

# A BILL

## FOR

ACT TO PROVIDE FOR THE REPEAL OF THE FIRE SERVICE ACT, CAP. F29, LFN, 2004, TO ESTABLISH THE NATIONAL FIRE ADMINISTRATION AND FIRE AUTHORITY; AND FOR RELATED MATTERS

*Sponsored by Hon. Victor Mela*

[ ] Commencement

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

1                                   PART I - ESTABLISHMENT OF THE NATIONAL FIRE  
2   ADMINISTRATION, ETC.

3                                   1.-(1) The Fire Service Act is repealed and accordingly the Federal  
4 Fire Service established under that Act (in this section referred to as "the  
5 dissolved Federal Fire Service") is consequentially dissolved.

Repeal of Cap. 29,  
LFN, 2004 and  
savings provisions

6                                   (2) By virtue of this Bill, there is vested in the Fire Administration  
7 established by this Bill, immediately at the commencement of this Bill,  
8 without further assurance, all assets, funds, resources and other movable and  
9 immovable property which immediately before the commencement of this  
10 Bill were vest in the dissolved Federal Fire Service.

11                                   (3) As from the date of the commencement of this Bill-

12                                   (a) all rights, interests, obligations and liabilities of the dissolved  
13 Federal Fire Service existing before the commencement of this Bill under  
14 any contract or instrument, or in law or in equity, shall by virtue of this Bill  
15 be assigned to and vested in the Fire Administration established by this Bill;

16                                   (b) any contract or instrument as is mentioned in paragraph (a) of  
17 this subsection shall be of the same force and effect against or in favour of  
18 the Fire Administration established by this Bill and shall be enforceable as  
19 fully and effectively as if instead of the dissolved Federal Fire Service, the  
20 Fire Administration established by this Bill had been named in the

1 instrument or had been a party to the contract; and

2 (c) the Fire Administration established by this Bill shall be subject to  
3 all the obligations and liabilities to which the dissolved Federal Fire Service  
4 was subject immediately before the commencement of this Bill and all other  
5 persons shall have the same rights, powers and remedies against the Fire  
6 Administration as they had against the dissolved Federal Fire Service  
7 immediately before the commencement of this Bill.

8 (4) Any proceedings or cause of action pending or existing  
9 immediately before the commencement of this Bill by or against the dissolved  
10 Federal Fire Service in respect of any right, interest, obligation or liability of  
11 the dissolved Federal Fire Service may be commenced or continued, as the case  
12 may be, and any determination of any court of law, tribunal or authority or  
13 person may be enforced by or against Fire Administration to the same extent  
14 that the proceedings, cause of action or determination might have been  
15 continued, commenced or enforced by or against the dissolved Federal Fire  
16 Service as if this Bill had not been made.

17 (5) Notwithstanding the provisions of this Bill but subject to such  
18 directions as may be issued by the Fire Administration established by this Bill,  
19 a person who immediately before the commencement of this Bill held office in  
20 the dissolved Federal Fire Service shall be deemed to have been transferred to  
21 the Fire Administration established by this Bill on terms and conditions not less  
22 favourable than those obtaining immediately before the commencement of this  
23 Bill, and service in the dissolved Federal Fire Service shall be deemed to be  
24 service in the Fire Administration established by this Bill for purposes of  
25 pension.

26 (6) The President, if he thinks fit, may, within twelve months after the  
27 commencement of this Bill, by order published in the Gazette, make additional  
28 transitional or savings provisions for the better carrying out of the objectives of  
29 this section.

1           2.-(1) There is established a body to be known as the National Fire  
2 Administration (in this Bill referred to as the "Fire Administration").

Establishment  
of the National  
Fire Administration

3           (2) The Fire Administration shall be a body corporate with  
4 perpetual succession and a common seal and may sue and be sued in its  
5 corporate name.

6           3. The Fire Administration shall have its headquarter established  
7 in Abuja and provide policy direction and support to fire authorities through-

Headquarters  
and departments  
of the Fire  
Administration

8           (a) the Policy and Fire Inspectorate;

9           (b) the Administration and Finance Directorate; and

10          (c) the Regulatory Directorate.

11          4. The Fire Administration shall consist of the Comptroller  
12 General and such other officers and firemen of such ranks as may, from time  
13 to time, be appointed by the Fire Board on the recommendation of the Fire  
14 Administration.

Composition of  
the Fire  
Administration

15          5. The functions of the Fire Administration shall include to-

16          (a) provide policy direction and support for the Fire Administration  
17 and fire authorities;

Functions of the  
Fire Administration

18          (b) ensure the enforcement of fire safety legislations;

19          (c) establish a national statistics centre for fire and other  
20 emergencies;

21          (d) ensure the adequacy of fire protection within a fire authority=s  
22 territorial jurisdiction;

23          (e) carry out, co ordinate and promote research on fire and safety  
24 related issues;

25          (f) determine the appropriate criteria for the qualification of the  
26 Director of a fire authority and the qualifications for other intermediate staff  
27 to be recruited as personnel of the Fire Administration and fire authorities;

28          (g) advise the Fire Board on any matter requiring legislative action;

29          (h) ensure the availability of suitably qualified and adequately  
30 trained personnel to perform the functions of the Fire Administration and of

1 the fire authorities; and  
2 (i) promote and ensure the availability of vehicles and equipment for  
3 the performance of the functions of the Fire Administration and fire authorities.

4 (2) The Fire Administration shall also prescribe and monitor  
5 standards for-

6 (a) the promotion of fire prevention;

7 (b) the fighting or extinguishing of fire;

8 (c) fire investigations; or

9 (d) the effective discharge of the functions of a fire authority.

10 (3) The Fire Administration, where necessary, shall perform any other  
11 function connected with any of the matters above and shall, subject to the  
12 approval of the Fire Board appoint as consultant a person not being a member  
13 of the Fire Administration where in its opinion such an appointment shall  
14 enable it to effectively perform its functions under this Bill.

Establishment  
of the Fire Board

15 6. There is established for the Fire Administration a Board (in this  
16 Bill referred to as "the Fire Board").

Composition  
of the Fire Board

17 7.-(1) The Fire Board shall consist of-

18 (a) the Vice President of the Federal Republic of Nigeria who shall be  
19 the Chairman of the Fire Board;

20 (b) one representative each, who is not below the rank of a director,  
21 from the following Federal Ministries, viz-

22 (i) Works, Power and Housing who shall be the Vice Chairman,

23 (ii) Environment,

24 (iii) Water Resources,

25 (iv) Finance,

26 (v) Health,

27 (vi) Justice;

28 (c) one representative each of-

29 (i) the Nigeria Police,

30 (ii) the Nigerian Emergency Management Agency,

1 (iii) the Manufacturers Association of Nigeria (MAN),

2 (iv) the Nigerian Association of Chamber of Commerce Industry,  
3 Mines and Agriculture (NACCIMA); and

4 (d) one representative from each of the six geo-political zones;

5 (e) the Comptroller General of the Fire Administration who shall  
6 appoint the Secretary and Legal Adviser of the Fire Board, subject to the  
7 approval of the Fire Board.

