

A BILL

FOR

AN ACT TO ESTABLISH A NATIONAL AGRICULTURAL RAW MATERIALS
PROCESSING CENTRE, NGOR-OKPALA, IMO STATE, AND FOR OTHER
RELATED MATTERS

Sponsored by Hon. Bede Eke

[] Commencement

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

PART I

1.-(1) There is hereby established a body to be known the National
Agricultural Raw Materials Processing Centre, Ngor - Okpala, Imo State
(herein in this Bill referred to as "Centre").

Establishment
of National
Agricultural Raw
Materials Processing
Centre, Ngor-Okpala,
Imo State

(2). The "Centre" shall be a body corporate with perpetual
succession and a common seal; and may sue and be sued in its corporate
name.

(3) The Centre shall be sited in Ngor-Okpala, in Imo State;

2.-(1) There is hereby established for the management of "the
Centre" a governing board (in this Act referred to as the Board) which shall
consist of:

Establishment of
the Management
of the Centre

(a) Chairman, who shall be appointed by the President,
Commander-in-Chief of the Armed Forces of Nigeria;

(b) Representatives of the following Federal Establishments:

(i) Three representatives of the Agricultural Research Council of
Nigeria,

(ii) A representative from universities of technology in Nigeria;

(iii) A representative of the Association of Agricultural
Technologist in Nigeria;

(iv) A representative of Agricultural Co-operative Societies;

	1	(v) The Director - General shall be secretary to the Board;
Appointment of the Chairman and Members	2	3.-(1) The Chairman and members of the Board shall be appointed by
	3	the President of the Federal Republic of Nigeria;
	4	(2) Members of the Board, other than the Director - General shall be
	5	appointed by the President of the Federal Republic of Nigeria.
Schedule	6	4. The supplementary provisions set out in the schedule to this Act
	7	shall have effect with respect to the proceedings of the Board and other matters
	8	contained therein.
Tenure of Office	9	5. The Chairman and members of the Board:
	10	(a) shall each hold office for a period of 4 years on such terms and
	11	conditions as may be specified in their letters of appointment; and
	12	(b) May be re-appointed for an additional period of 4 years and no
	13	more.
Removal from Office	14	6. Notwithstanding the provisions of section 2(5) of this Act the
	15	chairman or any member of the Board may at any time be removed from the
	16	office by the president for inability to discharge the functions of his office
	17	(whether arising from infirmity of mind or body or any other cause).
	18	7. A member of the Board shall be paid such emoluments, allowances
	19	and benefits as the President of the Federal Republic of Nigeria may, from time
	20	to time approve.
	21	PART II - FUNCTIONS AND POWERS OF THE CENTRE
Functions of the Centre	22	8. The functions of the Centre shall be to:
	23	(a) Collaborate with farmers and farming co-operatives to end
	24	wastages of farm products in the rural areas and other agricultural settlements
	25	by adopting the best preservation practices and technologies;
	26	(b) Collaborate with agricultural tools production companies towards
	27	the manufacturing of agricultural machineries and technologies for
	28	preservation and refining purposes for more value addition;
	29	(c) Set up distribution chains to ensure that agricultural raw materials
	30	are easily accessed by industries requiring and at lower cost compared to

1 imported alternatives;

2 (d) Identify the various cash crops and other agricultural products
3 within the area of location and beyond that may be further processed to earn
4 more value for export;

5 (e) Set up distribution chains to ensure that agricultural raw
6 materials are easily accessed by industries requiring and at lower cost
7 compared to imported alternatives;

8 (f) Collaborate with sister organizations on research in high breed
9 crops or seedlings in line with the regulations of the Agricultural Research
10 Council of Nigeria;

11 (g) Commercialize their products through export to other African
12 countries and the world over to earn foreign exchange for government;

13 (h) Maintain a data bank on all agricultural products cultivated in
14 Nigeria with a view to improving upon their value through further refining;

15 (i) Partner with higher institutions of learning and other research
16 institutes in Nigeria and other parts of the world in achieving her set
17 objectives;

18 9. The Powers of the "Centre" shall be to:

Powers of the
Centre

19 (a) Demand and obtain relevant information, data, statistics and
20 report on matters relating to agricultural products refining equipment and
21 machinery as well as latest inventions;

22 (b) Liaise with relevant establishments within and outside Nigeria
23 in pursuance of the functions of the Centre;

24 (c) Initiate and implement skill acquisition programmes geared
25 towards empowering the young population to be successful entrepreneurs in
26 agricultural machine designing and productions;

27 (d) Partner with higher Institutions of learning in designing
28 programs which will better the skills of agricultural engineers and
29 technologist studying in those institutions;

30 (f) Carry out such activities as are necessary or expedient for the

1 performance of its functions under this Act;

2 PART III -FUNCTIONS AND POWERS OF THE BOARD

3 10. The Board shall:

4 (a) Determine the overall policies of the Centre, including its
5 financial and operating procedures and ensure the effective implementation of
6 the policies and procedures;

7 (b) Establish committees, as may be expedient which shall be charged
8 with specific functions delegated by the Board;

9 (c) Appoint, promote and discipline employees for the proper
10 discharge of the functions of the Centre;

11 (d) Design strategies for mobilizing and synergizing resources
12 throughout the economy for the purpose of addressing the challenges
13 confronting farmers in Nigeria and other parts of the world and proffer
14 solutions to them through technologies and software applications;

15 (e) Relate with the local community and other stakeholders to develop
16 funding options for young farmers and aspiring entrepreneurs in agricultural
17 technology sub-sector;

18 (f) Establish, encourage and promote training program for the
19 employees of the Centre and other appropriate persons from the public or
20 private organizations;

21 (g) Promote multi - sectored and multi-disciplinary collaboration and
22 encourage networking among the farmers' co-operative organizations;

23 (h) Assess from time to time the research, consultancy, training and
24 advocacy program on agricultural technology and other related matters
25 conducted by various institutions with a view to:

26 (i) Ascertain their sustainability, and,

27 (ii) Offering them such assistance, either alone or in co-operation with
28 other related bodies as may improve the contents and quality of their work;

29 (i) the Board may, subject to such conditions as it may impose,
30 delegate any of its functions under this act to any of its committees or to the

1 Director - General;

2 (j) Nothing in this section shall prevent the Board from performing
3 or exercising any of the functions and powers so delegated;

4 (k) Open and operate ordinary and domiciliary account for the
5 Centre in recognized banking institutions in Nigeria as stipulated by extant
6 financial guidelines of the Federal Government;

7 (l) enter into agreement with public or private organizations and
8 individuals to develop, utilize, coordinate and share such information as are
9 determined to be appropriate by the Board for the performance of its
10 functions under this Act; and

11 (m) Carry out such other activities which are connected with its
12 other functions or as may be assigned to it by the Minister of Agriculture or
13 other relevant authority.

14 PART IV - STRUCTURE OF THE CENTRE

15 11. The Centre shall have:

16 (a) A Planning, Research and Statistics Directorate to be headed by
17 a Director;

18 (b) A Preservation and Storage Directorate to be headed by a
19 Director;

20 (c) An Administration and Finance Directorate to be headed by a
21 Director;

22 (d) A Technical Directorate headed by a Director;

23 (d) Such other Directorates as may be required for the proper
24 performance of the functions of the Centre, such Directorates shall be
25 determined by the Board and approved by the Federal Ministry of Health.

26 PART V - STAFF OF THE CENTRE

27 12 -(1) there shall be appointed for the Centre by the President of
28 the Federal Republic of Nigeria, a Director General, who shall be a person
29 with a background in Agriculture and Food Processing or Agricultural
30 Technology and other related disciplines.

Structure of the
Centre

Appointment of
Director-General

1 (2) The Director General shall be:

2 (a) The Chief Executive of the Centre;

3 (b) Be responsible for the day -to-day administration of the Centre,
4 keep the books and records of the Board; and

5 (c) Be subject to the supervision and control of the Board Tenure of
6 DG.

7 (3) The Director - General shall hold office for a term of 5 (five) years
8 and may be renewed for another term and no more.

