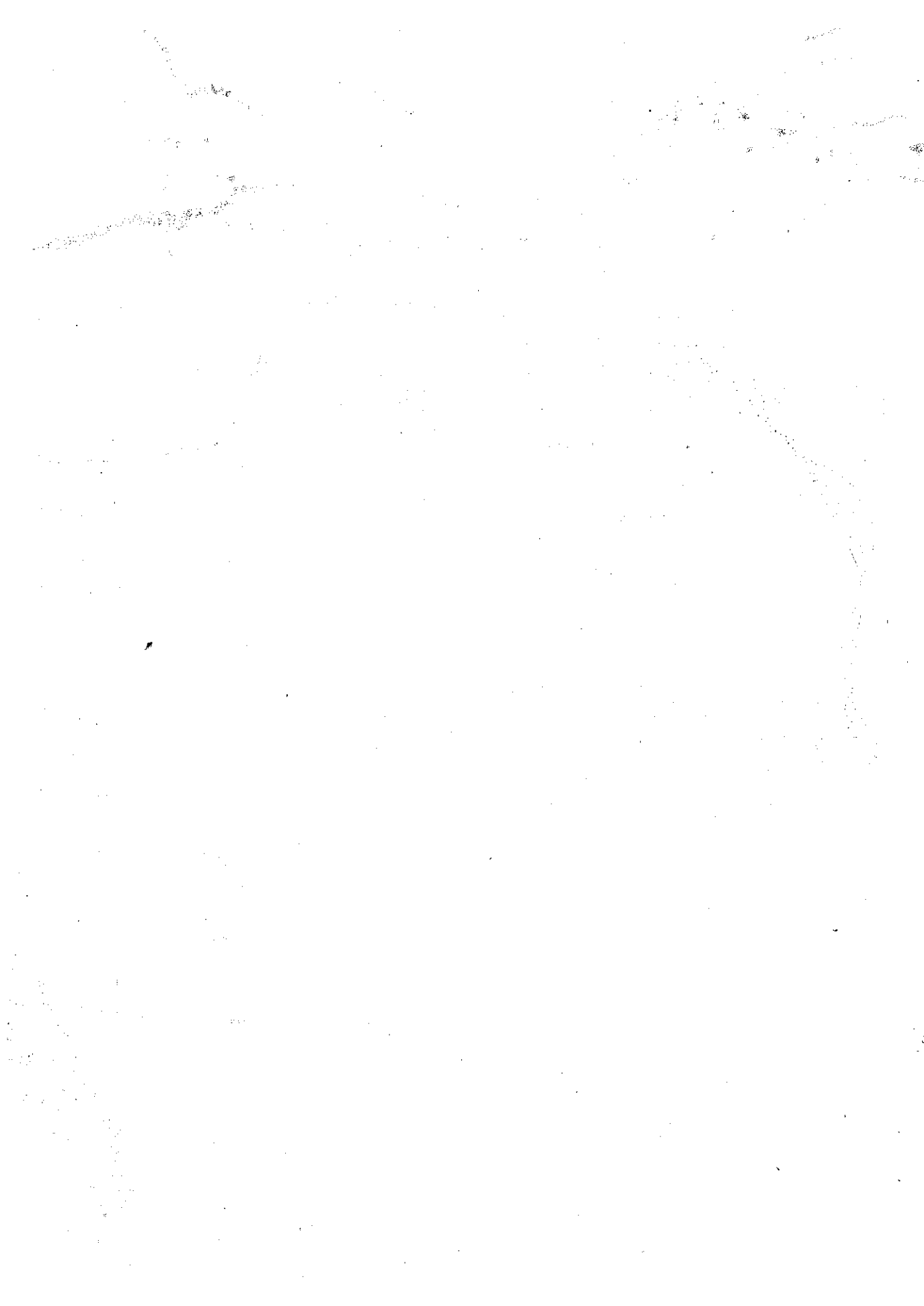


NATIONAL RICE DEVELOPMENT COUNCIL BILL 2019

ARRANGEMENT OF CLAUSES

Clauses:

1. Establishment of the National Rice Development Council
2. Membership of the Council
3. Functions of the Council
4. Tenure of the Chairman and members of the Council
5. Secretariat and other Officers of the Council
6. Funding of the Council
7. Power to accept gifts
8. Power to borrow
9. Annual estimate and Accounts
10. Annual Report
11. Staff Regulations
12. Service of Documents
13. Restriction on Execution against the property of the council
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A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL RICE DEVELOPMENT COUNCIL OF NIGERIA TO PROVIDE GUIDANCE ON THE RICE RESEARCH, COMPREHENSIVE DEVELOPMENT OF THE RICE SECTOR AND THE ORGANIZATION OF THE RICE STAKEHOLDERS TO ENHANCE THE LOCAL PRODUCTION OF RICE IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Honorable Saidu Musa Abdullahi

[] Commencement

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

1 1.-(i) The Bill proposes the establishment of a body to be known as
2 the National Rice Development Council of Nigeria (Referred to as "the
3 Council") which shall have the functions;

Establishment
of the National
Rice Development
Council

4 (ii) The Council shall be a body corporate with perpetual
5 succession and a common seal and may sue and be sued in its corporate
6 name.

7 2.-(i) The Council shall consist of a Chairman to be appointed by
8 the President, on the recommendation of the Minister and the following
9 other members to be appointed by the Minister on the recommendation of
10 the bodies they represent, that is-

Membership of
the Council

11 (a) Representatives of the Rice Farmers Association of Nigeria
12 (RIFAN), Rice Processors Association of Nigeria (RIPAN), Rice Millers
13 Association of Nigeria (RIMAN), Association of Small and Medium Scale
14 Modular Rice Millers of Nigeria (ASMERIMON), Paddy Rice Dealer
15 Association of Nigeria (PRIDAN); Tractor Owner & Hiring Facilities
16 Association of Nigeria (TOHFAN); Nigeria Agro-Input Dealers
17 Association of Nigeria (NAIDA); Rice Processors Association of Nigeria
18 (RIPAN); Women Farmers Advancement Network (WOFAN);

- 1 (b) Representative of the Nigerian Agribusiness Group (NABG);
2 (c) Representative of the Civil Society Advocacy Organizations;
3 (d) Representative of the National Cereals Research Institute (NCRI);
4 (e) Representative of the Federal Ministry of Agriculture and Rural
5 Development;
6 (f) Representative of the NIRSAL;
7 (g) Representative of the NAIC;
8 (h) Representative of the Bank of Agriculture;
9 (i) Representative of the Bankers Committee; and
10 (j) Executive Secretary of the Council.
11 (ii) The supplementary provisions contained in the Schedule to this
12 Act shall have effect on the proceedings of the Council and on other matters
13 contained therein;
14 (iii) Appointment of Chairman and Executive Secretary of the
15 Council-
- 16 (a) The appointment of the Chairman of the Council shall be based on
17 the relevant experience, expertise and integrity of the appointee;
18 (b) The appointment of the Executive Secretary of the Council shall
19 be based on relevant education, training, experience and integrity.
- 20 3. The functions of the Council shall be:
- 21 (a) Draw policy guidelines and action programmes for the entire rice
22 value chain;
23 (b) Provide guidelines on the development of rice estates and the
24 organization of the rice stakeholders to enhance the viability of rice varieties;
25 (c) Facilitate the availability of credit for rice farmers for land
26 preparation and farm inputs in liaison with Federal, State and local government
27 institutions and corporate bodies, whose objectives relate to the objectives of
28 the rice stakeholders;
29 (d) Establish, maintain and supervise the Rice Research and
30 Development Centre to develop new and improved rice production technology

1 and rice varieties;

2 (e) Design and implement the local adaptation of machinery and
3 facilitate technology transfer for rice processing;

4 (f) Set targets and measurements for the performance of local rice
5 producers;

6 (g) Set and regulate quality standards for local rice producers;

7 (h) Advise, based on improvements in local rice production, the
8 Government of the Federation on the rate of tariff to be charged on imported
9 rice; and

10 (i) Consider and advise on any other matter which is aimed at
11 enhancing the objectives of the Council.