8 (2) The members of the Fire Board, other than the ex officio  
9 members, shall be appointed by the President and shall be persons of proven  
10 integrity and ability.

11 (3) The supplementary provisions contained in the First Schedule  
12 to this Bill shall have effect with respect to the proceedings of the Fire Board  
13 and the other matters contained in the First Schedule to this Bill.

14 8. Subject to the provisions of section 9 of this Bill, a member of  
15 the Fire Board, other than ex officio members shall, hold office- Tenure of office

16 (a) for a period not exceeding four years in the first instance and  
17 may be re appointed for a further term of four years and no more; and

18 (b) on such other terms and conditions as may be specified in his  
19 letter of appointment.

20 9.-(1) Notwithstanding the provisions of section 8 of this Bill, a  
21 member of the Fire Board shall cease to hold office if he- Cessation of  
membership

22 (a) becomes bankrupt, suspends payment or compounds with his  
23 creditors;

24 (b) is convicted of a felony or any offence involving dishonesty or  
25 fraud;

26 (c) becomes of unsound mind, or incapable of carrying out his  
27 duties;

28 (d) is guilty of a serious misconduct in relation to his duties;

29 (e) in the case of a person possessed of professional qualifications,  
30 is disqualified or suspended, other than at his own request, from practicing

1 his profession in any part of the world by an order of a competent authority  
2 made in respect of him;

3 (f) resigns his appointment by a letter addressed by him, to the  
4 President; or

5 (g) is removed from office by the President of the Federal Republic of  
6 Nigeria, where the President, at any time, thinks that it is not in the interest of  
7 the Fire Administration or the public that the member continues in office.

8 (3) If a member of the Fire Board ceases to hold office, for any reason  
9 whatsoever, before the expiration of the term for which he is appointed, another  
10 person representing the same interest as that member shall be appointed to the  
11 Fire Board for the unexpired term.

12 (4) The terms and conditions for the appointment or removal of a  
13 member of the Fire Board shall be specified in his letter of appointment.

Allowances of  
members

14 10. There shall be paid to every member of the Fire Board such  
15 allowances and expenses as the Federal Government may, from time to time,  
16 direct.

Functions of  
the Fire Board

17 11. The Fire Board shall-

18 (a) prescribe general guidelines and formulate overall policy on  
19 issues pertaining to the Fire Administration;

20 (b) from time to time, review the general guidelines and policies;

21 (c) advice the Federal Government on matters affecting the Fire  
22 Administration and fire authority;

23 (d) prepare its budget for approval by the National Assembly; and

24 (e) organize and administer the Fire Administration.

Powers of the  
Fire Board

25 12.-(1) The Fire Board shall immediately after the commencement of  
26 this Bill establish-

27 (a) a National Fire Academy in Abuja; and

28 (b) a fire training centre in each of the six geopolitical zones of the  
29 Federation.

30 (2) Pursuant to Section 11 (e) of this Bill, the Fire Board shall-

1 (a) after consultations with the Federal Civil Service Commission,  
2 employ suitable persons as personnel of the Fire Administration and other  
3 persons who in the opinion of the Fire Board will enable the Fire  
4 Administration to effectively execute its functions under this Bill;

5 (b) prescribe a suitable program of training and the adequate  
6 remuneration for the personnel of the Fire Administration; and

7 (c) prescribe the appropriate discipline for specific offences by an  
8 employee of the Fire Administration.

9 (3) The Fire Board may delegate any of its powers under this Bill to  
10 the Fire Administration.

11 (4) The Fire Board shall employ suitable persons as consultants  
12 whom in its opinion will enable it to effectively execute its functions under  
13 this Bill.

14 (5) The Fire Board may make regulations in order to bring the  
15 provisions of this Bill into force and in particular may make regulations  
16 relating to-

17 (a) the qualification for and procedure of appointment of persons  
18 seeking to become members of the Fire Administration;

19 (b) the remuneration or the discipline of the personnel of the Fire  
20 Administration; and

21 (c) the compensation or allowance paid or given to personnel of the  
22 Fire Administration and the review of the compensation or allowance.

23 (6) The Fire Board shall do such other things, which in the opinion  
24 of the Fire Administration are necessary to ensure the efficient performance  
25 of the functions of the Fire Administration.

26 13.-(1) The Fire Administration shall establish and maintain a fund  
27 from which shall be defrayed all expenditure incurred by the Fire  
28 Administration.

29 (2) There shall be paid to the fund established pursuant to  
30 subsection (1) of this section-

Funds of the  
Fire Administration

1 (a) any allocation to the Fire Administration from the Federation  
2 Account;

3 (b) 0.25% of the net premium received by an insurer of a building  
4 pursuant to Section 65 of the Insurance Act, Cap. I23, LFN, 2004;

5 (c) such monies as may from time to time, be granted or lent to the Fire  
6 Administration by the Federal Government or a State Government or a Local  
7 Government Area;

8 (d) such monies as may, from time to time, be granted or received  
9 from-

10 (i) the organized private sector, or

11 (ii) international or donor organizations and non governmental  
12 organizations;

13 (e) all monies raised for the purpose of the Fire Administration by way  
14 of gifts, loans, grants in aid, testamentary disposition or otherwise; and

15 (f) proceeds from all other assets that may, from time to time, accrue  
16 to the Fire Administration.

17 (3) The fund shall be managed in accordance with the rules made by  
18 the President and without prejudice to the generality of the power to make rules  
19 under this subsection, the rules shall in particular contain provisions-

20 (a) specifying the manner in which the assets or the fund of the Fire  
21 Administration are to be held, and regulating the making of payments into and  
22 out of the fund; and

23 (b) requiring the keeping of proper accounts and records for the  
24 purpose of the fund in such form as may be specified in the rules.

25 14. The Fire Administration shall apply the proceeds of the fund  
26 established pursuant to Section 13 of this Bill to-

27 (a) the cost of the administration of the Fire Administration;

28 (b) the payments of salaries, fees, remuneration, allowances,  
29 pensions and gratuities payable to the members of the Fire Board and of the  
30 Fire Administration;



1 (c) the payment for all contracts, including mobilisation,  
2 fluctuations, variations, legal fees and cost on contract administration;

3 (d) the payment for all purchases; and

4 (e) undertaking such other activities as are connected with all or  
5 any of the functions of the Fire Administration under this Bill.

