

[SB. 192]

C 1963

PART VI - PROVISIONS RELATING TO THE AGENCY

NIGERIAN METEOROLOGICAL AGENCY (ESTABLISHMENT, ETC.)

BILL, 2019

ARRANGEMENT OF SECTIONS

*Section:*

PART I - ESTABLISHMENT OF THE NIGERIAN METEOROLOGICAL AGENCY

PART II - ESTABLISHMENT OF THE GOVERNING BOARD OF THE AGENCY

PART III - FUNCTIONS OF THE AGENCY

PART IV - MANAGEMENT AND STAFF OF THE AGENCY

PART V - FINANCIAL PROVISIONS

	Acquisition of land, etc.	24
	Power to enter land to make survey, etc.	25
	Compensation for damages, etc.	26
	Establishment of Staff Housing Scheme	27
	Establishment of Meteorological Calibration Laboratories	28
1.	Establishment of the Nigerian Meteorological Agency	29
2.	Powers of the Agency	30
	Power to investigate and impose fine, etc.	31
	THE AGENCY	32
4.	Establishment of the Governing Board	33
5.	Tenure of office	34
6.	Cessation of membership	35
7.	Emoluments etc.	36
8.	Powers and functions of the Board	37
	Function of rules against the Agency, etc.	38
	Service of documents, notices or process	39
8.	Functions of the Agency	40
9.	Intellectual Property	41
	Restriction on execution against property of the Agency	42
	PART IV - MANAGEMENT AND STAFF OF THE AGENCY	43
10.	Appointment of the Director-General of the Agency	44
11.	Appointment of Legal Adviser	45
12.	Other employees of the Agency and conditions of service	46
13.	Directorates of the Agency	47
14.	Service in the Agency to be Pensionable	48
15.	Co-operation	49
	Power to make regulations or issue orders	50
	PART V - FINANCIAL PROVISIONS	51
16.	Fund of the Agency	52
17.	Expenditure of the Agency	53
18.	Annual estimates and accounts	54
19.	Annual Reports	55
20.	Power to accept gifts	56
21.	Power to borrow	57
22.	Investment in securities	58
23.	Exemption from tax	59

## PART VI - PROVISIONS RELATING TO THE ACQUISITION OF LAND

24. Acquisition of land, etc.
25. Power to enter land to make survey, etc.
26. Compensation for damages, etc
27. Establishment of Staff Housing Scheme
28. Establishment of Meteorological Calibration Laboratories

## PART VII - INVESTIGATION AND ENFORCEMENT

29. Duties of an authorized officer of the Agency
30. Offences and penalties
31. Power to investigate and impose fine, etc
32. Meteorological Orders
33. International Treaties, Conventions or Agreements

## PART VIII - METEOROLOGICAL OBSERVATORY AND SYNOPTIC OFFICE

## ESTABLISHMENT PERMIT

34. Grant of a meteorological permit

## PART IX - LEGAL PROCEEDING

35. Limitation of suits against the Agency, etc.
36. Service of documents, notices or processes
37. Service of notice on Individual or body corporate
38. Restriction on execution against property of the Agency
39. Indemnity of officers
40. Conflicts of interest and use of insider information for personal gain
41. Jurisdiction

## PART X - MISCELLANEOUS

42. Power of the Minister to give directives of general character to the Agency
43. Power to make regulations or issue guidelines
44. Repeal and Savings Provision
45. Transitional provisions
46. Interpretation
47. Short title

# A BILL

## FOR

AN ACT TO REPEAL THE NIGERIAN METEOROLOGICAL AGENCY (ESTABLISHMENT ETC.) ACT, 2003 AND ENACT THE NIGERIAN METEOROLOGICAL AGENCY ACT TO PROVIDE FOR THE REGULATION OF METEOROLOGY AND FOR RELATED MATTERS

*Sponsored by Senator Abdullahi, Yahaya Abubakar*

[ ] Commencement

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

PART I - ESTABLISHMENT OF THE NIGERIAN METEOROLOGICAL AGENCY

1.-(1) There is established a body to be known as the Nigerian Meteorological Agency (in this Act referred to as "the Agency").

Establishment of the Nigerian Meteorological Agency

(2) The Agency:

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

(b) may sue or be sued in its corporate name; and

(c) may acquire, hold, purchase, mortgage and deal howsoever with property, movable or immovable, real or personal, subject to the provisions of the Land use Act.

2.-(1) The Agency shall enforce and administer the provisions of this Act and all other laws impacting on meteorology in Nigeria.

Powers of the Agency

(2) The Agency shall be the sole authority to regulate, license, approve and authorise the standard of meteorological activities and operations in Nigeria save for aeronautical meteorological services.

