

# A BILL

## FOR

AN ACT TO ESTABLISH CONSTITUENCY FARM SCHEME IN ALL THE STATES OF FEDERATION; AND FOR RELATED MATTERS

*Sponsored by Hon. Yusuf Buba Yakub*

[ ] Commencement

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

1           1.-(1) There is established a Scheme to be known as the  
2           Constituency Farm Scheme (CFS) (in this Act referred to as "the Scheme").

Establishment  
of the Constituency  
Farm Scheme

3           (2) The Scheme:

4           (a) shall be a body corporate with perpetual succession and a  
5           common seal; and

6           (b) may sue or be sued in its corporate name.

7           (3) The Scheme Headquarters shall be located in the Federal  
8           Capital Territory, Abuja.

9           (4) The Scheme shall maintain subsidiary offices in each of the 36  
10          States of the Federation, which shall coordinate and establish Constituency  
11          Farm Scheme in each of those states for production of food, cash crops, and  
12          for the employment and empowerment of Nigerian youths.

13          2. Objectives of the Scheme shall be:

Objectives of  
the Scheme

14          (i) to bring about development in rural communities;

15          (ii) to establish constituency farm scheme that will build the  
16          capacity of young, educated and uneducated farmers in Nigeria;

17          (iii) to create sustainable growth that will reduce the rate of  
18          unemployment of youths in Nigeria; and

19          (iv) to eradicate poverty, hunger and destitution;

20          3. The Scheme shall: (1) formulate policies and guidelines for the  
21          establishment and operation of the farm schemes.

Functions of the  
Scheme

- 1 (2) serves as an avenue through which Federal, States and Local  
2 Governments can exchange ideas and collaboratively implement poverty  
3 alleviation strategies;
- 4 (3) set up farms and schemes for the youths who shall produce the  
5 farm products in the most productive lands in every State of the Federation;
- 6 (4) provide equipments for farming and processing of the farm  
7 products from the farm and set up mechanisms for the storage, preservation and  
8 marketing of the products from the farm;
- 9 (5) serve as a focal point for agricultural mechanization and as  
10 resource centre for technical and managerial training of youths in farming;
- 11 (6) collaborate with Agricultural Research and Mechanization  
12 Centres for the purpose of enhancing youth capacity development from time to  
13 time;
- 14 (7) provide necessary infrastructure in these farm schemes such as:
- 15 (a) electricity;
- 16 (b) portable water;
- 17 (c) recreational facilities;
- 18 (d) security, schools, clinics, or health centres, places of worship, and  
19 other such facilities for the comfort of the youths, farmers and other employees  
20 of the schemes.
- 21 (8) facilitate and promote the development product standards and  
22 quality assurance for machinery, equipments and commercialization of farm  
23 products;
- 24 (9) mobilize technical assistance from relevant organizations in order  
25 to provide and promote strategic linkages;
- 26 (10) formulating and implementing programmes and projects to  
27 empower the poor to be self-reliant;
- 28 (11) promoting partnership amongst stakeholders to generate enough  
29 resources to fight poverty; and
- 30 (12) do such other things which in its opinion are necessary or

1 expedient for the proper performance of its functions under this Act.

2 4.-(1) There shall be established for the Scheme, a Governing  
3 Council (herein referred to as "the Council"), consisting of a Chairman and  
4 six other part-time members:

Governing  
Council

5 (2) The appointment of the Chairman and part-time members shall  
6 be drawn from the six geopolitical zones.

7 (3) The following are ex-officio members of the Council:

8 (a) (i) a representative of the Federal Ministry of Agriculture;

9 (ii) a representative of the Federal Ministry of Finance;

10 (iii) a representative of the Federal Ministry of Commerce;

11 (iv) a representative of the Federal Ministry of Youth  
12 and Development;

13 (v) a representative of the Federal Ministry of Women Affairs;

14 (vi) a representative from the Marketing Boards;

15 (vii) a representative of a University of Agriculture;

16 (b) a Managing Director of the Scheme.

17 (4) The Council shall appoint for the Scheme a Secretary who  
18 shall:

19 (a) be a woman or man;

20 (b) be an Agriculturalist and is so qualified to practice for a period of  
21 not less than 10 years;

22 (c) keep records and conducts the correspondence of the Scheme;

23 and

24 (d) perform such other functions as the Council or Managing  
25 Director may direct.

26 (4) The supplementary provisions contained in the Schedule to this  
27 Bill shall have effect with respect to the matters therein mentioned.

Schedule

28 5. Appointment, Disqualification of members of the Council:

Appointment,  
Disqualification  
etc.

