

- 1 (iv) the Federal Ministry of Works, Housing and Urban Development;
- 2 (v) the Federal Ministry of Finance; and
- 3 (vi) an Executive Secretary.

4 (2) The Chairman shall be a person having cognate experience and
 5 proven capacity in discharging his responsibilities to facilitate the
 6 accomplishment of the Commission objectives and shall be from the States
 7 listed in the second schedule whose members are comprised in the
 8 Commission appointed on rotational basis.

Commitment

9 (3) The Chairman and members of the Board other than ex-officio
 10 members shall be:

11 (a) appointed by the President, Federal Republic of Nigeria on the
 12 recommendation of the Governors of the Comprising States through the office
 13 of the Minister of Special Duties from the Border communities listed in the
 14 second schedule to this Act.

Establishment of the Commission

15 (4) without prejudice to the provisions of this Act, the Minister shall
 16 perform the functions of the Board for a period not exceeding three months
 17 where:

Officers of the Commission

- 18 (a) the Board has not been constituted;
- 19 (b) the Board has been dissolved;

20 (5) a member shall be paid such allowances payable to Boards of
 21 cognate status as the

Commission of a Governing Board of the Commission

Federal Government may from time to time institute

22 4.-(1) The tenure of the chairman and other members of the board,
 23 other than ex-officio members shall be as follows:

24 (a) the Chairman shall hold office for a non-renewable period of five
 25 years on such terms and conditions as contained in his letter of
 26 appointment;

27 (b) members other than ex-officio for a non-renewable period of four
 28 years.

29 (2) notwithstanding the provisions of section 3 of this Act, a member
 30 may at any time be removed from office by the President of the Federal

1 Republic of Nigeria if:

2 (a) he is unable to discharge the functions of his office whether
 3 arising from infirmity of the body or mind;

4 (b) he is convicted by a court of law of a felony, fraud or any serious
 5 act of misconduct;

6 (c) he without permission of the Board is absent for more than three
 7 consecutive meetings of the Board or without such permission is absent
 8 from the country for a period exceeding one year.

9 (3) the Chairman or member may resign by notice addressed
 10 through the secretary to the government of the Federation to the President
 11 and such notice of resignation shall become effective from the date of
 12 acceptance of the resignation by the President.

13 5.-(1) The Chairman and other members of the Board other than the
 14 Secretary may each hold office for a term of four years in the first instance
 15 and may be reappointed for a further period of four years and no more. Tenure of office

16 (2) The Supplementary provisions set out in the Schedule to this Schedule
 17 Bill, shall have effect with respect to proceedings of the Boards and other
 18 matters mentioned therein.

19 6. There shall be established in the Head office of the Commission, Structure of the
 20 the following Directorates: Commission

21 (a) Directorate of Administration;

22 (b) Directorate of Community Services: Health, Education and
 23 Agriculture;

24 (c) Directorate of Utilities and infrastructural Development;

25 (d) Directorate of Environmental Protection;

26 (e) Directorate of Traffic;

27 (f) Finance and Supply;

28 (g) Land and Property Investments;

29 (h) Planning Research & Statistics;

30 (i) Legal Services;

1 (j) Monitoring and Evaluation.

Management
Committee

2 7. There shall be for the Commission a Management Committee
3 which shall:

4 (a) Consist of a Chairman who shall be the Managing Director, two
5 Executive Directors, the Directors responsible for the Directorates established
6 under section 6 of this Act and such number of other members as may be
7 determined from time to time by the Board;

8 (b) Be responsible to the Board for the general administration of the
9 Commission.

Establishment
of FCT Wider
Area Planning
and Development
Advisory
Committee

10 8.-(1) There is hereby established for the Commission, an FCT Wider
11 Area Planning and Development Advisory Committee (in this Act referred to
12 as "the Advisory Committee") which shall consist of:

13 (a) The Governors of the member States of the Commission; and

14 (b) Two other persons as may be determined, from time to time, by the
15 President, Commander-in-Chief of the Armed Forces.

16 (2) The Advisory Committee shall be charged with the responsibility
17 of advising the Board and monitoring the activities of the Commission, with a
18 view to achieving the objective of the Commission.

19 (3) The Advisory Committee may make rules regulating its own
20 proceedings

21 PART II - STAFF OF THE COMMISSION

Staff/Structure
of the Commission

22 9. -(1) There shall be for the Commission an Executive secretary who
23 shall:

24 (a) be a Fellow of any of the relevant Professional body appointed by
25 the Board;

26 (b) be the Chief Executive and Accounting Officer of the
27 Commission;

28 (c) be responsible for the execution of the policy and the day to day
29 administration of the affairs of the Commission;

1 (d) keep the books and records and conduct the correspondence of
2 the Commission;

3 (e) perform such other duties as the Board may from time to time,
4 direct.

5 (2) The Executive Secretary shall hold office:

6 (a) for a term of 4 years in the first instance and may be reappointed
7 for further term of 4 years and no more;

8 (b) on such terms and conditions as may be specified in his letter of
9 Appointment.