PART II - ESTABLISHMENT OF THE GOVERNING BOARD OF THE AGENCY

3.-(1) There is established for the Agency a Governing Board (in this Act referred to as "the Board") which shall consist of:

Establishment of the Governing Board

2019 C

1966 C

- 1 (a) a part-time Chairman;
- 2 (b) a representative each not below the rank of a Director from the
- 3 Federal Ministries in charge of:
  - 4 (i) Aviation;
  - 5 (ii) Agriculture and Natural Resources;
  - 6 (iii) Environment;
  - 7 (iv) Transportation; and
  - 8 (v) Water Resources.
- 9 (c) two other persons with cognate experience in meteorological
- 10 matters representing public interest; and
- 11 (d) the Director-General of the Agency.

12 (2) The Chairman and other members of the Board other than ex-

13 officio members as specified in section 3 (1) (b) of this Act shall be appointed

14 by the President on the recommendation of the Minister.

15 (3) The Chairman shall be a person knowledgeable in meteorology or

16 meteorological sciences.

17 (4) The Board may co-opt any person to attend and participate at any

18 of its meetings provided the person so co-opted shall only be in attendance and

19 shall not count towards the quorum or vote at the meeting.

20 (5) The Supplementary Provisions set out in the Schedule to this Act

21 shall have effect with respect to the proceedings of the Board and other matters

22 contained in it.

23 (6) In the absence of the Board, the powers of the Board shall be

24 vested in an Interim Board as prescribed in paragraph 9 of the Schedule to this

25 Act.

Tenure of office

26 4. The Chairman and other members of the Board, other than ex-

27 officio members as specified in section 3(1)(b) of this Act shall hold office for a

28 period of 4 years on such terms and condition as may be specified in their letters

29 of appointment and may be re-appointed for a further term of 4 years and no

30 more.

2019 C

1966 C

1                      5.-(1) The office of a member of the Board shall become vacant

Cessation of membership

2                      where:

3                      (a) his term of office expires;

4                      (b) he resigns his appointment by a notice in writing under his hand

5                      addressed to the President;

6                      (c) he is bankrupt;

7                      (d) he dies;

8                      (e) he is incapable of performing the functions of his office due to

9                      mental or physical illness;

10                     (f) he has been convicted of a felony or any offence involving

11                     dishonesty;

12                     (g) he is found guilty of gross misconduct;

13                     (h) in the case of a person possessed of professional qualifications,

14                     he is disqualified or suspended from practicing his profession in any part of

15                     the world by order of a competent authority made in respect of that member;

16                     (i) the President directs his removal on the satisfaction that it is not

17                     in the interest of the Agency or the public for the person to continue in office

18                     as a member of the Board; or

19                     (j) in the case of an ex - officio member, he ceases to hold the office

20                     on the basis of Which he became a member of the Board.

21                     (2) Where a vacancy occurs in the membership of the Board, it

22                     shall be filled by an appointment by the President of a successor to hold

23                     office for the remainder of the term of office of his predecessor and the

24                     successor shall represent the same interest as that member whose exit

25                     created the vacancy.

26                     6. The Chairman and members of the Board shall be paid such

Emoluments etc.

27                     emoluments, allowances and benefits as the Federal Government may, from

28                     time to time, direct in accordance with extant laws and regulations.

29                     7. The Board shall have power to:

30                     (a) formulate the general policies and guidelines for the efficient

Powers and functions of the Board

- 1 discharge of the functions of the Agency;
- 2 (b) monitor and ensure the implementation of the policies and  
3 programmes of the Agency;
- 4 (c) receive and review annual reports from the Management of the  
5 Agency and submit same to the Minister not later than 30th day of June each  
6 year;
- 7 (d) determine the job description, title, terms, qualifications and  
8 salaries, including allowances of the employees of the Agency, subject to the  
9 approval of the National Income, Salaries and Wages Commission in the case  
10 of remunerations;
- 11 (e) make rules relating generally to the conditions of service of  
12 employees of the Agency, including rules providing for the appointment,  
13 promotion, advancement, determination of appointment and disciplinary  
14 control of employees; and
- 15 (f) carry out such other functions as is necessary or expedient to  
16 ensure the efficient performance of the functions of the Agency under this Act.

17 PART III - FUNCTIONS OF THE AGENCY

Functions of  
the Agency

- 18 8.-(1) The Agency shall be the authority for the performance of  
19 meteorological activities and shall:
- 20 (a) advise the Federal Government on all aspects of meteorology;
- 21 (b) project, prepare and interpret Government policies in the field of  
22 meteorology;
- 23 (c) issue weather forecasts for the safe operation of air-crafts, ocean  
24 going vessels and oil rigs;
- 25 (d) promote the service of meteorology in agricultural, drought and  
26 desertification activities;
- 27 (e) provide meteorological services in operational hydrology and  
28 water resources activities;
- 29 (f) provide weather services in marine, environmental pollution and  
30 bio-meteorology for climatic and human health activities;

1 (g) provide and operate telecommunications systems for  
2 meteorological purposes subject to regulations made by the Nigerian  
3 Communications Commission;

4 (h) proffer advice to the Federal and State Government on  
5 seismological activities;

6 (i) collect, process and disseminate all meteorological data and  
7 information within and outside Nigeria;

