

NATIONAL RENEWABLE ENERGY DEVELOPMENT AGENCY

(ESTABLISHMENT) BILL, 2021

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A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL RENEWABLE ENERGY DEVELOPMENT AGENCY AND TO CHARGE IT WITH THE RESPONSIBILITY OF PROMOTING THE USE OF RENEWABLE ENERGY RESOURCES AND FOR RELATED MATTERS

Sponsored by Hon. Usman Abdullahi

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

- 1 1.-(1) There is hereby established a body to be known as the
- 2 National Renewable Energy Development Agency (in this bill referred to as
- 3 "the Agency") which shall have the functions specified in this Bill.
- 4 (2) The Agency shall consist of the following departments, that is-
- 5 (a) Energy Information System (including Library and Computer
- 6 Services);
- 7 (b) Energy Planning and Analysis (including Energy Efficiency
- 8 Demand Management and Conservation, Rural Energy;
- 9 (c) Training and Manpower Development;
- 10 (d) Administration and Finance; and
- 11 (e) such other Departments as may be approved by the Ministry of
- 12 Science and Technology on the recommendation of the Director-General.
- 13 2.-(1) Recommend national targets for the use of renewable energy
- 14 resources.
- 15 (2) Carry out an impact assessment of the use of biomass for energy
- 16 purposes.
- 17 (3) Work with other relevant Ministries and authorities to prepare
- 18 and co-ordinate the permitting process for facilities using renewable energy
- 19 resources within the meaning of this Bill.

Establishment
of the National
Renewable Energy
Development
Agency

Responsibilities
of the National
Renewable Energy
Development Agency
under the Bill

1 (4) Work with other Ministries, Universities and other training
2 providers to promote the implementation of educational programmes within
3 the renewable energy sector;

4 (5) Encourage the development of technical and standard
5 requirements and certification of renewable energy installations for
6 Renewable Energy Systems, to ensure the quality of these systems especially
7 in small scale installations, whether residential or commercial;

8 (6) Establish and manage a registry to monitor renewable energy
9 facilities; and

10 (7) Undertake such reporting duties as are required by this agency.

Membership of
the Technical
Advisory
Committee

11 3.-(1) There shall be established a technical arm of the Agency to be
12 known as the Technical Advisory Committee which shall consist of the
13 Director-General of the Agency.

14 (2) The other members shall be professionals representing the
15 following Ministries, Government Agencies or professional organisations, that
16 is to say-

- 17 (a) Energy Commission of Nigeria;
18 (b) Renewable Energy Division of the NNPC;
19 (c) Power and Steel;
20 (d) Science and technology;
21 (e) Agriculture and Rural Development;
22 (f) Water resources;
23 (g) Defence;
24 (h) Finance;
25 (i) Industries;
26 (j) Communication;
27 (k) Environment;
28 (l) Solar Energy Society of Nigeria;
29 (m) Nigerian Mining and Geosciences Society;
30 (n) Centres for Energy Research and Development at the Ahmadu

1 Bello University, Zaria; Obafemi Awolowo University, Ile-Ife; Usmanu
2 Danfodio University, Sokoto, University of Nigeria, Nsukka and any new
3 energy centres that may be established from time to time;

4 (o) Nigerian Society of Engineers;

5 (p) Nigerian Mining Corporation;

6 (q) Nigerian Coal Corporation;

7 (r) National Electric Power Authority;

8 (3) The Committee may co-opt, when necessary, any suitable
9 Nigerian whose contribution may be needed by the Committee.

10 4.-(1) The committee shall have power to regulate its own
11 proceedings and may make standing orders for that purpose and, subject to
12 such standing orders, may function notwithstanding any vacancy in its
13 membership or the absence of any member.

Proceedings of
the Technical
Committee

14 (2) The committee shall meet at least six times in every year for the
15 due performance of its responsibilities under this bill.

16 (3) Ten members shall form a quorum at any meeting of the
17 committee.

18 5.-(1) There is established by this bill, the Renewable Energy Fund.

Establishment of
the Renewable
Energy Fund

19 (2) Moneys from the Fund shall be used for-

20 (a) the promotion, development, sustainable management and
21 utilization of renewable energy sources;

22 (b) the provision of financial incentives, capital subsidies,
23 production based subsidies and equity participation for-

24 (i) grid interactive renewable electricity;

25 (ii) mini-grid and off-grid renewable power systems for remote
26 areas and islands,

27 (iii) renewable energy projects for non-electricity purposes, and

28 (iv) any other renewable energy activity that the Agency may
29 determine;

30 (c) the promotion of renewable energy projects especially

- 1 community based projects;
- 2 (d) the promotion of renewable energy for industrial use;
- 3 (e) scientific, technological and innovative research into renewable
- 4 energy;
- 5 (f) the production or fabrication of equipment for the development
- 6 and utilization of renewable energy in the country;
- 7 (g) programmes to adopt international best practices and innovative
- 8 approaches to the development and utilization of renewable energy sources;
- 9 (h) the development of infrastructure for renewable energy; and
- 10 (i) capacity building for renewable energy development.

11 (3) For the purposes of this section, "equity participation" means the

12 participation in the ownership of an organisation or venture through an

13 investment for renewable energy.