10 10.-(1) The Commission shall have power to appoint either
11 directly or on secondment from any public service of the Federation, the
12 State or Local Government, Area Council, or Federal Capital Development
13 Authority such member of staff and other employees as may from time to
14 time, assist the Commission in the discharge of any functions under this Bill.

Power of the
Commission

15 (2) Nothing in subsection (1) of this section shall preclude the
16 Commission from appointing such persons from outside the public service
17 of the Federation or of the State or Area Councillor Local Government
18 Council whenever it deems it necessary for proper and efficient
19 performance of its functions under this Bill.

20 (3) The Board may appoint such other staff as it considers
21 necessary for carrying out its functions under this Bill and may determine
22 the wages, salaries, and conditions of service, of such staff with the approval
23 of the Federal Civil Service Commission.

24 11.-(1) Service in the Commission shall be approved for the
25 purposes of the Pensions Act and accordingly employees of the Commission
26 shall be entitled to pensions and other retirement benefits.

Pension

27 (2) Nothing in this Bill shall prevent appointment of a person to any
28 office on terms which may preclude the grant of a pension, of other
29 retirement benefits.

Staff Promotion
and Discipline

12. (1) The Board shall have power to promote and discipline any
2 person in the employment of the Commission.

(2) Any officer aggrieved by any decision of the Commission in
3 respect of discipline, dismissal or termination may appeal to Minister for
4 redress.
5

6 PART III - FUNCTIONS AND POWERS OF THE COMMISSION

7 13.-(1) Subject to this Act and in addition to any other functions
8 conferred on it by other provisions of the Act, the Commission shall:

9 (a) Prepare a comprehensive development programme for the
10 elimination of slums in FCT Wider Areas;

11 (b) Execute community development policies and projects;

12 (c) Conduct and sponsor research, investigation and studies including
13 an inventory and analysis of the resources and needs of Wider Area
14 communities;

15 (d) Restore and preserve properties of special value for historic,
16 architectural or tourist reasons;

17 (e) Plan and develop strategies towards a more rational utilization of
18 land and other natural resources as well as the better arrangement of residential,
19 commercial, industrial, recreational and other needed activity centers within
20 these Wider Area communities;

21 (f) Prepare and submit proposal on resettlement of persons with or
22 from the Federal Capital Territory;

23 (g) Advise the stakeholders on borderline communities' development
24 especially the protection of resettled communities in order to preserve the
25 culture and the socio-economic issues that exist in such communities, while
26 improving their living conditions;

27 (h) Ensure the elimination of conditions that are detrimental to health,
28 safety and public welfare, through code enforcement, interim rehabilitation
29 assistance and related activities;

30 (i) Identify and determine annually, such deliberate or conscious

1 Infrastructure projects, required for the overall development of the
2 communities;

3 (j) Liaise with relevant MDAs in the implementation of wider area
4 development policies and programmes;

5 (k) Liaise with FCT and State Governments on security of life and
6 property in communities;

7 (l) Implement a Master Plan for FCT Wider Area;

8 (m) Do such other things which it deems expedient and ancillary in
9 the performance of its functions under this Act.

10 PART IV FINANCIAL PROVISIONS

11 14. (a) The Commission shall establish and maintain a fund which
12 shall cover all expenditure incurred by it;

Establishment
of a Fund

13 (b) There shall be credited to the fund, established in pursuance of
14 subsection (a) of this section, 3% of monthly statutory allocation to the
15 States and Local Government scheduled for the running expenses of the
16 Commission; and all other assets accruing from time to time to the
17 Commission;

Favor to local
gits

18 (c) The Commission may establish and maintain one or more funds
19 into which shall be credited such payments as may be made to it by donor
20 and other agencies from time to time for the purpose of supporting the wider
21 area Communities;

Favor to donor

22 (d) 5% of the FCT internally generated revenue;

23 (e) Income from investment of the commission.

24 15. The Commission shall cause to be prepared, not later than the
25 30th day of September in each year, estimates of its income and of
26 expenditure for the succeeding year which shall be submitted to the National
27 Assembly for approval;

Annual Estimates

28 16. The Commission shall cause to be kept proper accounts and
29 records in relation thereto, such accounts shall not later than 4 months after
30 the end of each year, be audited by auditors appointed by the Commission

Accounts and
Audit

1 from the list and in accordance with the guidelines supplied by the Auditor
2 General for the Federation.

Annual reports

3 17.-(1) The Commission shall not later than 8 months after the end of
4 each year submit to the President and the Public Account Committee of the
5 National Assembly a report on the activities and administration of the
6 Commission during the immediately preceding year and shall include in such
7 report the audited accounts of the Commission and the auditor's report thereon.

8 (2) Without prejudice to subsection (1) of this Section, the
9 Commission may submit such other reports to the President on matters of
10 expediency or urgency relating to its functions under this Act as the
11 Commission may from time to time determine.