8 (j) keep in safe custody all meteorological data and records in the  
9 National Meteorological Archive;

10 (k) be the sole authority to approve, license, certify and regulate the  
11 establishment of meteorological stations for meteorological observations,  
12 the operators and operating personnel at a fee to be prescribed by the Agency  
13 and where, necessary make regulation in this regard;

14 (l) charge cost and sustainability recovery charges for services  
15 rendered by the agency to users;

16 (m) ensure uniform standards of observation of all meteorological  
17 phenomena in Nigeria;

18 (n) keep and maintain a register of all meteorological stations,  
19 observatories, operators and operating personnel;

20 (o) levy fees, penalties and administrative cost of proceedings or  
21 other charges on any person in relation to the functions of this Agency as  
22 prescribed in this Act,

23 (p) enter and seal or close up synoptic stations and observatories at  
24 the premises of persons illegally carrying out any meteorological activities;

25 (q) call for or furnish such data and information generated in the  
26 course of carrying out meteorological activities in Nigeria as may be  
27 considered necessary for the efficient discharge of its functions;

28 (r) prepare adequate guidelines and organise training programmes  
29 for the training of all meteorological professionals and for other  
30 meteorological related activities;

- 1 (s) establish training school for the training of observers, forecasters,  
2 meteorologists and for related meteorological activities;
- 3 (t) ensure that international standards and practice in meteorological  
4 operations is maintained;
- 5 (u) train, conduct and undertake research in the field of tropical,  
6 agricultural, hydro and marine meteorology and other areas of meteorology;
- 7 (v) provide consultancy services on meteorology;
- 8 (w) monitor and issue meteorological components of environmental  
9 pollution and ozone concentration;
- 10 (x) calibrate, develop and fabricate meteorological conventional  
11 equipment for export and internal use;
- 12 (y) report to the relevant authority or organisation and demand  
13 appropriate sanction or closure of any station or premises where  
14 meteorological information is used in contravention to the provisions of this  
15 Act; and
- 16 (z) carry out other activities as are necessary and expedient for the full  
17 discharge of any of its functions under or pursuant to the provisions of this Act.
- 18 (2) Without prejudice to the functions in subsection (1) of this section  
19 the Agency shall be the sole authority to prescribe and issue the meteorological  
20 information and data required for all sectoral activities in Nigeria including:
- 21 (a) aviation;
- 22 (b) defence;
- 23 (c) finance;
- 24 (d) agriculture;
- 25 (e) construction works;
- 26 (d) environment;
- 27 (g) industries;
- 28 (h) marine;
- 29 (i) natural disaster and relief management;
- 30 (j) water resources;



- 1 (k) power and steel;  
2 (l) transport;  
3 (m) science and technology;  
4 (n) oil and gas;  
5 (o) sports;  
6 (p) tourism;  
7 (q) communication; and  
8 (r) insurance.

9 (3) A person, organisation or corporate body shall not carry out or  
10 undertake any of the sectoral activities listed under subsection (2) of this  
11 section without complying with the meteorological requirement as  
12 prescribed by the Agency.

13 (4) The Minister may by order published in the gazette, prescribe  
14 new sectors under subsection (2) of this section, from time to time.

15 (5) In this section, "synoptic stations" includes stations where  
16 meteorological parameters are observed.

17 9.-(1) All data generated or acquired by the Agency either  
18 processed or unprocessed shall be the property of the Agency.

Intellectual  
Property

19 (2) The Agency shall have the power to receive or acquire  
20 intellectual property of any kind on meteorological information and data  
21 generated from its activities.

#### 22 PART IV - MANAGEMENT AND STAFF OF THE AGENCY

23 10.-(1) There shall be for the Agency a Director-General who shall  
24 be appointed by the President on the recommendation of the Minister and on  
25 such terms and conditions as may be specified in his letter of appointment or  
26 as may be determined, from time to time, by the Federal Government.

Appointment of  
the Director-General  
of the Agency

27 (2) The Director-General shall be:

- 28 (a) the Chief Executive and Accounting Officer of the Agency;  
29 (b) responsible to the Board for the day-to-day administration of  
30 the Agency; and

1 (c) appointed for a term of 5 years in the first instance and may, subject  
2 to satisfactory performance, be re-appointed for a further term of 5 years and no  
3 more.

4 (3) A person shall not be appointed as the Director - General, except  
5 he has a recognised professional degree in meteorology or any other  
6 meteorological related sciences with at least 15 years cognate experience, 5 of  
7 which shall be at senior management level

8 (4) The Director-General shall be the permanent representative of  
9 Nigeria in the World Meteorological Organisation in accordance with the  
10 provisions of Article 6, Part V of the Convention of the World Meteorological  
11 Organisation, 1947.