29 (a) (1) The Chairman and Members of the Council shall be  
30 appointed by the President on the recommendation of the Minister and

- 1 subject to confrontation by the Senate of the Federal Republic of Nigeria;
- 2 (b) be persons of proven integrity and ability;
- 3 (2) A person shall cease to hold office as a member of the council if:
- 4 (a) he is convicted of a felony or any offences involving dishonesty or
- 5 fraud;
- 6 (b) he becomes of unsound mind, or incapable of carrying out his
- 7 duties;
- 8 (c) he is guilty of a serious misconduct in relation to his duties; or
- 9 (d) he resigns his appointment by a letter addressed to the Minister in
- 10 which case the resignation shall take effect from the date of receipt of the letter
- 11 by the Minister.
- 12 (3) where the council is dissolved, the Executive Secretary shall
- 13 continue to perform the duties and functions of the Council pending the
- 14 Constitution of a new Council.
- 15 6. Subject to the provisions of this Act, the Chairman and other
- 16 members shall each hold office:
- 17 (i) for a term of four years in the first instance and may be eligible for
- 18 re-appointment for a further term of four years and no more, and
- 19 (ii) on such terms as to remuneration and allowances as may be
- 20 determined by the Revenue Mobilization, Allocation and Fiscal Commission.
- 21 7. The Council shall have power:
- 22 (a) to manage and superintend the scheme;
- 23 (b) to design the overall policy and general administration of the
- 24 scheme;
- 25 (c) to acquire offices and other premises for the scheme;
- 26 (d) to appoint officers, who in the opinion of the council are required
- 27 for carrying out the functions of the council;
- 28 (e) to fix terms and conditions of service, including remuneration of
- 29 the employees of the scheme; and
- 30 (f) to do such other things and enter into such other transactions which

Tenure of the  
Council Members

Powers of the  
Council

1 in the opinion of the council are necessary to ensure the efficient  
2 performance of its functions;

3 8. The scheme shall mandated to do the following:

Mandates of the  
Scheme

4 (a) advocacy initiation and implementation of policy directions  
5 towards poverty reduction;

6 (b) supervise on a continuous basis the allocation and  
7 disbursement of funds, materials and services to the farmers;

8 (c) liaise with any relevant governmental and/or Non-  
9 Governmental body to reduce poverty in Nigeria; and

10 (d) to do such other things that are necessary to actualize its  
11 mandates.

12 9. The Minister may give to the Council directives of a general or  
13 special nature with regard to the mandates of the scheme and it shall be the  
14 duty of the Chairman, the Council and the National Co-ordinator to comply  
15 with the directives.

Power of the  
Minister to give  
directives

16 10. For the purpose of this Act, the Scheme shall establish and  
17 maintain a fund which shall consist of:

Funds for the  
Scheme

18 (a) the take-off grant from the Federal Government;

19 (b) annual subvention from the Federal Government as provided  
20 for in the Appropriation Act;

21 (c) loans, grant-in-aid from Federal, Bilateral and Multilateral  
22 agencies;

23 (d) rents, fees and other internally generated revenues from the  
24 sales of farm produce by the Agency;

25 (e) such other monies accruing to the Agency from time to time.

26 11.-(1) There shall be appointed for day to day running of the  
27 Scheme the following officers:

Appointment of  
Executive Secretary

28 (a) Executive Secretary who shall be the Chief Executive Officer,  
29 and responsible for the day-to-day management of the scheme;

30 (b) a Secretary for each state of the Federation and the Federal

1 Capital Territory, who shall be answerable to the council and the Executive  
2 Secretary; and

3 (c) such other members of staff as may be required to carry out the  
4 function of the scheme, accordingly, it may borrow staff from any service of the  
5 Federation or of a state.

Power to accept  
gifts

6 12. The scheme may accept gifts of money, land or other property on  
7 such items and conditions, if any, as may be specified by the person or  
8 organisation making the gift, as long as such conditions are consistent with the  
9 functions of the scheme.

Expenditure

10 13. The Scheme may from time to time, with the approval of the  
11 Council apply the proceeds of the fund established pursuant to section 15 of  
12 this Act:

13 (a) to the cost of administration of the Scheme;

14 (b) to the payment of salaries, fees or other remuneration or  
15 allowances, gratuities and pensions, and other benefits payable to the officers  
16 and other employees on the Scheme. so however that, no payment of any kind  
17 under this paragraph shall be made to any person who is in receipt of  
18 emoluments from the Federal or State Government except such as may be  
19 expressly authorized by the Scheme;

20 (c) to the payment of emoluments, allowances, and benefits of  
21 members of the Council and for reimbursing members of the Council or any  
22 committee set up by the Council for such expenses as may be expressly  
23 authorised by the Council;

24 (d) for the payment of all purchases;

25 (e) for the development and maintenance of any property vested in or  
26 owned by the Scheme; and

27 (f) to undertake such other activities as are connected with all or any  
28 of the functions of the Scheme under this Act.

Account and  
audit

29 14.-(1) The Executive Secretary shall submit to the Council for  
30 approval, not later than 30 September of each year an estimate of its

expenditure and income during the next succeeding year.

(2) The Scheme shall keep accounts in respect of each financial year and maintain proper records in relation to those accounts.