Appointment
of other staff

9 13.-(1) The Board may from time to time, appoint for the Centre such
10 other, staff, as it may deem necessary to assist the Director-General in the
11 performance of the function of the Centre and the Board.

12 (2) The Terms and Conditions of service (including remuneration,
13 allowances, benefits and pensions) of officers and employees of the Centre
14 shall be determined by the Board on the recommendation of the Federal Civil
15 Service Commission.

16 (3) The staff of the Centre shall be:

17 (a) Public Servants as defined in the 1999 Constitution of the Federal
18 Republic of Nigeria; and

19 (b) Governed by the rules governing the Civil Service of the
20 Federation.

Pensions
Cap 346 LFN

21 14.-(1) Service in the "Centre" shall be approved service for the
22 purpose of the Pensions Act and accordingly, officers and other persons
23 employed in the Centre shall, in respect of their services in the Centre, be
24 entitled to pension, gratuities and other retirement benefits as are prescribed
25 there under.

26 (2) Notwithstanding subsection (1) of this section, the Centre may
27 appoint a person to any office on the terms, which preclude the grant of a
28 pension, gratuity or retirement benefits.

29 (3) For the purpose of the application of the Pension Act, any power
30 exercisable there under by a Minister or other authority of the Government of

the Federation other than the power to make regulations is hereby vested and shall be exercisable by the Board and not by other persons or authority.

PART VI - FINANCIAL PROVISIONS

15.-(1) The Centre shall establish and maintain a fund from which all expenditures incurred by the Centre shall be defrayed.

Funding of the Centre

(2) The Fund shall comprise fund derived from but not limited to the following sources:

(a) Such funds as may be appropriated to the Centre from time to time by the National Assembly;

(b) Gifts, loans, grants, aids, etc; and

(c) 0.04% of profit of Foreign Agriculture technology companies based in Nigeria;

(d) 0.03% of Profit of Agriculture -raw materials based companies;

(e) All other assets that may from time to time accrue to the Centre;

16. The Centre may accept gifts and grants of money or aids or other property from national and multilateral organization and upon such term and conditions if any, as may be agreed upon between the donor and the Centre provided such gift are not inconsistent with the objectives and functions of the Centre under this Act.

Gift and Monies

17.-(1) The Centre shall not later than 30th September in each financial year prepare and present to the National Assembly through the President for approval, a statement of estimated income and expenditure for the following financial year.

Budget and Expenditure

(2) Notwithstanding the provision of subsection (1) of this section, the Centre may also, in any financial year, submit supplementary or adjust statements of estimated income and expenditure to the National Assembly through the President for approval.

(3) Subject to subsection (1) and (2) of this section, the Centre shall apply the proceeds of the Centre's fund:

(a) To meet the administration and operating costs of the Centre;

1 (b) For the payment of salaries, wages, fees and other allowances,
2 retiring benefits such as pensions and gratuities and other remunerations
3 payable to the Director - General and staff of the Centre;

4 (c) For the purchase or acquisition of property or other equipment and
5 other capital expenditure and for maintenance of any property acquired or
6 vested in the Centre; and

7 (d) For or in connection with all or any of the functions of the Centre
8 under this Act or its subsidiary legislation.

Financial Year
and Audit of
Centre's Account

9 18.-(1) the financial year shall start on 1st January of each year and end
10 31st December of the same year.

11 (2) The Centre shall keep proper records of its accounts to be audited
12 within six months from the end of each financial year by auditors whose appointment
13 shall be approved by the Board and shall be subjected to reappointment on
14 annual basis provided that such Auditors are on the list of Auditors approved
15 from time to time by the Auditor-General of the Federation.

Annual Report
to the National
Assembly

16 19. The Centre shall prepare and submit to the National Assembly
17 annually, through the President not later than six (6) months after the end of its
18 financial year, a report on the activities of the Centre's audited accounts for the
19 year under review together with auditor's report thereon.

Exemption from
Taxation

20 20. The provision of any enactment relating to the taxation of
21 companies or trust funds shall not apply to the Centre.

