3 (d) maintain the efficiency and adequacy of the Service to ensure the
4 efficient performance of its functions;

5 (e) in the absence of a duly constituted Board for the Service, the
6 Director General of the Service shall with the approval of the Minister carry out
7 such functions of the Board as may be required;

8 (2) In the exercise of its functions and powers, the Service shall give
9 effect to the policy of the Service in relation to those functions and powers as
10 communicated to it from time to time in writing by the Minister.

11 PART III - APPOINTMENT OF THE DIRECTOR GENERAL AND OTHER STAFF

Appointment of
the Director
General

12 8.-(1) There shall be for the Service a Director General who shall be
13 appointed by the President on the recommendation of the Minister.

14 (2) The Director General shall be a person with cognate and
15 professional experience in agricultural quarantine activities.

16 (3) The Director General shall be the Chief Executive and Accounting
17 Officer of the Service and is responsible for the execution of the policies and
18 the day to day administration of the Service

19 (4) The Director General shall:

20 (a) hold office for a term of five years only; and

21 (b) on such terms and conditions as are specified in his letter of
22 appointment.

23 (5) If for any reason the Director General is unable to perform his
24 function or carry out his duties or there exist a vacancy in the office of the
25 Director General the board may designate an employee of the service who is
26 next in rank to act as the Director General during the period of his inability or
27 vacancy until a Director General is appointed in accordance with the provision
28 of this Act and the employee shall while so acting have all the powers and
29 perform all the functions of the Director General.

- 1 9.-(1) The Board shall appoint for the Service, a Secretary/Legal
2 Adviser who shall be a legal practitioner and must have been so qualified for
3 a period of not less than 10 years. Appointment of
Secretary/Legal
Adviser
- 4 (2) The Secretary/Legal Adviser shall:
- 5 (a) be Secretary to the Board;
- 6 (b) be responsible for keeping the books and proper records of
7 proceedings and correspondences of the Board and the upkeep of the records
8 of the Service;
- 9 (c) administer and discharge all legal obligations of the Service;
- 10 (d) administer and discharge all insurance requirements of the
11 Service;
- 12 (e) retain external legal services on behalf of the Board as he may
13 deem necessary or expedient; and
- 14 (f) perform such other functions as the Board or the Director -
15 General as the case may be, may from time to time, assign to him.
- 16 (3) The Board may deploy or appoint other employees upon such
17 terms and conditions as may be determined by the Board.
- 18 10.-(1) The Service may establish Zonal Quarantine offices and Establishment of
Zonal quarantine
offices
19 Directorates as it deems necessary for the discharge of its function
- 20 PART IV -FINANCIAL PROVISIONS
- 21 11.-(1) The Service shall establish and maintain a Fund from which Fund of the
Service
22 shall be defrayed all expenditure incurred by the Service.
- 23 (2) There shall be paid and credited into the Fund the following:
- 24 (a) such sum as may be appropriated to it by the National
25 Assembly;
- 26 (b) 2% of the Agriculture Development Fund;
- 27 (c) such sum as may be approved by the President from the
28 National Resource Development Fund;
- 29 (d) loans and grants in aid from national, bilateral and multilateral
30 agencies;

1 (e) all sums accruing to the Service by way of rents, fees grants,
2 subsidies, subscriptions, interest, royalties and other internally generated
3 revenues from services rendered by the Service;

4 (f) all sums accruing to the Service by way of gifts, endowments,
5 bequeaths or other voluntary contributions by persons and organizations but
6 the Service shall not be obliged to accept a gift, endowment, bequeath,
7 contribution or donation for a particular purpose unless it approves of the terms
8 and conditions attached to such donation;

9 (g) any sum or property which may in any manner become payable to
10 or vest in the Service in respect of the performance of its functions;

11 (h) any sum derived from the sale of any property held by or on behalf
12 of the Service;

13 (i) any other sum and property lawfully received by the Service for the
14 purposes of the Service; and

15 (j) all accumulations of income derived from any such property or
16 money.