15. It shall be the duty of the council to prepare and submit to each House of the National Assembly a report relating to the activities of the scheme during the immediate preceding financial year.

Annual Report

16. Any power to make regulations, rulers or order conferred by this Bill shall include:

Regulations

(a) power to make provisions for such incidental and supplementary matter as the authority making the instrument consider expedient for the purpose of the instrument; and

(b) power to make different provisions for different circumstances.

17-(1) The Scheme shall be exempted from the payment of income tax on any income accruing from investments made by the on behalf of the Scheme, or otherwise howsoever.

Exemption from Tax

(2) The provisions of any enactment relating to the taxation of companies on funds shall not apply to the Scheme.

18. A member of the Council or any officer or employee of the Scheme shall be indemnified out of the assets of the Scheme against any liability incurred by him in defending any proceeding, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted, if any such proceeding is brought against him in his capacity as a member of the Council, the council, officer or other employee of the Scheme.

Indemnity of Officers

19. The Scheme may establish constituency farm schemes in each of the 774 Local Government areas of the Federation of Nigeria.

Local Farm Schemes

20-(1) The statutory functions, rights, interest, obligations and liabilities of the department responsible for constituency farm schemes, if any, before the commencement of this Act under any contract or instrument

Savings and Transitional Provisions

1 by virtue of this Act shall be deemed to have been assigned and vested in the  
2 scheme.

3 (2) All assets, funds, resources and any other moveable or  
4 immoveable property which immediately before commencement of this act,  
5 vested in the department responsible for Federal constituency farm schemes, if  
6 any shall be vested in the Scheme.

7 (3) Any person who immediately before the coming into force of this  
8 Act is the holder of any office in the department responsible for Federal  
9 constituency farm schemes, if any, shall continue in office and be deemed to  
10 have been appointed to the office by the Scheme.

Interpretation

11 21. In this Act except the context otherwise requires:

12 "Scheme" means the Constituency Farm Scheme established by section 1 of  
13 this Act;

14 "Council" means the governing council established for the Scheme by section  
15 3 of this Act;

16 "Constituency Farm Schemes" mean the outfit and or unit office or farms  
17 established by the Scheme in Agricultural lands set up by the Scheme in states  
18 and Local Government Areas of the Federation for the purpose of producing  
19 food and cash crops;

20 "Federal Government" means Government of the Federal Republic of Nigeria

21 "Federation" means Nigeria;

22 "Function" includes power and duty;

23 "Geopolitical" zones mean the geopolitical units of the Federation;

24 "Minister" means the Federal Minister in charge of Agriculture;

25 "Ministry" shall be construed accordingly;

26 "Power" includes functions and duty; and

27 "President" means the President of the Federal republic of Nigeria.

Short title

28 22. This Bill may be cited as Constituency Farm Scheme  
29 (Establishment) Bill, 2021.



## 1 SCHEDULE

2 1. The Council may make Standing Orders regulating the  
3 proceedings of the Council or any Committee thereof, and shall meet not less  
4 than once in each of any six months in every year;

5 2. The Quorum of the Council shall be four.

6 3.-(1) Subject for the provisions of any applicable Standing Orders  
7 the council shall meet whenever summoned by the Chairman, and if the  
8 Chairman is required so to do by notice given to him by not less than four  
9 other members shall summon a meeting of the council to be held within 21  
10 days from the date on which the notice is given.

11 (2) At any meeting of the council, the chairman shall preside or in  
12 his absence, the members present at the meeting shall appoint one of their  
13 members to preside at that meeting.

14 (3) Where the council wishes to obtain the advice of any person on  
15 a particular matter, the Council may co-opt him as a member for such period  
16 as it thinks fit, but a person who is a member by virtue of this sub-paragraph,  
17 shall not be entitled to vote at any meeting of the council and shall not count  
18 toward a quorum.

19 4.-(1) The Council may appoint one or more Committees to carry  
20 out on behalf of the Council such of its functions as the council may  
21 determine.

22 (2) A Committee appointed under the paragraph shall consist of the  
23 numbers of persons determined by the Council and not more than one third  
24 of those persons who are not members of the council shall hold office in the  
25 committee in accordance with the terms of the instrument by which he is  
26 appointed.

27 (3) A discussion of the Committee of the Council shall be of no  
28 effect until it is confirmed by the Council.

29 *Miscellaneous*

30 5.-(1) The fixing of the seal of the Scheme shall be authenticated by

1 the signature of the Chairman and of some other member authorized generally  
2 or specifically by the council to act for that purpose.

3 (2) Any contract or instrument which if made or executed by a person  
4 not being a body corporate would not be required to be under seal, may be made  
5 or executed on behalf of the council by person generally or specifically  
6 authorised to act for that purpose by the Council.

#### EXPLANATORY NOTE

This Bill seeks to establish Constituency Farm Scheme in all the States of the Federation and to build the capacity of young, educated and uneducated farmers in Nigeria.