12 4.-(i) The Chairman and members of the Council other than ex
13 officio members shall each hold office for a single term of five years, not
14 subject to renewal;

Tenure of Office
of the Chairman
and members of
the Council

15 (ii) Without prejudice to subsection (1) of this section the Minister
16 may appoint from among the members any person to act as the Chairman
17 during the absence or temporary incapacitation illness or otherwise of the
18 Chairman and the person so appointed shall, while the appointment subsists,
19 have the same powers as exercised by the Chairman.

20 5.-(i) There shall be appointed by the Minister, an Executive
21 Secretary who shall be the chief Executive of the Council and shall be
22 responsible to the Council and the Chairman for the day-to-day
23 administration of the Council;

Secretariat and
other Officers of
the Council

24 (ii) There may be appointed from time to time by the Council, such
25 other staff as may be required for the purpose of the efficient performance of
26 the functions of the Council and the staff appointed under this section shall
27 be paid by the Council such remuneration and allowances as are payable to
28 persons of equivalent grades in the public service of the Federation;

29 (iii) The secretariat of the Council shall be located in the Federal
30 Capital Territory, Abuja with offices in each zone of the Federation;

- 1 (iv) The Secretariat shall be responsible to the Council.
- Funding of the
Council 2 6.-(i) The Council shall establish and maintain a Rice Development
3 Fund which shall be applied towards the promotion of the objectives of the
4 Council;
- 5 (ii) There shall be paid and credited to the fund the following:
- 6 (a) Twenty five per cent surcharge on all rice imports;
- 7 (b) 1% of profit after tax of corporate organizations involved in the
8 rice value chain;
- 9 (c) Fees charged for services rendered by the Council;
- 10 (d) A token farmers levy of N50 per annum in consultation with all
11 the Associations represented on the Council; and
- 12 (e) All sums accruing to the Council as gifts, testamentary disposition
13 and endowments or contributions from philanthropic organizations or persons.
- Power to accept
gifts 14 7.-(i) The Council shall by, the approval of the Minister, accept gifts
15 of land, money or other property upon such terms and conditions if any, as may
16 be specified by the person or organization making the gift;
- 17 (ii) The Council shall not accept any gift if the conditions attached by
18 the person or organization making the gift to be inconsistent with the functions
19 of the Council.
- Power to borrow 20 8.-(i) The Council shall by the consent of the Chairman or in
21 accordance with any general guidelines as may be approved by the Council,
22 borrow by way of loan or overdraft from any source any money required by the
23 Council for meeting its obligations and discharging its functions under this Act.
24 So however, that where the sum or the aggregate of the sum involved at any
25 time shall not exceed one third of the Council's income urging the consent or
26 authority of the council;
- 27 (ii) The Council shall, subject to the provisions of this Act and the
28 conditions of any trust created in respect of any property, invest all or any of its
29 funds with the consent of the Chairman or in accordance with any general
30 guidelines approved by the Council;

1 (iii) The Council shall invest any surplus in such securities as may
2 be approved by the Chairman in Council.

3 9. -(i) The Council shall cause to be prepared not later than 30th
4 July in each year, an estimate of the expenditure and income of the Council
5 for the next succeeding year which shall be submitted to the Minister;

Annual Estimate
and Accounts

6 (ii) The Council shall cause to be kept proper accounts and proper
7 records in relation thereto and when certified by the Council such accounts
8 shall be audited as provided in subsection (iii) of this section;

9 (iii) The accounts of the Council shall be audited not later than six
10 months after the end of the year to which the accounts relate by Auditors
11 appointed by the Council from the list and in supplied by the Auditor-
12 General for the Federation.

13 10. The Council shall, not later than 30 June in each year, submit to
14 the Minister a report on the activities of the Council during the immediate
15 preceding year and shall include in such report a copy of the audited
16 accounts of the Council for that year and the Auditor's report thereon.

Annual Report

17 11.-(1) The Council shall, subject to the provisions of this Act,
18 make staff regulations relating generally to the conditions of service of the
19 staff of the Council and without prejudice to the generality of the foregoing,
20 such regulations may provide for-

Staff Regulations

21 (a) The appointment, promotion, termination, dismissal and
22 disciplinary action of the staff of the Council; and

23 (b) Appeals by such Staff against dismissal or other disciplinary
24 measures, shall comply with the condition of service of the Federation.