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

Gifts to the Fire  
Administration

9 (2) The Fire Administration shall not accept any gift if the  
10 conditions attached by the person or organization making the gift are  
11 inconsistent with the functions of the Fire Administration under this Bill.

12 16.-(1) The Fire Administration shall have power to award  
13 contracts not exceeding the sum of N30 million without the prior approval of  
14 the President.

Award of contracts

15 (2) The Fire Administration shall not award a contract exceeding  
16 the said sum of x30 million without the prior approval of the President.

17 17.-(1) The Fire Administration may, with the consent of the  
18 President, borrow on such terms as the Fire Administration may determine,  
19 such sums of money as the Fire Administration may require in the exercise  
20 of its functions under this Bill.

Power to borrow

21 (2) The Fire Administration shall not, without the approval of the  
22 President, borrow money which exceeds, at any time, the limit set by the  
23 President.

24 (3) Notwithstanding subsection (2) of this section, where the sum  
25 borrowed is in foreign currency, whether or not it exceeds the limit set by the  
26 President, the Fire Board shall not borrow the sum without the prior  
27 approval of the President.

28 18.-(1) The Fire Board shall, not later than 30 September in each  
29 year, submit to the President an estimate of the expenditure and income of  
30 the Fire Administration during the next succeeding year.

Annual estimates  
and audit

1 (2) The Fire Board shall cause to be kept proper accounts and records  
 2 of the Fire Administration in respect of each year and shall cause the accounts  
 3 to be audited not later than six months after the end of each year by auditors  
 4 appointed from the list and in accordance with the guidelines supplied by the  
 5 Auditor General for the Federation.

Annual Report

6 19.-(1) The Fire Board shall prepare and submit to the President, not  
 7 later than 30 June in each year, a report in such form as the President may direct  
 8 on the activities of the Fire Administration during the immediately preceding  
 9 year, and shall include in the report a copy of the audited accounts of the Fire  
 10 Administration and the auditor=s report on it.

11 (2) The President shall upon receipt of the report referred to in  
 12 subsection (1) of this section, cause a copy of the report and the audited  
 13 accounts of the Fire Administration and the auditor=s report thereon to be  
 14 submitted to each House of the National Assembly.

15 PART II - ESTABLISHMENT OF A FIRE AUTHORITY

Establishment  
of a fire authority

16 20. There is established in each State of the Federation a fire authority  
 17 (in this Bill referred to as "the fire authority").

Functions of a  
fire authority

18 21. A fire authority shall-

19 (a) advise the Governor of the State on all matters pertaining to-

20 (i) the determination of a suitable standard of life and fire protection  
 21 in buildings for the effective prevention of fire;

22 (ii) the provision of fire fighting services;

23 (iii) the rescue of persons from fire and other dangerous situations;

24 and

25 (iv) the standard and adequacy of fire appliances, fire equipment and  
 26 the training and qualifications of the personnel of the fire authority.

27 (b) ensure that the fire authority is maintained to the standard to be  
 28 determined by the Fire Administration;

29 (c) interpret policies with regard to the prevention of fire, fire safety,  
 30 fire fighting and rescue services in its area of jurisdiction;

- 1 (d) enforce fire safety legislations;
- 2 (e) conduct and raise public awareness on fire safety and  
3 prevention;
- 4 (f) fight an outbreak of fire in its territory;
- 5 (g) provide search and rescue services;
- 6 (h) investigate the cause of an outbreak of fire;
- 7 (i) provide ambulance and paramedic services in the event of a fire  
8 outbreak or any emergency involving a threat to life;
- 9 (j) carry out fire safety licensing inspections;
- 10 (k) take all reasonable steps to provide an adequate supply of water  
11 and for securing that it will be available for use in the event of an outbreak of  
12 fire; and
- 13 (l) establish a fire station or fire post in its area of jurisdiction as set  
14 out in the Second Schedule to this Bill.

15 22.-(1) A fire authority shall have a board with membership  
16 comprising of elected representatives and other persons to be appointed by  
17 the Governor and they shall have expertise commensurate with their role in  
18 the board.

Board of a fire  
authority

19 (2) The Chairman of the Board shall be appointed by the members  
20 of the Board.

21 (3) The persons to be appointed by the Governor to the Board shall  
22 be one person less than the elected members.

23 23.-(1) The Board of a fire authority shall-

24 (a) prescribe guidelines and formulate policy on issues pertaining  
25 to the fire authority;

Functions of the  
Board of a fire  
authority

26 (b) from time to time, review the guidelines and policies;

27 (c) advice the Governor of the State on matters affecting the fire  
28 authority;

29 (d) prepare its budget for approval by the state house of assembly;  
30 and

1 (e) organize and administer the fire authority.

2 (2) The policies as prescribed by the Board of a fire authority shall not  
3 be in conflict with the general policies as prescribed by the Fire Board.

Powers of the  
Board of a fire  
authority

4 24.-(1) The Board shall immediately after the commencement of this  
5 Bill and on the advice of the Fire Administration, establish a fire training school  
6 in the locality of the fire authority.

7 (2) Pursuant to Section 23 (1) (e) of this Bill, the Board shall-

8 (a) after consultations with the Fire Board, employ suitable persons as  
9 personnel of the fire authority and other persons who in the opinion of the  
10 Board will enable the fire authority to effectively execute its functions under  
11 this Bill;

12 (b) prescribe a suitable program of training for the personnel of the  
13 fire authority subject to the approval of the Fire Administration;

14 (c) prescribe the adequate remuneration for each level in the fire  
15 authority; and

16 (d) subject to the approval of the Fire Board, prescribe the appropriate  
17 discipline for any offence by an employee of the fire authority.

18 (3) The Board may, subject to such conditions as it deems fit, delegate  
19 any of its powers under this Bill to the fire authority where it is deemed that  
20 such powers will enable the fire authority to better exercise control over  
21 matters affecting public fire safety or public safety in an emergency.

22 (4) The Board shall do such other things, which in the opinion of the  
23 Fire Administration are necessary to ensure the efficient performance of the  
24 functions of the fire authority.

Funding of a  
fire authority

25 25. A fire authority shall provide and ensure that the funding of the  
26 fire authority is adequate in order to maintain the efficiency and high standard  
27 of fire protection by the fire authority.

Gifts to the fire  
authority

28 26.-(1) A fire authority may accept gifts of land, money, or other  
29 property on such terms and conditions, if any, as may be specified by the person  
30 or organization making the gift.

1 (2) A fire authority shall not accept any gift if the conditions  
2 attached by the person or organization making the gift are inconsistent with  
3 the functions of a fire authority under this Bill.