Sources of money
for the Fund

- 14 6. The moneys in the Fund shall be derived from-
- 15 (a) moneys appropriated by the National Assembly;
- 16 (b) registration fees of individuals and organisations involved in
- 17 renewable energy for commercial gains;
- 18 (c) donations, grants and gifts received for renewable energy
- 19 activities;
- 20 (d) moneys generated by the Agency from the provision of services
- 21 for renewable energy activities;
- 22 (e) moneys generated by the Agency from the licenses issued to
- 23 Independent Power Producer's utilizing renewable energy resources for
- 24 electricity generation, including solar energy;
- 25 (f) any levy that may be introduced by the Government.

Management of
the Fund

- 26 7.-(1) The Agency is responsible for the management of the Fund and
- 27 to that end shall-
- 28 (a) pursue policies to achieve the object of the Fund;
- 29 (b) collect or arrange to be collected, moneys lawfully due to the
- 30 Fund, through procedures determined by the Director General;

1 (c) keep moneys of the Fund in bank accounts separate from other
2 funds of the Agency;

3 (d) ensure accountability of the Fund by defining appropriate
4 procedures for the utilisation of the Fund;

5 (e) prepare and publish the criteria for the disbursement of moneys
6 from the Fund with the approval of the Director General;

7 (f) disburse moneys from the Fund;

8 (g) receive and examine reports from designated persons or
9 institutions in respect of financial assistance granted to those persons or
10 institutions; and

11 (h) perform any other function assigned to it under this Act or
12 incidental to the achievement of the object of the Fund.

13 (2) The administration expenses of the Fund related to the
14 management of the Fund shall be charged on the Fund.

15 8. The Fund is exempt from the payment of tax.

Tax exemption

16 9.-(1) The Agency shall within three months before the end of each
17 financial year, prepare and submit to the Minister of Science and
18 Technology for approval, estimates of the income and expenditure of the
19 Fund for the succeeding financial year.

Accounts and
audit

20 (2) The Agency shall keep proper records and books of accounts of
21 the income and expenditure of the Fund for each financial year.

22 (3) The Agency shall within two months of the end of each
23 financial year, submit the statement of accounts of the Fund to the Auditor
24 General of the federation for auditing.

25 10.-(1) There shall be appointed by the President, a Director-
26 General who shall be responsible for the day-to-day running of the affairs of
27 the Agency.

Director-General
and other staff of
the Agency

28 (2) The other staff of the Agency shall be officers in the civil
29 service of the Federation.

Interpretation

1

11. -(1) In this Bill, unless the context otherwise requires-

Commencement

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"aerothermal energy" means energy stored in the form of heat in the ambient

3

air;

4

"bio fuels" means liquid or gaseous fuel for transport produced from biomass;

5

"bio gas" means a fuel gas produced from biomass or from the bio degradable

6

fraction of waste, that can be purified to natural gas quality, to be used as bio

7

fuel or wood gas;

8

"bio mass" means non-fossil, bio degradable organic material originating from

9

naturally occurring or cultured plants, animals and micro-organisms, including

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products from agriculture (including vegetal and animal substances), forestry

11

and related industries

12

including fisheries and aquaculture, as well as the biodegradable fraction of

13

industrial and municipal waste;

14

"consumer" means any person or entity receiving electricity from the

15

distribution or transmission network for his or her or its own

16

use;

17

"geothermal energy" means energy stored in the form of heat beneath the

18

surface of solid earth;

19

"grid" means a number of transmission and distribution systems linked

20

together, as provided for under the Electricity Act;

21

"hybrid systems" means any power or energy generation facility which makes

22

use of more than one fuel source with a minimum of ten percent of the annual

23

energy output provided by renewable energy sources, including but not limited

24

to integrated combined solar and wind systems, combined biomass and fossil

25

fuel systems, combined hydro and fossil fuel systems, integrated solar and

26

biomass systems, integrated wind and fossil fuel systems;

27

"hydrothermal" means energy stored in the form of heat in surface water;

28

"hydro power" means water-based energy systems;

29

"Minister" means the Minister responsible for Science and Technology" shall

30

be construed accordingly;

- 1 "off-grid" means not connected to the grid;
2 "registry" means a registry established by the Ministry to monitor renewable
3 energy facilities;
4 "renewable energy resources" means energy from non-fossil sources such as
5 wind, solar, hydro power, biogas, biomass, landfill gas, sewage treatment
6 plant gas, geothermal, aero thermal, hydrothermal and ocean;
7 "solar resources" means the energy derived from solar radiation which can
8 be converted into useful thermal or electrical energy; and
9 "wind resources" means energy derived from wind, converted into useful
10 electrical or mechanical energy.

11 (2) A word or phrase not specifically defined in this bill, but defined
12 in the Electricity Act shall have the meaning assigned to it in that Act

13 12. The Bill may be cited as the National Renewable Energy Short title
14 Development Agency Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to promote the use of renewable energy resources, including hybrid systems, to achieve greater energy self-reliance and thereby reduce the exposure to fossil fuel price fluctuations, reduce harmful emissions, and promote economic growth and protection of the environment in Nigeria.