Miscellaneous

22 21.-(1) The Centre may make regulation not inconsistent with this
23 Act (a) Concerning any matter that:

24 (i) May or may not be prescribed in terms of a provision of this Act; or

25 (ii) is necessary to prescribe for the effective carrying out of the
26 objectives of the Act;

27 (b) Providing for payment, by the National Assembly for this purpose,
28 or compensation to any person or dependents of any person, whose death,
29 bodily injury or disablement results from any event occurring in the course of
30 the performance of any function entrusted to such person in terms of this Act.

{2} The Board may, with the approval of the President make the regulations for the effective operation of this Act.

22. Subject to the provision of this Act, the provision of the public officers' protection Act shall apply in relation to any suit instituted against an officer or employee of the Centre.

Limitations
against suit

23. A notice summons or other document required or authorized to be served upon the Board under the provisions of this Act or any other law or enactment may be served by delivering it to the Director - General or by sending it by registered post and addressed to the Director - General at the principal office of the Board.

Service of
Documents

24. In any action or suit against the Board, no execution or attachment of process shall be issued against the Board.

Restriction on
Execution against
properties of the
Commission

25. In this Bill unless the context otherwise requires

Interpretation

"Centre" means the National Agricultural Raw Materials Processing Centre, established by section 1 of this Bill;

"Ngor - Okpala" means a local government in Imo State where the centre would be sited;

"Function" includes duties and powers

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

26. This Bill may cited as the National Agricultural Raw Materials Processing Centre, Ngor-Okpala Bill, 2021.

Short title

1 SUPPLEMENTARY PROVISION RELATING TO THE CENTRE, ETC

2 *Proceedings of the Centre*

3 1.-(1) Subject to this Bill and Section 20 of the interpretation Act, the
4 Centre may make standing orders regulating its proceeding or those of its
5 committee;

6 (2) The quorum of the Centre's Board shall be the Chairman or the
7 person presiding at the meeting, and three (3) other members of the Board and
8 the quorum of any committee of the Centre shall be as determined by the
9 Centre.

10 2.-(1) The Centre shall meet whenever it is summoned by the
11 chairman and if the Chairman is required to do so by giving him not less than
12 four (4) other members, he shall summon a meeting of the Centre to be held
13 within twenty-four (24) days from the date upon which the notice is given.

14 (2) Where the Centre desires to obtain the advice of any person on a
15 particular matter, the Centre may co-opt him to the Centre for such period of
16 time it deems fit, but a person who is in attendance by virtue of this
17 subparagraph shall not be entitled to vote at any meeting and shall not count
18 towards a quorum.

19 *Committee*

20 3.-(1) The Centre may appoint one or more committee to carry out, on
21 behalf of the Centre such functions as the Centre may determine.

22 (2) The Committee appointed under this paragraph shall consider
23 such number of persons as may be determined by the Centre and a person shall
24 hold office in the committee in accordance with the term of his appointment.

25 (3) A decision of a committee of the Centre shall be of no effect until it
26 is confirmed by the Centre.

27 4.-(1) the fixing of the seal of the Centre shall be authenticated by the
28 signature of the Chairman or any other member of the Centre generally or
29 specified by the Centre to act for the purpose and the Chief Executive.

30 (2) Any contract or instrument which, if made or executed by a person

1 not being a body corporate, would not require to be under seal may be made
2 or executed on behalf of the Centre by the Chief Executive or any person
3 generally or specified authorized by the Centre to act for the purpose.

4 (3) A document purporting to be a document duly executed under
5 seal of the Centre shall be received in evidence and shall, unless and until the
6 contrary is proved, be presumed to so execute.

7 5. The validity of any proceeding of the Centre or of a committee
8 shall not be adversely affected by:

9 (a) A vacancy in the membership of the Centre or committee; or

10 (b) A defect in the appointment of a member of the Centre or
11 committee; or

12 (c) Reason that a person not entitled to do take part in the
13 proceedings of the Centre or committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Agricultural Raw Materials Processing Centre in Ngor-Okpala, Imo State to curtail the wastage of agricultural products in the rural areas and other parts of the Country due to the absence of appropriate storage and processing facilities.