4 27.- (1) A fire authority shall have power to award contracts not  
5 exceeding the sum as set by its Board.

Award of contracts

6 (2) A fire authority shall not award a contract exceeding the said  
7 sum as set by its Board without the prior approval of the Governor of the  
8 State.

9 28.- (1) A fire authority may, with the consent of the Governor of  
10 the state, borrow on such terms as its Board may determine, such sums of  
11 money as the fire authority may require in the exercise of its functions under  
12 this Bill.

Power to borrow

13 (2) A fire authority shall not, without the approval of the Governor  
14 of the State, borrow money which exceeds, at any time, the limit set by the  
15 Governor of the State.

16 (3) Notwithstanding Subsection (2) of this section, where the sum  
17 borrowed is in foreign currency, whether or not it exceeds the limit set by the  
18 Governor, the Board of the fire authority shall not borrow the sum without  
19 the prior approval of the Governor.

20 (4) Pursuant to Subsection (3) of this section, all approvals by the  
21 Governor of a state shall be subject to the approval of the President.

22 29. A fire authority shall approve the annual estimates to be  
23 prepared by the Director and shall cause the annual expenditure to be  
24 audited in accordance with the financial rules pertaining in its area of  
25 jurisdiction.

Annual estimates  
and audit

### 26 PART III - ORGANISATION AND ADMINISTRATION

27 30.- (1) The Fire Administration shall have a para military status  
28 and shall operate the harmonized para military salary structure.

Fire Administration  
to give a para-  
military status

29 (2) A fire authority may adopt the organizational structure, salary  
30 structure, and scheme of service of the Fire Administration, as it deems

Appointment  
of Comptroller  
General of the  
Fires  
Administration

1 appropriate to its circumstance.

2 31.-(1) The Fire Administration shall be headed by a Comptroller  
3 General who shall be appointed by the Vice President on the recommendation  
4 of the Fire Board, to carry out the functions and duties assigned to him under  
5 this Bill.

6 (2) The Comptroller General shall be-

7 (a) the Chief Executive Officer and accounting officer of the Fire  
8 Administration;

9 (b) a person with the appropriate qualifications and experience for the  
10 post, such qualifications not being less than those required for the post of the  
11 Comptroller General of Fire Service in any fire service in any part of the world;  
12 and

13 (c) responsible for the day to day running of the Fire Administration.

14 (3) The Comptroller General shall hold office on such terms and  
15 conditions as are specified in his letter of appointment.

16 (4) In the absence of the Comptroller General, any power conferred or  
17 duty imposed upon him shall be exercised or performed by the most senior  
18 officer of the Fire Administration.

Appointment  
of other staff of  
the Fire  
Administration

19 32.-(1) The Fire Board shall appoint for the Fire Administration such  
20 number of personnel as may in the opinion of the Fire Board be expedient and  
21 necessary for the proper and efficient performance of the functions of the Fire  
22 Administration.

23 (2) The terms and conditions of service, including the remuneration,  
24 allowances, benefits and pension of the personnel of the Fire Administration  
25 shall be as determined by the Fire Board after consultation with the Federal  
26 Civil Service Commission.

Appointment  
of a Director  
of a Fire Authority

27 33.-(1) The Governor of a State shall appoint an appropriately  
28 qualified and experienced officer as the Director of the fire authority based  
29 upon the advice of the Fire Administration.

30 (2) The Director of the Fire Authority shall-

1 (a) be the Chief Executive and accounting officer of the Fire  
2 Authority;

3 (b) be responsible for the day to day running of the Fire Authority;  
4 and

5 (c) perform such functions that are assigned to him under this Bill.

6 (3) The Director shall hold office on such terms and conditions as  
7 are specified in his letter of appointment.

8 (4) In the absence of the Director of a fire authority, any power  
9 conferred or duty imposed upon him shall be exercised or performed by the  
10 most senior officer of the Fire Authority.

11 34.-(1) The Director of a fire authority or in his absence, the most  
12 senior officer of the fire authority, whenever it is necessary or expedient,  
13 may-

Powers of the  
Director of a  
authority

14 (a) enter or break and enter any premises;

15 (b) damage, destroy or pull down any property;

16 (c) forcibly remove or cause to be removed any person who is in  
17 danger or who obstructs the fire authority in the execution of its duties;

18 (d) close any street; or

19 (e) take anything, material or object from any person, within the  
20 vicinity where it is performing its duties.

21 (2) However, the owner of the material or object so taken shall be  
22 compensated thereafter by the fire authority to an amount agreed upon  
23 between the fire authority and the owner or failing such an agreement, an  
24 amount to be determined by arbitration.

25 (3) The Director-

26 (a) when he deems it necessary and in order to perform the duties of  
27 the fire authority, may direct any inhabitant who is not younger than 16 years  
28 of age and not older than 60 years of age, to assist in the performance of any  
29 function not requiring specialist knowledge or training;

30 (b) may salvage or remove and place in safe custody any movable

1 property which, in his opinion, is in danger of being destroyed or damaged in a  
2 fire outbreak;

3 (c) shall issue a certificate stating that the said property would have  
4 been destroyed if it had been left on the site of the fire; and

5 (d) or his duly authorized representative has power to conduct an  
6 investigation, interview witnesses and remove any article or document which,  
7 in his opinion, is pertinent to the investigation and he shall issue a certificate in  
8 respect of any article or document so removed.

9 (4) For the purposes of this section, any costs incurred while  
10 salvaging or removing the property may be recovered from the owner or  
11 possessor of the property and the fire authority shall have a lien over such  
12 property for the payment of any such cost.

Training

13 35. The Fire Administration shall ensure that employees of both the  
14 Fire Administration and fire authority are trained to the highest standard  
15 available at the National Fire Academy or any other approved training school  
16 in any of the geo-political zones in the country or where required, in any fire  
17 training institution in any part of the world.

Enlistment  
and Service

18 36. A person shall, on appointment, be enlisted to serve in the Fire  
19 Administration for three years or for such other period as may be fixed by the  
20 Fire Board, to be reckoned in all cases from the day on which he has been  
21 approved for service and taken on to strength.

Extension of  
term of  
enlistment in  
special cases

22 37.-(1) Notwithstanding the provision of section 36 of this Bill, where  
23 an employee on or after his appointment opts or is selected for duties other than  
24 general duties and engages in those duties, he shall be deemed to have agreed to  
25 extend his period of enlistment by an additional period not extending six years.

26 (2) Pursuant to Subsection (1) of this section, the extent of the  
27 additional period shall be fixed by the Fire Board and the enlistment of the  
28 employee shall have effect accordingly.

29 (2) Where any employee to whom subsection (1) of this section  
30 applies re engages for service with the Fire Administration, this section shall



1 have effect in respect of the re appointment.