25 (2) Action on Staff as provided under subsection (1) of this section
26 shall not have effect until approved by the Council, and when so approved
27 the same shall not be published in the Federal Gazette but the Council shall
28 cause them to be brought to the notice of affected persons.

29 12. Any notice, referred to in section 12 of this Act and any
30 summons, notice or other document required or authorized to be served

Service of
documents

1 upon the Council under the provisions of this Act or any other law may be
 2 served by delivering the same to the office of the Executive Secretary of the
 3 Council by sending it by registered post addressed to the Executive Secretary
 4 of the Council.

Restriction on
 execution against
 the property of
 the Council

5 **13.** In any action or suit against the Council, no execution or
 6 attachment or process in the nature thereof shall be issued against the Council,
 7 but any sum of money which may, by the judgment of the court, be awarded
 8 against the Council shall, subject to any directions given by the Council, be
 9 paid from the general reserved fund of the Council.

Regulations

10 **14.** The Council shall make regulations to guide the conduct of all
 11 Stakeholders in the entire rice value chain.

Interpretation

12 **15.** In this Act, unless the context otherwise requires-
 13 "Council" means the National Rice Development Council to be established by
 14 section I of this Bill;
 15 "Chairman" means the Chairman of the Council;
 16 "Member" means a member of the Council and includes the Chairman;
 17 "Minister" means the Minister charged with responsibility for Agriculture and
 18 Rural Development.

Short title

19 **16.** This Bill may be cited as the National Rice Development Council
 20 Bill, 2019.

21 SCHEDULE

22 PROCEEDINGS OF THE COUNCIL

23 *Section 2 (2)*

24 **1.-(i)** The Council shall meet for the conduct of its business at such
 25 time, place and on such day as the Chairman may appoint, but shall meet not
 26 less than twice in a year;

27 **(ii)** At every meeting of the Council the Chairman shall preside but if
 28 absent, the members present at the meeting shall appoint one of the members to
 29 preside at that meeting.

30 **2.** The Council shall have power to regulate its proceedings or those

1 of any of its committees and may make standing orders for that purpose and
2 subject to any such standing orders and to paragraph 3 of this Schedule, may
3 function notwithstanding-

4 (a) Any vacancy in its membership or the absence of any
5 members;

6 (b) Any defect in the appointment of a member; or

7 (c) That a person not entitled to do so took part in its proceedings.

8 3. The quorum at any meeting of the Council shall be one third of
9 the members present at the meeting.

10 4. Where standing orders made under paragraph 2 of this Schedule
11 provide for the Council to co-opt persons who are not members of the
12 Council, but with the requisite education and experience relevant to the
13 entire rice value chain, such persons may attend meetings of the Council and
14 advise it on any matter referred to them by the Council but shall not count as
15 part of the quorum and entitled to vote at any meetings of the Council.

16 *Committees*

17 5. The Council may appoint one or more committees to advise it
18 on the exercise and performance of its functions under this Act and shall
19 have power to regulate the proceeding of its committees.

20 6.-(i) Any contract or instrument which, if entered into or executed
21 by a person not being a body; corporate would not be required to be under
22 seal, may be entered into or executed on behalf of the Council by any person
23 generally or specifically authorized in that behalf by the Council;

24 (ii) Any member of the Council or a committee thereof, who has a
25 personal interest in any contract or arrangement entered into or proposed to
26 be considered by the Council or the committee thereof, shall forthwith
27 disclose his interest to the Council or the Committee, as the case may be, and
28 shall not vote on any question relating to such contract or arrangement.

29 7.-(i) The common seal of the Council shall not be used or affixed
30 to any document except in pursuance of a resolution duly passed at a

1 properly constituted meeting of the Council and recorded in the minutes of the
2 meeting;

3 (ii) The fixing of the seal of the Council shall be authenticated by the
4 Executive Secretary of the Council.

5 (iii) Any document purporting to be a document duly executed under
6 the seal of the Council shall be received in evidence and shall, unless the
7 contrary is proved, be deemed to be so executed.

EXPLANATORY MEMORANDUM

This Bills seeks to establish National Rice Development Council of Nigeria, saddled with the responsibility of advising government at all levels on the modalities of facilitating development of rice farming in Nigeria through research, advocacy of new vistas of rice farming and provision of more that farming equipment.