12 (5) The Director-General may be suspended or removed from office  
13 by the President on the recommendation of the Minister where he:

14 (a) has demonstrated inability to effectively perform the duties of the  
15 office;

16 (b) has been absent from 5 consecutive meetings of the Board without  
17 the consent of the Chairman unless he shows good reason for such absence;

18 (c) is found guilty of gross misconduct;

19 (d) in the case of a person possessed of professional qualifications, is  
20 disqualified or suspended from practicing his profession in any part of the  
21 world by an order of a competent authority; or

22 (e) is in breach of the conflict of interest and use of insider information  
23 for personal gain stipulated under section 40 of this Act and in the Schedule to  
24 this Act;

25 (g) The Director-General of the Agency shall not be removed from  
26 office except in accordance with the provisions of this Act;

27 (h) co-ordinate and participate in meteorological inspections and  
28 investigation.

Appointment of  
Legal Adviser

29 **11.-(1)** The Board shall appoint a Legal Adviser for the Agency.

30 (2) The Legal Adviser shall be the Secretary to the Board and shall be:

- 1 (a) a Legal Practitioner with not less than 12 years post call  
2 experience;
- 3 (b) the Director, Legal Services and Enforcement;
- 4 (c) be responsible for keeping the books and proper records of  
5 proceedings and correspondence of the Board and the upkeep of the records  
6 of the Agency;
- 7 (d) administer and discharge all legal obligations and insurance  
8 requirements of the Agency;
- 9 (e) retain external legal services on behalf of the Agency as he may  
10 deem necessary or expedient;
- 11 (f) ensure the enforcement and compliance with the provisions of  
12 this Act;
- 13 (g) carry out the registration of third parties and keep records of all  
14 the third parties relationships with the Agency;
- 15 (i) perform such other functions as the Board or the Director-  
16 General, as the case may be, may from time to time, assign to him.

17 12.-(1) The Agency shall appoint, designate or cause to be  
18 deployed, directly or on secondment from any public or private bodies such  
19 number and category of employees as it may require to assist it in the  
20 effective discharge of its duties and functions under this Act.

Other employees  
of the Agency and  
conditions of  
service

21 (2) The terms and conditions of service including remuneration,  
22 allowances, benefits and pensions of the employees of the Agency shall be  
23 as may be determined by the Board in line with existing laws and  
24 regulations.

25 (2) Nothing in subsections (1) of this section shall prevent the  
26 appointment of a person to any office on terms which may preclude the grant  
27 of a pension, gratuity or other retirement benefits in respect of that office.

28 (3) The Agency may with the approval of the Board, make staff  
29 regulations relating generally to the conditions of service of its employees  
30 and providing for:

- 1 (a) the appointment, promotion and staff discipline;  
2 (b) appeals by employees against disciplinary measures; and  
3 (c) such other matters as it may deem necessary to ensure the efficient  
4 performance of the functions of the Agency under this Act.

5 (4) Staff Regulations and conditions of service made under  
6 subsection (3) of this section shall not have effect until it is published in the  
7 Gazette and website of the Agency.

Directorates of  
the Agency

8 **13.**-(1) The Agency may with the approval of the Board:

9 (a) set up Directorates, Departments, Special Units, technical  
10 committees, working groups and task forces to assist the Agency in the  
11 performance of its duties and functions under this Act; and

12 (b) make changes to its structure, from time to time.

13 (2) There shall be appointed for each of the departments and special  
14 units, a principal officer who shall be known by such designation as the Agency  
15 may determine.

16 (3) Without prejudice to the provisions of subsection (1) of this  
17 section, there shall be for the Agency the following Directorates:

18 (a) Weather Forecasting Services;

19 (b) Meteorological Research and Training;

20 (c) Applied Climate Services;

21 (d) Engineering and Technical Services;

22 (e) Finance and Accounts;

23 (f) Administration and Human Resources; and

24 (g) Commercial and Business Development.

Service in the  
Agency to be  
Pensionable

25 **14.**-(1) Service in the Agency shall be approved public service for the  
26 purpose of the Pension Reform Act and accordingly, officers and other staff of  
27 the Agency shall in respect of their service in the Agency, be entitled to such  
28 pension and other retirement benefits as are prescribed in the Pension Reform  
29 Act.

30 (3) For the purposes of the application of the provisions of the Pension

1 Reform Act, any power exercisable under it by a Minister or other authority  
2 of the Government of the Federation, not being the power to make  
3 regulations, is hereby vested in and shall be exercisable solely by the Board.

4 **15.** In exercising and performing the powers, functions and duties Co-operation  
5 conferred on it under this Act, the Agency may appoint, contract, liaise or co-  
6 operate with experts, relevant organisations, international institutions  
7 including specialised agencies, resource persons, academic and technical  
8 institutes, advisory committees and any other person or authority in order to  
9 assist it in carrying out its functions or duties under this Act

10 **PART V - FINANCIAL PROVISIONS**

11 **16.**-(1) There is established for the Agency a fund into which shall Fund of the  
12 be paid or credited: Agency

13 (a) all subventions and budgetary allocations from the Federal  
14 Government;

15 (b) gifts, loans, grants-in-aid from national, bilateral and  
16 multilateral agencies;

17 (c) administrative penalties payable for violation of  
18 meteorological regulations;