Expenditure

17 **12.** The Service shall, from time to time, apply the funds at its disposal
18 to:

19 (a) the cost of establishing and maintaining the Head Office of the
20 Service located at the Federal Capital Territory, Abuja and its offices and
21 stations in other places in Nigeria;

22 (b) the cost of compliance monitoring and enforcement activities
23 including provision of uniform materials/paraphernalia, and payment of rents
24 for offices;

25 (c) pay allowances and other benefits of members of the Service and
26 of its committees;

27 (d) pay the salaries and entitlements of the Director-General and other
28 members of staff of the Service;

29 (e) pay the pension, overhead and other administrative costs incurred
30 by the Service;

1 (f) training and capacity building of staff of the Service; develop
2 and maintain any property vested in or owned by the Service including
3 vehicles, facilities, laboratories and infrastructures;

4 (h) pay for services and contracts entered into by the Service; and

5 (i) undertake any other activity in connection with all or any of the
6 functions of the Service.

7 **13.-(1)** The Service shall every year cause to be prepared and shall
8 adopt annual estimates of income and expenditure of the Service for the
9 ensuring year and, if so directed by the Minister, for any other period and
10 shall submit these estimates not later than such date as the Minister directs.

Annual account
and estimate

11 (2) A copy of all annual estimates and supplementary estimates,
12 shall, upon their adoption by the Board, be sent forthwith to the Minister for
13 approval.

14 (3) Moneys shall not be expended by the Service other than in
15 accordance with the estimates of expenditure approved by the Minister.

16 **14.-(1)** The Service shall, as soon as practicable after each thirtieth
17 day of December occurring after the commencement of this Act, prepare and
18 furnish to the Minister a report on the operation of the Service during the
19 year ended on that date, together with financial statements in respect of that
20 year in such form as the Auditor-General of the Federation approves.

Annual Report

21 (2) Before furnishing the financial statements to the Minister, the
22 Service shall submit to the Auditor - General of the Federation, who shall
23 satisfy:

24 (a) whether the statements are based on proper accounts and
25 records;

26 (b) whether the statements are in agreement with the accounts and
27 records and show fairly and truly the financial operations and state of the
28 affairs of the Service;

29 (c) whether the receipt, expenditure and investment of money, and
30 the acquisition and disposal of assets, by the Service during the year have

1 been in accordance with this Act; and

2 (d) as to such other matters arising out of the statements as the
3 Auditor-General of the Federation considers should be reported to the
4 Minister.

Powers to
accept gift t

5 **15.-(1)** The Service may accept any gift of land, money or other
6 property on such terms and conditions, if any, as may be specified by the person
7 or organization making the gift.

8 (2) The Service shall not accept any gift if the conditions attached by
9 the person or organization offering the gift are inconsistent with functions and
10 objectives of the Fund.

Power to borrow

11 **16.-(1)** The Service may from time to time, borrow by way of
12 overdraft or otherwise such sums as it may require for the performance of its
13 functions under this Act.

14 (2) The Service shall not, without the approval of the Minister, borrow
15 money which exceeds at any time, the

16 (3) Where the sum to be borrowed is in foreign currency, the Service
17 shall seek and obtain the approval of the Minister through the Board.

Power to enter
into contract

18 **17.** No committee of the Service or any person or body engaged by it,
19 and notwithstanding anything in the terms of reference:

20 (a) shall carry on any activity on behalf of the Service unless the
21 consent of the Minister is obtained; and

22 (b) shall enter into any contract with any other person or body, except
23 with the consent of, or in accordance with the terms of any general authority
24 given by the Board.

Power to acquire
land

25 **18.-(1)** For the purpose of providing offices and premises necessary
26 for the performance of its functions, the Service may, subject to the provisions
27 of the Land Use Act, 1978:

28 (a) purchase or take on lease any interest in land, building or property;

29 and

30 (b) build, equip and maintain offices and premises

1 (2) The Service may, subject to the provisions of the Land Use Act,
2 1978, sell or lease any office or premises held by it, which is no longer
3 required for the performance of its functions under this Act.