12 (3) The Commission shall not later than 60 months after the end of
13 each year publish the annual reports prepared under subsection (1) of this
14 Section in at least 3 national newspapers circulating in Nigeria.

Power to accept
gifts

15 18.-(1) The Commission may accept gifts of land, money or other
16 property or things upon such terms and conditions if any, as may be specified.
17 by the person or organization making the gift. (2) The Commission shall not
18 accept any gift if the conditions attached by the person or organization making
19 the gift are inconsistent with the aims and objectives of the Commission under
20 this Act.

Power to borrow

21 19. The Commission may, with approval of the President, borrow
22 money by way of overdraft or loan for the purpose of carrying out its functions
23 under this Act.

24 PART V- MISCELLANEOUS

25 20. In the event of any conflict or inconsistency between the
26 provisions of this Act and the provision of any other for the time being in force,
27 the provisions of this Act shall, to the extent of such conflict or inconsistency,
28 prevail.

Interpretation

29 21. In this Act:

30 "Commission" means the FCT Wider Area Planning and Development

1 Commission established under Section (1) of this Act;
2 "FCT" means Federal Capital Territory;
3 "States" means states sharing border with FCT;
4 "Chairman" means Chairman of the Governing Board of the FCT Wider
5 Area Planning and Development Commission;
6 "President" means the President of the Federal Republic of Nigeria;
7 "Wider Area" is as provided in the second schedule to this Bill.

8 22. This Bill may be cited as the FCT Wider Area Planning and Citation
9 Development Commission Bill, 2019.

10 SCHEDULES

11 SUPPLEMENTARY PROVISIONS RELATING TO THE PROCEEDINGS OF

12 THE BOARD FIRST SCHEDULE

13 *Section 4(2)*

14 1.-(1) Subject to this Bill and section 27 of the Interpretation Act,
15 the Board may make standing Orders regulating its proceedings or those of
16 its committees.

17 (2) The Quorum of the Board shall be the Chairman or the person
18 presiding at the meeting, Secretary and one third of other members of the
19 Board. The Quorum of any committee shall be as determined by the Board.

20 2.-(1) The board shall meet whenever it is summoned by the
21 Chairman, and if the Chairman is required to do so by notice given to him by
22 not less than 4 other members, he shall summon a meeting of the Board to be
23 held within 14 days from the date on which the notice is given.

24 (2) At any meeting of the Board the Chairman shall preside but if he
25 is absent the members present at the meeting shall appoint one of them to
26 preside.

27 *Committees*

28 3.-(1) The Board may appoint one or more committees to carry out,
29 on behalf of the Commission such functions as it may determine.

30 (2) A Committee appointed under this paragraph shall consist of

1 such number of persons as may be determined by the Board and a person shall
2 hold office on the Committee in accordance with the terms of his appointment.

3 (3) A decision of a Committee of the Board shall be of no effect until it
4 is confirmed by the Board.

5 *Miscellaneous*

6 4.-(1) The fixing of the seal of the Commission shall be authenticated
7 by the signature of the Chairman or any other members of the Board generally
8 or specifically authorized by the Board to act for that purpose and the Secretary.

9 (2) A document purporting to be a document duly executed under the
10 seal of the Commission shall be received in evidence and shall unless and until
11 contrary is proved be presumed to be executed.

12 5. The validity of any proceeding of the Board or a Committee shall
13 not be adversely affected by:

14 (a) a vacancy in the membership of the Board or Committee; or

15 (b) reason that a person not entitled to do so took part in the
16 proceeding of the Board or the committee.

17 6. The Board may enter into partnership agreement with any
18 government of the States sharing boundaries with the FCT for the purpose of
19 infrastructural development.

20 SECOND SCHEDULE

21 BORDER COMMUNITIES

22 Border Communities shall include communities in the following Local
23 Government Areas and any others that in future might border the FCT:

24 1. Karu Local Government Area;

25 2. Suleja Local Government Area;

26 3. Gurara Local Government Area;

27 4. Lapai Local Government Area;

28 5. Tafa Local Government Area;

29 6. Keffi Local Government Area;

30 7. Nasarawa Local Government Area;

- 1 8. Kogi Local Government Area;
- 2 9. Kagarko Local Government Area;
- 3 10. Akwanga Local Government Area;
- 4 11. Koton Karfe Local Government Area and;
- 5 12. Jaba Local Government Area.

6 THIRD SCHEDULE

7 BORDER STATES

8 Border States consist of the following states that share border with the FCT:

- 9 1. Niger State;
- 10 2. Nasarawa State;
- 11 3. Kaduna State;
- 12 4. Kogi State.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of Federal Capital Territory Wider Area Planning and Development Commission. Also to plan and develop strategies towards a more rational utilization of land and other natural resources as well as the better arrangement of residential, commercial, industrial, recreational and other needed activity centers within these Wider Area communities.