19 (d) returns on investments made by the Agency;

20 (e) 10 percent of landing charges from the Federal Airports  
21 Authority of Nigeria;

22 (d) 10 percent of en-route and over flight charges from the Nigerian  
23 Airspace Management Agency;

24 (g) 9 percent of the 5 percent sales tax surcharged on tickets and  
25 cargo charges by the Nigerian Civil Aviation Authority;

26 (h) fees or funds, approved by the Board in respect of services  
27 provided by the Agency in the following and other commercial activities:

28 (i) rendering of climatic information to the Power and Energy  
29 Sector operators, marine and ocean going vessels and crude oil explorers in  
30 Nigeria,

- 1 (ii) provisions of agricultural, marine and non-aeronautical  
2 meteorological services,
- 3 (iii) exhibition and sale of meteorological data, information or  
4 equipment,
- 5 (iv) production and sale of books, pamphlets, bulletins, etc on  
6 meteorological services,
- 7 (v) provision of consultancy services on meteorology including  
8 investigative meteorological activities and meteorological training,
- 9 (vi) rentals of property, plant and equipment including rents and fees  
10 received from the use of pamphlets and documentaries owned by the Agency,  
11 sale, rent or lease of landed properties,
- 12 (vii) fees from personnel licensing,
- 13 (viii) establishment, registration, licensing, monitoring and  
14 supervision of meteorological stations, telecommunication masts, including  
15 observatories on all on-shore and off-shore platforms used by oil and gas  
16 companies in Nigeria, or
- 17 (ix) provision of meteorological information on the construction of  
18 Government and non-Government owned four storey building and beyond,  
19 roads, dams, telecommunication masts and other related projects;
- 20 (l) any other fund which the Federal Government may designate for  
21 the development of Civil Aviation or Meteorology in Nigeria; and
- 22 (j) such other moneys as may be received by the Agency in the course  
23 of its operations or in relation to the exercise by the Agency of any of its  
24 functions under the Act.
- 25 (2) Subject to the provisions of the Constitution of the Federal  
26 Republic of Nigeria, 1999; the fund established pursuant to subsection (1) of  
27 this section shall be managed in accordance with extant Financial Regulations  
28 applicable in the Public Service of the Federation.
- 29 17. The Agency may, from time to time, apply the proceeds of the  
30 fund established under section 16 of this Act:

1 (a) to the cost of administration of the Agency;

2 (b) to the payment of the emoluments, allowances and benefits of  
3 members of the Board and for reimbursing members of the Board or of any  
4 committee of the Board and for such expenses as may be expressly  
5 authorised by the Board;

6 (c) to the payment of the salaries, fees or other remuneration or  
7 allowances, gratuities and pensions, and other benefits payable to the  
8 officers and other employees of the Agency, provided that no payment of  
9 any kind under this paragraph except such as may be expressly authorised by  
10 the Board shall be made to any person who is within the relevant period, in  
11 receipt of emoluments from the Federal or State Government;

12 (d) for the development and maintenance of any property vested in  
13 or owned by the Agency;

14 (e) to publicise and promote the activities of the Agency; and

15 (f) to undertake such other activities as are connected with the  
16 functions of the Agency under this Act.

17 18.-(1) The Agency shall not later than 30th September in each  
18 year, submit to the Minister an estimate of its expenditure and income  
19 including payments to the Agency's fund for the next succeeding year.

Annual estimates  
and accounts

20 (2) The Agency shall keep proper accounts in respect of each year  
21 and proper records in relation to those accounts and shall cause its accounts  
22 to be audited within 6 months after the end of each year by auditors from the  
23 list and in accordance with the guidelines supplied by the Auditor-General  
24 of the Federation.

25 19. The Agency shall prepare and submit to the Federal Executive  
26 Council, through the Minister, not later than 6 months after the end of each  
27 year, a report in such form as he may direct on the activities of the Agency  
28 during the immediately preceding year and shall include in the report a copy  
29 of the audited accounts of the Agency for that year and the auditor's report on  
30 the accounts.

Annual Reports

- Power to accept gifts
- 1                   **20.**-(1) The Agency may accept any gift of land, money or other  
2 property on such terms and conditions, if any, as may be specified by the person  
3 or organisation making the gift,  
4                   (2) The Agency shall not accept any gift where the conditions  
5 attached by the person or organisation making the gift are inconsistent with the  
6 functions of the Agency under this Act.
- Power to borrow
- 7                   **21.**-(1) The Agency may with the approval of the Minister, borrow  
8 such sums by way of loan, overdraft or from any source, as may be required for  
9 the performance of its functions and meeting its Obligations under this Act; and  
10 any interest payable on monies so borrowed shall be paid out of the fund of the  
11 Agency.  
12                   (2) The Agency shall not, without the approval of the Board borrow  
13 money which exceeds, at any time, the amount set by the Government as the  
14 limit of the borrowing powers of the Agency.
- Investment in securities
- 15                   **22.**-(1) The Agency may, subject to the provisions of this Act and the  
16 conditions of any trust created in respect of any property, invest any or all  
17 monies, in its fund, not immediately required for its current expenditure in:  
18                   (a) any security prescribed by the Trustee Investments Act, or in such  
19 other securities as may, from time to time, be approved by the Minister;  
20                   (b) any securities created or issued by or on behalf of the Federal  
21 Government, as may be approved by the Board, from time to time;  
22                   (c) the purchase or improvement of any land in any part of the  
23 Federation; or  
24                   (d) any venture in Nigeria as may be approved by the Minister,  
25 including investment in stocks quoted on the Nigerian Stock Exchange.  
26                   (2) In the exercise of its powers of investment of its fund under  
27 subsection (1) of this section, the Agency may, from time to time, vary any of  
28 such investments and may deposit any monies for the time being un-invested  
29 with any bank approved by the Agency in line with Government Regulations.