2 38.-(1) The appropriate qualifications for all ranks up to the Qualifications  
3 Comptroller General, including the specification, training and experience  
4 prerequisite to the rank, shall be in consonance with the scheme of service  
5 recommended by the Comptroller General and approved by the Office of  
6 Management Services in the Presidency.

7 (2) The Fire Administration may recommend a statutory  
8 examination system for promotion in order to ensure the progression of  
9 qualified officers and also to ensure a standard of expertise in the Fire  
10 Administration.

11 39. On the appointment, re appointment or promotion of any Oath to be taken  
by employees on  
appointment  
12 person as a member of the Fire Administration or fire authority, the  
13 provisions of the Oaths Act shall apply; and such person shall forthwith take  
14 and subscribe to the official oath, the fireman oath and, in a proper case, the  
15 oath of allegiance.

16 40.-(1) Service in the Fire Administration and fire authority shall Pensions,  
gratuities and  
annual allowances  
Cap. P4, LFN,  
2004  
17 be approved service for the purposes of the Pensions Act.

18 (2) The officers and other persons employed in the Fire  
19 Administration and fire authority shall be entitled to pensions, gratuities and  
20 other retirement benefits as are enjoyed by persons holding equivalent  
21 grades in the civil service of the Federation.

22 (3) Nothing in subsections (1) and (2) of this section shall prevent  
23 the appointment of a person to any office on terms which preclude the grant  
24 of pension and gratuity in respect of that office.

25 (4) For the purposes of the application of the provisions of the  
26 Pensions Act, any power exercisable by the Minister or other authority of the  
27 Government of the Federation, other than the power to make regulations  
28 under section 23, is hereby vested in and shall be exercisable by the Board,  
29 and not by any other person or authority.

## 1 PART IV - FIRE SAFETY MATTERS

Duty of the  
Comptroller  
General and  
Director2 41. The Comptroller General or Director is responsible for ensuring  
3 that-4 (a) fire personnel are appointed and trained to carry out the functions  
5 of the Fire Administration and fire authority respectively;6 (b) policies and all reasonable measures required for the provision of  
7 an adequate supply of water for fire fighting are initiated and undertaken; and8 (c) an effective programme of public awareness and education, is  
9 implemented in their respective territories, so as to create public awareness on  
10 fire safety matters and fire prevention.Personal  
protective clothing  
and equipment11 42.-(1) It shall be the duty of every fire authority to ensure that a  
12 member of the fire authority, industrial fire department or a private or  
13 contractual fire department engaged by it in the fighting of any fire outbreak is  
14 provided with fire resistant personal protective clothing and equipment.

15 (2) The personal protective clothing and equipment shall include-

16 (a) foot and leg protection;

17 (b) hand protection;

18 (c) body protection;

19 (d) eyes, face and head protection.

Public Emergency  
Call Service20 43.-(1) The Nigerian Communications Commission (in this Bill  
21 referred to as "the Commission") shall undertake and co ordinate measures  
22 necessary to establish a functional and effective public emergency call service  
23 for the immediate report of and response to a fire outbreak or other emergency.24 (2) Public Network Operators (in this Bill referred to as "the  
25 Operators") shall provide toll free lines, in order to ensure a more effective  
26 service delivery, for use by-

27 (a) the Fire Administration;

28 (b) fire authorities;

29 (c) the Nigeria Police; and

30 (d) other emergency service agencies.

1           44.-(1) The Standard of Fire cover, which shall be regarded in all  
2 cases as the minimum standard to be achieved in a particular locality shall be  
3 agreed upon between the Fire Authorities, or a fire authority and the Fire  
4 Administration taking into account the risk to life, property and the  
5 environment.

Standard of Fire  
Cover

6           (2) Where it becomes desirable to vary the agreed standard of fire  
7 cover, the proposed variation shall be examined in detail by the Fire  
8 Administration and the fire authority or fire authorities.

9           (3) The variation would be implemented only after the approval of  
10 the Vice President has been obtained.

11           45.-(1) A fire authority may enter into a mutual aid agreement with  
12 a private or contractual fire agency, an industrial fire department or any other  
13 fire authority.

Mutual aid  
agreement

14           (2) However no such agreement may be used as a basis for the  
15 reduction in the provision made by any of the agreeing fire authorities in its  
16 protected area.

17           (3) A member of a private or contractual fire agency, an industrial  
18 fire department or a fire authority while engaged upon operations under any  
19 such agreement may exercise all of the powers and perform all the duties and  
20 shall possess all of the immunities possessed and exercisable by members of  
21 the Fire Administration or a fire authority under this Bill.

22           (4) A fire authority is permitted to enter into an agreement with a  
23 neighbouring fire authority for a part of its protected area to be provided  
24 with fire cover by that neighbouring fire authority.

25           (5) Pursuant to subsection (4) of this section, this kind of  
26 agreement-

27           (a) can only be entered into where there are existing facilities,  
28 which would be duplicated if such cover were to be provided by the fire  
29 authority in whose area it falls; and

1 (b) may include transfer of funds to provide for the cost of the cover  
2 supplied.

Major disaster  
and relief of  
distress in  
States

3 46.-(1) If a major disaster occurs anywhere within the Federation and  
4 if either the fire authority or the Commissioner of Police for the State in which  
5 the said major disaster has occurred so requests, the Fire Administration may  
6 provide assistance-

7 (a) by utilizing or lending, with or without compensation therefore, to  
8 the state government or fire authority, the equipment, supplies, facilities;  
9 personnel and other resources of the Fire Administration; and

10 (b) by performing on public or private lands protective and other work  
11 essential for the preservation of life and property and the alleviation of  
12 suffering.

13 (2) Pursuant to the provisions of this section, the Government of the  
14 Federation shall not be liable for any claim based upon any act of the Fire  
15 Administration.

16 (3) For the purposes of this section, "major disaster" shall include any  
17 flood, fire, hurricane, earthquake, storm or other catastrophe in any part of the  
18 Federation which in the determination of the local fire authority or the  
19 Commissioner of Police for the State is, or threatens to be, of sufficient severity  
20 and magnitude to warrant assistance by the Fire Administration.

Industrial fire  
department,  
etc. to prepare  
and maintain  
an organizational  
statement

21 47.-(1) An industrial fire department or a private or contractual fire  
22 agency shall prepare and maintain an organizational statement or written  
23 policy which establishes the existence of a fire brigade in the organization or  
24 fire agency.

25 (2) The organizational statement shall state-

26 (a) the basic organizational structure;

27 (b) the type, amount, and frequency of training to be provided to the  
28 fire brigade members;

29 (c) the expected number of members in the fire brigade; and

30 (d) the function of the fire brigade.