4 PART V - MISCELLANEOUS

5 19. Authorised Officer shall:

Power of
Authorised Officer

6 (a) inspect, examine and take samples of any plant, plant product,
7 annual, animal products, fish and fishery product or regulated articles and
8 send such samples for further sanitary or phytosanitary action;

9 (b) enter and search at all reasonable time and with such assistance,
10 if any, as he considers necessary, any area or premises if he has a reason to
11 believe that an offence under this Act has been, is being or is about to be
12 committed or for the purpose of satisfying himself that the provisions of this
13 Act are being complied with after identifying himself by making available
14 the identity card issued to him by the Service;

15 (c) ask the consignee to produce an import permit or health
16 certificate or other documentation required under this Act, provided that no
17 officer shall in the exercise of the power conferred by this section, enter into
18 any building or part of a building which is used exclusively as a private
19 dwelling place or residence on board of any sea-going ship or vessel unless
20 he shall have been authorized by a warrant issued by a competent authority;

21 (d) inspect, examine and make copies of such permits, certificates
22 and documentation or take extracts from registers or records kept by such
23 persons and seize them if they have reason to believe that all or any of them
24 may be evidence of the commission of an offence punishable under this Act;

25 (e) search any person, baggage, package, conveyance or any other
26 regulated article upon entry into or exit from Nigeria;

27 (f) make such examination and inquiries as he thinks fit in order to
28 ascertain whether the provisions of this Act are being complied with and for
29 that purpose stop any conveyance;

30 (g) stop the distribution, sale or use of any product, animal

1 products, fish, fish products or regulated articles and seize same if he has
2 reason to believe that they are being distributed, sold or used in contravention
3 of the provisions of this Act;

4 (h) order at the owners expense, the treatment or disposal including
5 reshipment and confinement in quarantine sites of plants, products, animal,
6 animal products, fish, fish products or regulated articles imported into Nigeria,
7 whether or not they are covered by imported permits or health certificates, as
8 well as the treatment of incoming conveyances as he may consider necessary
9 for the prevention of the spread of any regulated pest or diseases which he has
10 reasonable grounds to believe is or are among such plants, plant products,
11 animal, animal products, fish, fish products or regulated articles;

12 (i) be present when the official service seal on containers containing
13 products, animal, animal products, fish, fish products or regulated articles are
14 being broken;

15 (j) be accompanied and assisted by Police Officers in the performance
16 of their functions under this section;

17 (k) order that plants, plant products and other regulated articles
18 imported if found or suspected to be infected with any regulated pest of
19 diseases be destroyed or re-shipped to the country of origin or they shall direct
20 such plants products, animal, animal products, fish, fish products or regulated
21 articles should not be granted entry into Nigeria unless they are treated in
22 accordance with the existing sanitary and phytosanitary, regulations of the
23 Service, reshipping to country or be destroyed;

24 (l) refuse to issue phytosanitary certificate for plants, plant products,
25 health certificates for animal and fish products and other regulated articles on
26 exportation where request for sanitary and phytosanitary certificates are found
27 or suspected not to be in compliance with sanitary requirements of the
28 importing country until they have been so treated;

29 (m) conduct inspection and animal diseases surveillance of trade
30 animals which shall be accompanied with veterinary movement and loading

1 permit at the inter-state veterinary control posts; and
2 (n) exercise such other powers as the service may deem necessary
3 to delegate for carrying out the purposes of this Act.

4 **20.** It shall be an offence to:

Offences

5 (a) grow, rear, possess, sell, offer for sale, transport or distribute in
6 any manner any plant, plant product, animal, animal product, fish, fish
7 product or regulated article knowing them to be imported into Nigeria
8 contrary to this Act;

9 (b) assault, resist, threaten or willfully obstruct any authorized
10 officer from exercising his lawful function under this Act;

11 (c) fail to comply with any order or directive lawfully made or
12 given under this Act;

13 (d) import any plant, plant product, animal, animal product, fish,
14 fish product or regulated articles contrary to any requirements prescribed
15 under this Act;

16 (e) import any plant, plant product, animal, animal product, fish,
17 fish product or regulate articles contrary to any requirements prescribed
18 under this Act;

19 (f) fail to allow a search or inspection authorized under this Act;

20 (g) knowingly or recklessly provide information which is false for
21 the purpose of obtaining any document under this Act; and

22 (h) alter, forge, deface or destroy any document issued under this
23 Act.