1                   23.-(1) The Agency shall be exempted from the payment of income     Exemption from  
2 tax on any income accruing from investments made by the Agency.     tax

3                   (2) The provision of any law relating to the taxation of companies  
4 or trust shall not apply to the Agency.

5                   PART VI - PROVISIONS RELATING TO THE ACQUISITION OF LAND

6                   24.-(1) The Agency, may subject to the Land Use Act or any     Acquisition of  
7 relevant law acquire any land for the purpose of discharging its functions     land, etc.  
8 under this Act.

9                   (2) Where there is any hindrance in the acquisition of any land by  
10 the Agency under this Act, including any failure by the Agency to reach an  
11 agreement as to the amount to be paid in respect of the acquisition, the  
12 Agency may apply to the Minister for a declaration under subsection (3) of  
13 this section.

14                   (3) The Minister on receiving an application from the Agency and  
15 after such enquiry as he may deem fit in the circumstance, may request the  
16 Governor of the State or the relevant authority where the land is situated to  
17 declare that the land is required for the service of the Agency and  
18 accordingly for an over-riding public purpose.

19                   (4) Where a declaration is made under subsection (3) of this  
20 section, the land to which the declaration relates shall be deemed to be land  
21 required for the purpose of the Federation Within the meaning of the Land  
22 Use Act and the Agency shall acquire the land accordingly.

23                   (5) Where a declaration has been made under subsection (3) of this  
24 section in respect of any land and the:

25                   (a) land has been acquired pursuant to subsection (4) of this  
26 section; or

27                   (b) Governor of the State concerned is satisfied that there is no  
28 rights subsisting in respect of the land; the Governor of the State may vest  
29 the land in the Agency by issuing a Certificate of Occupancy In respect of it,  
30 in favour of and in the name of the Agency.

1 (6) The compensation, if any, payable under the Land Use Act for the  
2 revocation of any rights relating to the land, where applicable, shall be paid by  
3 the Agency.

4 (7) The plan of the land referred to in subsection (2) of this section:

5 (a) containing measurement of the boundaries of the land;

6 (b) showing the relationship of the land to any sufficient identifying  
7 mark; and

8 (c) signed by the Surveyor -General; shall be a sufficient description  
9 of the land for the purpose of an application under that subsection.

10 (8) The Agency shall not, without the prior approval in writing by the  
11 Governor of the State in which the land is situated, alienate, mortgage, charge  
12 or otherwise demise any immovable property which has been vested in the  
13 Agency under this section or in respect of which a right of occupancy has been  
14 granted to the Agency.

Power to enter  
land to make  
survey, etc.

15 **25.-(1)** Subject to this section, the Agency may by its officers,  
16 employees, workmen or agents enter, from time to time, upon any land for the  
17 purpose of the discharge of any of the functions of the Agency under this Act  
18 and, in particular, may enter upon any of such land for the purpose of:

19 (a) inspecting and examining lands, buildings and equipment of  
20 meteorological stations;

21 (b) inspecting and examining accounts, records and memoranda  
22 required to be kept by meteorological stations; and

23 (c) cutting down and removing a tree, under wood or structures that  
24 may interfere with surveys and any installation which constitute hindrance to  
25 meteorological or climate activity.

26 (2) The Agency shall, when practicable, serve on the occupier of any  
27 land on which it intends to enter pursuant to subsection (1) of this section, a  
28 notice in writing giving description of the nature of the work intended to be  
29 carried out on the land.

30 (3) In the discharge of its functions under subsection (1) of this

1 section, the officers, employees, workmen or agents of the Agency may  
2 remain on any land for such reasonable time as may enable them to execute  
3 and do all such work and things as may be necessary for the discharge of the  
4 functions of the Agency under this Act.

5 26.-(1) In the exercise of the power conferred upon it by section 25  
6 of this Act, the Agency, its officers, employees, workmen or agents shall  
7 ensure that buildings, crops and economic trees are protected from damages  
8 and the Agency shall pay compensation for any damage done to any  
9 building, crops and economic trees.

Compensation  
for damages, etc.