1 (3) The organizational statement shall be available for inspection  
2 by the Comptroller General of the Fire Administration and the employees in  
3 the organization or their designated representatives.

4 48.-(1) The incident command officer of the fire authority present  
5 at any fire shall have the sole charge and control of all operations for  
6 extinguishing the fire, including-

Powers of fireman  
and police during  
an outbreak of  
fire

7 (a) the fixing of the positions of fire engines and apparatus;

8 (b) the attaching of hose to any water pipes;

9 (c) the use of a water supply;

10 (d) the selection of the parts of the building, object, or place, where  
11 the fire is, or of adjoining buildings, objects or places, against which the  
12 water is to be directed; and

13 (e) all other measures deemed by him to be necessary towards the  
14 extinguishing of the fire or the assistance of persons or animals in distress by  
15 reason of the fire or of such fire fighting or fire prevention measures.

16 (2) The incident command police officer present at any fire or in the  
17 absence of a police officer, the incident command officer of the fire authority  
18 present, may-

19 (a) close the traffic to any street or thoroughfare;

20 (b) stop or regulate the traffic;

21 (c) remove any person, including the owner or occupier of the  
22 property on fire, or of an adjacent or neighbouring property, from the said  
23 street or thoroughfare if in the opinion of that officer it is necessary or  
24 desirable to do so for fire fighting purposes.

25 (3) A member of the fire authority may-

26 (a) stop or regulate the traffic on any street or thoroughfare; or

27 (b) may remove any person or vehicle from the said street or  
28 thoroughfare if, in his opinion, it is necessary or desirable to do so for the  
29 purpose of ensuring or expediting the free passage of a fire engine or other  
30 mobile fire fighting equipment while proceeding to a fire.

1 (4) All persons and vehicles using any street or thoroughfare shall  
2 yield the right of way to fire engines and other mobile fire fighting equipment  
3 proceeding to a fire and operating any prescribed signal, audible or visual; and  
4 police officers, if present, shall give such assistance as may be necessary for the  
5 purpose.

Right of a member  
of the fire authority,  
etc., to enter upon  
lands

6 49. A member of the fire authority, an industrial fire department, or a  
7 private or contractual fire agency, who is on duty, may without the consent of  
8 the owner or occupier of any land or premises-

9 (a) enter and if necessary, break into any premises or place in which a  
10 fire has or is reasonably believed to have broken out;

11 (b) enter, and if necessary break into any building or place which he  
12 believes it is necessary to enter for the purpose of-

13 (i) protecting the premises or place from fire or from acts done for fire  
14 fighting purposes, or

15 (ii) extinguishing a fire in or the premises or on an adjacent premises;

16 (c) having entered any premises or place, do such acts as he may deem  
17 necessary for-

18 (i) the extinguishing of any fire, or

19 (ii) the protection of any premises, place or property from fire or acts  
20 done in the course of fighting a fire outbreak;

21 (d) having entered such premises or place, do such act as he may  
22 consider necessary for the protection, rescue or assistance of persons or  
23 animals; or

24 (e) if he deems it necessary in order to extinguish or limit the spread of  
25 any fire-

26 (i) pull down any building,

27 (ii) destroy or remove any property; or

28 (iii) take water from any source, without payment or other  
29 compensation.

1                   **50.** Where in the course of fighting any fire or of giving any  
2 assistance to any person or animal, in the lawful execution of his duties, a  
3 member of the fire service, an industrial fire department, or a private or  
4 contractual fire agency inflicts an injury to any person or damage to any  
5 property, such an injury or damage shall be deemed to be an injury or  
6 damage by fire.

Injury or damage  
deemed to be  
injury or damage  
by fire

7                   PART V - OFFENCES, PENALTY AND APPEALS

8                   **51.**-(1) It is an offence for a person to-                   Offence

9                   (a) knowingly use or attempt to pass off any forged or false  
10 certificate, character, letter, or other document for the purpose of obtaining  
11 admission into the Fire Administration or a fire authority, or knowingly  
12 make a false statement, whether orally or in writing, while applying for an  
13 admission into the Fire Administration or a fire authority;

14                   (b) wilfully obstruct, interfere with, assault or resist an employee  
15 of the Fire Administration or a fire authority in the performance of his  
16 duties;

17                   (c) aid, abet, invite or induce any other person to obstruct, interfere  
18 with, assault or resist an employee of the Fire Administration or a fire  
19 authority in the performance of his duties;

20                   (d) wilfully obstructs or delays the passage of any fire engine or  
21 other mobile fire fighting equipment proceeding to a fire;

22                   (e) unlawfully interfere with, damage, or remove any fire fighting  
23 equipment maintained by the Fire Administration or a fire authority;

24                   (f) without reasonable excuse fails to-

25                   (i) render assistance or release any available equipment, facility or  
26 person required for a search and rescue operation or other disaster  
27 curtailment activities, or

28                   (ii) comply with a directive of the Fire Administration;

29                   (g) intentionally give a false alarm or cause or induce another to  
30 give a false alarm for the purpose of causing the deployment of the fire

1 fighters of the fire authority for any purpose whatsoever; or

2 (h) fail to comply with any provision of this Bill for which no penalty  
3 is prescribed or with any regulation or order made under this Bill.

4 (2) It is an offence for a person, not an employee of the Fire  
5 Administration or a fire authority to-

6 (a) pretend, in any way, to be an employee of the Fire Administration  
7 or a fire authority or to possess authority from or on behalf of the Fire  
8 Administration or a fire authority; or

9 (b) put on or assume, either in whole or in part, the dress, name,  
10 designation or description of any personnel of the Fire Administration or a fire  
11 authority;

12 (3) It is an offence for an employee of the Fire Administration or a fire  
13 authority to-

14 (a) be absent from his place of duty without having obtained a leave of  
15 absence or a permission from his superior;

16 (b) accept any payment or favour from a member of the public for any  
17 service performed by the Fire Administration or a fire authority or in  
18 avoidance of any requirement of this Bill; or

19 (c) communicate or attempt to communicate any confidential  
20 information obtained by him in the course of the performance of his duties, to  
21 any unauthorised person.

Penalty

22 **52.-(1)** A person who commits an offence contrary to Section 51 (1) is  
23 liable on conviction, in the case of-

24 (a) section 51 (1) (a) to a fine not exceeding N50,000 or to  
25 imprisonment for three months, or both;

26 (b) section 51 (1) (b) to a fine not exceeding N20,000;

27 (c) section 51 (1) (c) (e) to a fine not exceeding x20,000;

28 (d) section 51 (1) (f) to a fine not exceeding N50,000 or imprisonment  
29 to a term not exceeding twelve months or both;

30 (d) section 51 (1) (g) to a fine not exceeding N50,000 or imprisonment



1 to a term not exceeding one month or both;

2 (f) section 51 (1) (h) to a fine not exceeding N20,000 or  
3 imprisonment to a term not exceeding one month or both.