24 **21.-(1)** Any person who commits an offence under section 20 of
25 this Act shall:

Penalties

26 (a) on a first summary conviction be sentenced to imprisonment for
27 a period of 1 year or fine of 100% of the market value of the plants, plant
28 products, animal, animal products, fish, fish products or regulated articles or
29 both; and

30 (b) on a second summary conviction be sentenced to imprisonment

1 for a period of 2 years or fine of 200% of the market value of the plants, plant
2 products, animal, animal products, fish, fish products or regulated articles or
3 both.

4 (2) In addition, in the case of second summary conviction, the service
5 may suspend the rights of the person temporarily to import as well as to
6 perform any activities accredited by the Service.

7 (3) In all cases, all plants, plant products, animal, animal products,
8 fish, fish products or regulated articles imported into Nigeria in contravention
9 of this Act, rules, orders or regulations under this Act shall be subject to
10 reshipments, confiscation and destruction if there is no alternative sanitary and
11 phytosanitary measure approved by the Service to deal with the goods.

12 PART VI - LEGAL PROCEEDINGS

Indemnity

13 22. A member, the Director - General or any employee of the Service
14 shall be indemnified out of the asset of the Service against any liability incurred
15 by him in defending any proceeding, whether civil or criminal, if any such
16 proceeding is brought against him in his capacity as a member, Director
17 General or employee of the Service.

Execution of
deeds

18 23.-(1) All deeds, instruments, contracts and other documents shall be
19 duly executed by or on behalf of the Service if sealed with the seal of the
20 Service and signed by the Director - General and the Director of Finance and
21 Administration or any other person not below the rank of a Director appointed
22 by the Board for that purpose.

23 (2) A deed, instrument, contract or other document executed in
24 accordance with subsection (1) shall, subject to any exception that may be
25 taken thereto on any ground other than that of competence of the party
26 executing the same on behalf of the Service, be effectual in law to bind the
27 Service and its successors and may be varied or discharged in like manner as
28 that in which it was executed.

Limitation of
suits against the
Service

29 24. -(1) No suit shall be instituted against the Service or its employees
30 unless it commenced:

1 (a) within three months after the act, neglect, or default complained
2 of; and

3 (b) in the case of continuation of damage or injury, within six
4 months after the ceasing thereof.

5 (2) No suit shall commence against the Board, Director - General
6 or any employee of the Service before the expiration of a period of one
7 month, after written notice of intention to commence the suit shall have been
8 served on the Service by the intending plaintiff or his agent.

9 (3) The notice referred to in subsection (2) of this section shall
10 clearly state the:

11 (a) cause of action;

12 (b) particulars of the claim;

13 (c) name and place of abode of the intending plaintiffs; and

14 (d) relief which he claims.

15 **25.** The notice or other documents required or authorized to be
16 served on the services under the provisions of this Act or any other law may
17 be served by:

Service of
documents

18 (a) delivering the same to the office of the Director - General; or

19 (b) sending it by registered post addressed to the Director - General
20 at the Head Office of the Service.

21 **26. In this Act:**

Interpretation

22 "Authorised Officer" means an inspector in the Pre-entry Department of the
23 Service;

24 "Board" means the Governing Board of the Service established by section 2
25 of this Act;

26 "Chairman" means the Chairman of the Board;

27 "Director General" means the Chief Executive of the Service and Chairman
28 of the Management Committee;

29 "Functions" includes power and duty;

30 "Fund" means the account established by section 8 (1);

1 "member" means an individual representing an organization or institution in
2 (the Board and includes the Chairman and Director General);

3 "Minister" means the Minister charged with responsibility for matters relating
4 to Agriculture;

5 "Service" means the Service established by section 1 (1).