10 (2) In the case of dispute as to the amount of compensation payable,  
11 the same shall be determined by a magistrate or district judge exercising  
12 jurisdiction in the place where the land is situated or the High Court within  
13 whose area of jurisdiction the land is situated, as the case may require, and  
14 the decision of the Magistrate, district judge or High Court shall be final and  
15 binding.

16 27.-(1) The Agency may with the approval of the Minister engage  
17 in the establishment of staff housing scheme.

Establishment of  
Staff Housing  
Scheme

18 (2) The Agency shall with the approval of the Board issue  
19 guidelines for the establishment and management of the staff housing  
20 scheme referred to under subsection (1) of this section.

21 28.-(1) The Agency shall establish and operate Calibration  
22 Laboratories at designated locations for purposes of carrying out regular  
23 calibration of meteorological instruments and equipment.

Establishment of  
Meteorological  
Calibration  
Laboratories

24 (2) The Agency shall have power to certify that calibrated  
25 meteorological equipment meets the standard specified by the World  
26 Meteorology Organisation and the Standard Organisation of Nigeria.

#### 27 PART VII - INVESTIGATION AND ENFORCEMENT

28 29.-(1) Any authorised officer of the Agency who has reasonable  
29 grounds for believing that an offence under his Act has been or is being  
30 committed on any premises or there is on any premises, anything connected

Duties of an  
authorised officer  
of the Agency

1 with the commission of any offence under this Act or any regulation made  
2 under it, may enter upon such premises, to:

3 (a) conduct a search of the premises;

4 (b) take measurement and samples, where necessary, for conducting  
5 analysis and tests of any substance found on any premises pursuant to  
6 paragraph (a) of this subsection;

7 (c) arrest any person whom he reasonably suspects to have committed  
8 an offence;

9 (d) take photographs, films, audio, video and other recordings or  
10 extracts from documents and

11 (e) seal up any premises or seize any articles including plant,  
12 equipment, substance, or any other thing whatsoever used in the commission of  
13 an offence or in respect of which an offence has been committed.

14 (2) A written receipt shall be given for any article or item seized under  
15 subsection (1) of this section and the grounds for such seizure shall be stated on  
16 the receipt.

Offences and  
penalties

17 30.-(1) Any person who:

18 (a) hinders or obstructs an authorised officer in the exercise of his  
19 duties under this Act or regulations made under it;

20 (b) fails to comply with a lawful order or requirement made by an  
21 authorised officer pursuant to the provisions of this Act or regulations made  
22 under it;

23 (c) fails, neglects or refuses to carry out a meteorological order issued  
24 under this Act;

25 commits an offence and shall be liable on conviction to a fine of not less than  
26 N250,000 or to a term of 6 months imprisonment or to both.

27 (2) Any person who:

28 (a) collect, use or disseminate weather forecast or any other  
29 meteorological information obtained from any other source outside the

1 approval, license or authority of the Agency for commercial or public  
2 purpose; or

3 (b) impersonate an authorized officer of the Agency, refuse to state  
4 or wrongly state his address and mislead or give wrongful information to an  
5 authorized officer of the Agency;

6 commits an offence under this Act and shall be liable on conviction:

7 (i) in the case of an individual, be liable to a fine of N1,000,000.00  
8 or to a term of 3 years imprisonment or to both; and

9 (ii) in the case of a body corporate, be liable to a fine of not less than  
10 N1,000,000 for every day after receipt of notice of the commission of the  
11 offence from the Agency.

12 (3) Where a body corporate is proved to have been committed on  
13 the instigation or with the connivance of, or is attributable to any neglect on  
14 the part of a director, manager, secretary, head of branch or project manager  
15 or other similar officer of the body corporate, or any person purporting to act  
16 in any of such capacity, he as well as the body corporate, where practicable,  
17 shall be deemed to have committed that offence and liable to be proceeded  
18 against and punished accordingly in line with the provisions of subsection  
19 (1) of this section.

20 31.-(1) The Agency shall after notice and hearing the complaint or  
21 on its own initiative and investigation determine whether any person is  
22 violating any provision of this Act, regulations, rules or orders made under  
23 it.

24 (2) Where the Agency is satisfied after such hearing that such a  
25 person is violating any provisions of this act, regulations, rules or orders, as  
26 the case may be, it shall by order require the person to pay penalty, revoke its  
27 license or take such action consistent with the provisions of this act,  
28 regulations, rules or orders, as may be necessary in the opinion of the  
29 Agency to prevent further violation of the provisions of the Act, regulations,  
30 rules or orders.

Power to  
investigate and  
impose fine, etc.

1 (3) In the exercise of its power, the Agency shall appoint an  
2 administrative panel to give effect to the provision of this section.

3 (4) The decision of the Panel shall become effective upon  
4 confirmation by the Board provided that an appeal from the decision of the  
5 Panel as may be confirmed by the Board shall lie to the Minister.