4 (2) A person who commits an offence contrary to Section 51 (2) (a)  
5 & (b) is liable on conviction to a-

6 (a) fine not exceeding N50,000;

7 (b) imprisonment for a term not exceeding 3 months; or

8 (c) both.

9 (3) An employee of the Fire Administration or fire authority who  
10 commits an offence contrary to section 51 (3) is liable on conviction, in the  
11 case of-

12 (a) section 50 (1) (a), to a fine equivalent to one months salary;

13 (b) section 50 (1) (b), to a fine equivalent to two months salary or  
14 imprisonment to a term not exceeding 3 months or both; or

15 (c) section 50 (1) (c) to a fine not exceeding x20,000 or  
16 imprisonment to a term not exceeding one month or both.

17 53.-(1) Subject to the provisions of section 34 (2) of this Bill, the Jurisdiction  
18 Magistrate court in any area shall have jurisdiction over issues arising from  
19 this Bill.

20 (2) The Magistrates - Courts Act 1958 shall apply to proceedings  
21 under this Bill.

#### 22 PART VI - MISCELLANEOUS

23 54.-(1) For the purpose of providing offices and premise necessary Offices and  
premises of the  
Fire Administration  
24 for the performance of its functions under this Bill, the Fire Administration  
25 may, subject to the Land Use Act-

26 (a) purchase or take or lease any interest in land or other property;

27 and

28 (b) construct offices and premises and equip and maintain same.

29 (2) The Fire Administration may, subject to the Land Use Act, sell  
30 or lease out any office or premises held by it, which office or premises is no

1 longer required for the performance of its functions under this Bill

Requisition, etc.

2 55.-(1) In the exercise of its functions under this Bill, the Fire  
3 Administration may demand by requisition from any organization, any  
4 available equipment, facilities or personnel which may assist in a speedy and  
5 effective search and rescue operation and any other form of disaster operation  
6 during a period of emergency.

7 (2) The Fire Administration shall provide compensation for any loss  
8 or damage arising from the use of the equipment, facility or personnel required  
9 under this section.

Director of fire  
authority to  
liaise with other  
agencies, etc.

10 56.-(1) The Director of a fire authority shall liaise with such other  
11 agencies or institutions that have jurisdiction over any matter revealed or  
12 information gained or obtained during fire fighting or fire safety inspection so  
13 as to ensure that such information is given to the appropriate authority.

14 (2) It is the duty of all other enforcing agencies to liaise with the  
15 Director of a fire authority or his representative on all matters falling within the  
16 scope of this Bill.

Charges for the  
services of the  
Fire  
Administration

17 57.-(1) No charge shall be made for any service rendered by a fire  
18 authority in extinguishing fires.

19 (2) Charges may be made for services, other than extinguishing fires,  
20 rendered by the Fire Administration or a fire authority at rates to be prescribed.

21 (3) Any such prescribed charge may be sued for and recovered with  
22 full costs of action from the person charged, as a debt to the Government of the  
23 Federation.

Personnel of  
the Fire  
Administration  
or a fire authority  
not to be used  
for suppressing  
civil disturbances

24 58. The Personnel of the Fire Administration or a fire authority shall  
25 not be employed for the purpose of the prevention, control or suppression of  
26 civil commotion, riot, or other civil disturbance save when expressly so  
27 authorised by the Vice-President, Comptroller General or Director.

Training of  
National Youth  
Corps members

28 59. The Comptroller General of the Fire Administration and the  
29 Director General of the National Youth Service Corps (NYSC) shall liaise with  
30 and co ordinate the activities of the fire authority and National Youth Service

1 Corps program in any locality respectively, in order to ensure that members  
2 of the National Youth Service Corps in the locality are-

3 (a) trained in fire prevention and control; and

4 (b) involved in fire safety enlightenment campaigns at the grass  
5 root levels.

6 60. The Comptroller General of the Fire Administration shall  
7 liaise with the relevant stakeholders in the educational sector in order to  
8 include fire prevention and control information in the academic curricula of  
9 primary, secondary and tertiary institutions.

Fire education to be included in academic curricula

10 61. A person who is not an employee of the Fire Administration or  
11 a fire authority may, with the approval of the Comptroller General or  
12 Director and on such terms as to payment or otherwise as may be prescribed,  
13 be admitted to all or part of such training in fire fighting and fire prevention  
14 as is established pursuant to this Bill for the training of personnel of the Fire  
15 Administration or a fire authority.

Fire training facilities available to non employees

16 62.-(1) An employee of the Fire Administration or a fire authority  
17 shall not disclose any information gained in the course of his duties to any  
18 other person not covered by section 56 or a court of competent jurisdiction.

Disclosure of Information

19 (2) No employee of the Fire Administration or a fire authority is  
20 permitted to use any such information to his own advantage whether for  
21 financial reward or not.

22 63. Nothing in this Bill shall be construed to exempt an employee  
23 of the Fire Administration or fire authority from being proceeded against by  
24 the ordinary course of law when accused of any offence punishable under  
25 any other Act or law.

Ordinary course of law not to be interfered with

26 64.-(1) A fire alarm, or any mark indicating the location of a fire  
27 hydrant or other water supply as required or prescribed by this Bill may be  
28 affixed or placed upon any land, or other property for the purposes of this  
29 Bill without the consent of the owner of such land or other property and  
30 without compensation.

Affixing of fire alarms, etc.

1 (2) For the purposes of this section-

2 (a) "mark" includes any notice, tablet, plate, pillar , post or other  
3 distinguishing mark;

4 (b) "land" includes buildings, walls, or fences; and

5 (c) "owner" includes any lessee, tenant, licensee, or occupier .

Fire fighting and  
fire prevention  
deemed public  
purposes

6 65. For the purposes of the Land Use Act, fire fighting and fire  
7 prevention shall be deemed to be public purposes.

Directives by  
the President

8 66. Subject to the provisions of this Bill, the President may give to the  
9 Fire Administration directives of a general nature or relating generally to  
10 matters of policy with regard to the performance by the Fire Administration of  
11 its functions and it shall be the duty of the Fire Administration to comply with  
12 the directives.

Fire Safety  
Week

13 67. The first week in the month of November every year is hereby  
14 declared as "Fire Safety Week" and it shall be observed by every fire authority  
15 under the co ordination of the Fire Administration.