Short title

6 27. This Act may be cited as the Nigeria Agricultural Quarantine
7 Service (Establishment, etc.) Bill, 2015.

8 SCHEDULE

9 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

10 1.-(1) The Board shall meet and deliberate on the affairs of the Service
11 at least twice in one year.

12 (2) At any meeting of the Board:

13 (a) six members shall form a quorum, but in determining whether a
14 quorum has been constituted the presence of any person invited to offer opinion
15 or tender documents shall not be considered;

16 (b) the Chairman, or in his absence, the member elected by the
17 members present to act as Chairman, shall preside;

18 (c) where the Board wishes to obtain the advice of any person on any
19 particular matter, the Board may invite any person as it thinks fit, but any
20 person who is invited by virtue of this sub paragraph shall not be entitled to vote
21 at any meeting of the Board and shall not count towards a quorum; and

22 (d) the Chairman or a member presiding has a deliberative vote and, in
23 the event of equality of votes, also has a casting vote.

24 2. The Board may, if thinks fit, transact any of the business by the
25 circulation of papers, and resolution in writing approved in writing by a
26 majority of the members thereof shall be as valid and effectual as if it had been
27 passed at a meeting of the Board by the votes of the members so approving the
28 resolution.

29 3.-(1) If any member has any beneficial interest in any land or building
30 situate in an area comprised in any project of the Service, or has any beneficial

1 interest in any company or undertaking with which the Service proposes to
2 make any contract, or has an interest in any such contract, he shall forthwith
3 disclose to the Board the fact and the nature of such interest, and such
4 disclosure shall be recorded in the minutes of the Board, and thereafter such
5 member shall take no further part in any deliberation or decision of the
6 Board relating to such project or contract.

7 (2) Any member disclosing any interest in any project or company
8 or undertaking in which the Service proposes to make any contract shall be
9 disregarded for the purposes of constituting a quorum of the Board for any
10 such deliberation or decision.

11 (3) For the purposes of subsection (1) of this section a general
12 notice given at a meeting of the Board by a member to the effect that he is a
13 member of a specified company or firm and is to be regarded as interested in
14 any transaction or project of the service concerning the company or firm,
15 shall be regarded as a sufficient disclosure of his interest in relation to that
16 transaction or project.

17 (4) A member need not attend in person at a meeting of the Board in
18 order to make any disclosure which he is required to make under this section
19 if he takes reasonable steps to secure that the disclosure is made by notice
20 which is brought up and read at the meeting.

21 4.-(1) The Board may, subject to the provisions of this Act, make
22 staff regulations relating generally to the conditions of service of the Service
23 and without prejudice to the generality of the foregoing, such regulations
24 may provide for:

25 (a) the appointment, promotion, termination, dismissal or other
26 disciplinary control of the staff of the Service;

27 (b) appeals by such staff against dismissal or other disciplinary
28 measures, and until such regulations are made any instrument relating to the
29 conditions of service of officers in public service of the Federation shall be
30 applicable, with such modifications as may be necessary; and

1 (c) the Board shall be responsible for the policy guidance affairs of the
2 Service.

3 (2) The Board may make regulations with respect to:

4 (a) the quorum, proceedings and meetings of the Board and the
5 determination of the Board;

6 (b) the execution of instruments and the mode of entering into
7 contracts by or on behalf of the Board, and the proof of documents purporting
8 to be executed, issued or signed by the Board, or an Officer or servant of the
9 Service.

10 (3) Until such regulation is made relevant sections of this Act shall
11 apply to regulate the quorum, proceedings, meetings and determination of the
12 Board.

13 (4) The Board may from time to time, by resolution, appoint,
14 constitute, discharge, alter, continue or reconstitute any committee to advise
15 the Board on such matters concerning the functions of the Service as it sees fit.

16 (5) Any person may be appointed to be a member of a committee not
17 withstanding that he is a member of the Board.

18 (6) Subject to any direction given by the Board every committee may
19 regulate its own procedure.