Regulations

16 68.-(1) The Vice President may make regulations on the advice of the  
17 Comptroller General-

18 (a) for securing on such terms as to payment or otherwise as may be  
19 specified that an adequate supply of water will be available to the fire authority  
20 in case of fire;

21 (b) for the provision of an additional supply of water for the Fire  
22 Administration or such fire authority as may be necessary from time to time;

23 (c) for the provision at the expense of the Fire Administration or fire  
24 authority, of fire hydrants or other sources of the supply of water at points to be  
25 indicated by the Comptroller General or Director;

26 (d) for the provision at the expense of the Fire Administration or fire  
27 authority of distinguishing marks denoting the situation of each fire hydrant or  
28 other supply of water, which distinguishing marks may be placed, erected  
29 upon, or adjoining, any street or public place;

30 (e) for the provision of uniformity in fire hydrants and other such

1 sources of water supply and in the distinguishing marks denoting the  
2 location of such fire hydrants or other sources of water supply;

3 (f) for the provision of a prior notice from the Water Board to the  
4 Fire Administration or fire authority of any proposed installation of new  
5 main pipes, or of the carrying out of major alterations to any existing main  
6 pipes, together with details, plans and other information of other proposed  
7 works; and

8 (g) in order to give effect to the provisions of this Bill.

9 (2) The Vice President may, on the advice of the Comptroller  
10 General make provision for fire fighting, fire prevention and the alleviation  
11 of distress, and in particular may secure-

12 (a) the service of such fire equipment as may be necessary and  
13 practicable to meet efficiently all normal requirements;

14 (b) the efficient training of members of the Fire Administration or a  
15 fire authority; and

16 (c) efficient arrangements for dealing with calls for the assistance  
17 of the Fire Administration or a fire authority in case of a fire outbreak or  
18 other emergency.

19 (3) The Governor of a state may, on the advice of the Director,  
20 make regulations in order to give effect to an efficient execution of the  
21 functions of the fire authority under this Bill.

22 (4) The Comptroller General may make regulations for a more  
23 efficient execution of the functions of the Fire Administration.

24 69. In this Bill, unless the context otherwise requires-

25 "board" means the board established for a fire authority under section 22 of  
26 this Bill;

27 "chairman" means the chairman of the Fire Board;

28 "commission" means the government regulatory agency in charge of  
29 telecommunications;

30 "comptroller general" means the person appointed as the Inspector in Chief

Interpretation

- 1 and the Chief Executive of the Fire Administration;
- 2 "director" means the Chief Executive of a fire authority;
- 3 "fire administration" means the National Fire Administration established  
4 under section 2 of this Bill;
- 5 "fire authority" means the local fire authority established under section 20 of  
6 this Bill;
- 7 "fire board" means the governing board established for the Fire Administration  
8 under section 6 of this Bill;
- 9 "fire fighting equipment" means the fire engine or appliance, portable  
10 equipment and protective equipment necessary for fire fighting, rescue and  
11 other humanitarian services;
- 12 "governor" means the Chief Executive of a State under whose state jurisdiction  
13 a fire authority is established;
- 14 "market dolphin" means a type of fire fighting appliance required for in a  
15 market fire post;
- 16 "municipality" means a town, city or district with its own local government;
- 17 "operator" means organizations engaged in providing global systems mobile or  
18 fixed wireless communication services;
- 19 "president" means the President of the Federal Republic of Nigeria;
- 20 "rural" means the remote or isolated areas in any municipality with a sparse  
21 population of people and buildings and minimal socio economic development;
- 22 "rapid intervention tender" means a fire engine or appliance in the form of a  
23 pick up vehicle with a mounted water tank, a high pressure pump and any other  
24 equipment required to effectively fight a fire;
- 25 "standard of fire cover" means the standard determined by the Fire  
26 Administration or a fire authority as appropriate for the reduction of risks to  
27 life, property and the environment;
- 28 "tender" means a fire fighting engine;
- 29 "vice-president" means the Vice-President of the Federal Republic of Nigeria.



1 *Committees*

2 3.-(1) The Fire Board may appoint one or more committees to carry  
3 out, on its behalf such of its functions as it may determine.

4 (2) A committee appointed under this paragraph shall consist of such  
5 number of persons (not necessarily members of the Fire Board) as may be  
6 determined by the Fire Board and a person other than a member of the Fire  
7 Board shall hold office on the committee in accordance with the terms of his  
8 appointment.

9 (3) Where the Board desires to obtain advice of any person on a  
10 particular matter, the Board may co opt him for such period as it deems fit but a  
11 person who is in attendance by virtue of this subparagraph shall not be entitled  
12 to vote at any meeting of the Board and shall not count towards a quorum.

13 (4) A decision of a committee of the Fire Board shall be of no effect  
14 until it is confirmed by the Fire Board.

15 4.-(1) The fixing of the seal of the Fire Administration shall be  
16 authenticated by the signature of the Chairman and the Executive Secretary  
17 and any other person authorized specially to act for that purpose by the Fire  
18 Board.

19 (2) Any contract or instrument which if made or executed by a person  
20 not being a body corporate, would not be required to be under seal may be made  
21 or executed on behalf of the Fire Administration by-

22 (i) the Chairman and the Executive Secretary if the total sum involved  
23 exceeds one million Naira; or

24 (ii) by the Chairman or Executive Secretary as the case may be or any  
25 person specially authorized to act for that purpose by the Fire Board if it is  
26 less than one million Naira.

27 (3) Any document purporting to be document duly executed under the  
28 seal of the Fire Administration shall be received in evidence and shall unless  
29 and until the contrary is proved be presumed to be so executed.

30 5. The validity of any proceeding of the Fire Board or of a committee



1 thereof shall not be adversely affected by-

2 (a) a vacancy in the membership of the Board or committee; or

3 (b) a defect in the appointment of a member of the Board or  
4 committee; or

5 (c) reason that a person not entitled to do so took part in the  
6 proceedings of the Board or committee provided that such a person does not  
7 vote in the proceedings of the Fire Board requiring voting.

8 SECOND SCHEDULE

9 *Section 21 (1)*

10 PART I - MODALITIES FOR THE ESTABLISHMENT OF FIRE STATIONS

11 AND FIRE POSTS

12 There is required-

13 (a) for every major market in a state, an adequate number of fire  
14 posts.

15 (b) in every rural area in a municipality, a local government type  
16 fire station.

17 (c) subject to paragraph (b) of this part, for every 2 km radius in any  
18 municipality, one municipal type fire station.

19 (d) for every five municipal fire stations, one metropolitan fire  
20 station, where there exists in the locality, a building of 6 floors and above.

EXPLANATORY NOTE

This Bill seeks to establish the Fire Administration which has a supervisory role over the fire authorities and also to establish a Fire Board to administer the Fire Administration.

This Bill further seeks to establish a fire authority in each State of the Federation.