Meteorological  
Orders

6 32.-(1) The Agency may cause an order known as meteorological  
7 order to be issued or served on any person where it has reasonable grounds for  
8 believing that the person has contravened or is contravening, or there exists a  
9 likelihood of contravention of the provision of this Act or regulations made  
10 under it.

11 (2) A Meteorological Order shall:

12 (a) specify the provision of the Act contravened;

13 (b) state the specific content of the permit or license contravened;

14 (c) direct the owner or person in possession to take remedial  
15 measures to terminate or prevent further re-occurrence; and

16 (d) set out maximum fine for failure to comply with the order.

17 (3) A Meteorological Order may impose any other requirements for  
18 the purpose of preventing, remedying or minimising harm which may include  
19 an order that a person should:

20 (a) stop the commencement of a specified activity indefinitely or for a  
21 specified period of time;

22 (b) take certain measures within a specified period to prevent harm,  
23 remedy or restore the environment to its original state; or

24 (c) not conduct a specific activity except within a specified time or  
25 subject to specified conditions.

26 (4) The issuance of or compliance with an order in respect of a  
27 person's alleged contravention of this Act or the regulations made under it shall

28 not be a bar to any proceedings against the person under this or any other Act in  
29 relation to the alleged contravention by that person.

1                   33. Subject to the provisions of the Constitution of the Federal  
2                   Republic of Nigeria 1999, the Agency shall take necessary measures to give  
3                   effect to any international treaty, convention or agreement concerning any  
4                   aspect of meteorology to which Nigeria is a party.

International  
Treaties,  
Conventions or  
Agreements

5                   PART VIII - METEOROLOGICAL OBSERVATORY AND SYNOPTIC

6                   OFFICE ESTABLISHMENT PERMIT

7                   34.-(1) The Agency may on application made to it by any person,  
8                   grant a meteorological permit in respect of any activity prescribed by the  
9                   Agency, including permit to:

Grant of a  
meteorological  
permit

10                  (a) conduct meteorological research activities; or

11                  (b) develop or test experimental equipment.

12                  (2) Activities for which meteorological permits or license may be  
13                  granted shall include activities specified under sections 8 (1) (k) and 8 (2) of  
14                  this Act.

15                  (3) A person, organisation or corporate body shall not carry out or  
16                  undertake such sectoral activities as mentioned in subsection (2) of this  
17                  section and any other meteorological activity without obtaining the  
18                  Agency's certification, permit or licence and complying with the  
19                  meteorological requirements as prescribed by the Agency.

20                  (4) Any person Who contravenes the provisions of subsection (3)  
21                  of this section shall be liable; where the contravention is by a corporate body  
22                  to a fine not exceeding N5,000,000 and Where the contravention is by an  
23                  individual, to a fine not exceeding N2,000,000;

24                  PART IX - LEGAL PROCEEDING

25                  35.-(1) The provisions of the Public Officers Protection Act shall  
26                  apply in relation to any suit instituted against a member of the Board, an  
27                  officer or employee of the Agency.

Limitation of  
suits against the  
Agency, etc.

28                  (2) Notwithstanding anything to the contrary contained in any law,  
29                  no suit against the Agency, Members of the Board, Director-General or any  
30                  employee shall lie or be instituted in respect of any act done in pursuance to

1 or in execution of the functions, powers and public duties prescribed under this  
2 Act, or in an action in contract, tort, or howsoever unless it is commenced:

3 (a) within 3 months next after the act, neglect or default complained  
4 of; or

5 (b) in the case of a continuation of damage or injury, within 6 months  
6 next after cessation of it.

7 (3) A suit shall not be commenced against a member of the Board, the  
8 Director-General or any other officer or employee of the Agency before the  
9 expiration of a period of 1 month after written notice of the intention to  
10 commence the suit shall have been served on the Agency by the intending  
11 plaintiff or his agent.

12 (4) The notice referred to in subsection (3) of this section shall clearly  
13 and explicitly state the cause of action, the particulars of the claims, the name  
14 and place of abode of the intending plaintiff and the relief which he claims.

15 (5) In any proceeding before a court of law or tribunal, the Agency  
16 may, with the consent of the Attorney-General of the Federation, be  
17 represented by its Legal officers or any legal practitioner authorized by the  
18 Agency who shall have the right to appear at any stage of a proceedings and  
19 who shall satisfy the court that he is duly authorised by the Agency in that  
20 behalf.

Service of  
documents, notices  
or processes

21 36.-(1) A notice, summons or other document required or authorised  
22 to be served on the Agency under the provisions of this Act or any other law  
23 may be served by delivering the same to the Director-General of the Agency or  
24 by sending it by registered post addressed to the Director-General at the  
25 Headquarters of the Agency.

26 (2) Service of notices, warrants, orders, summons, proceedings,  
27 documents or written communication of which service is required, shall be  
28 made by a person appointed for that purpose by the Agency, provided that  
29 where a party is represented by a legal practitioner, service of notices, warrants,  
30 orders, summons, proceedings, documents Or written communication of



1 which service is required may be made through such legal practitioner or  
2 through a partner, counselor clerk under his control.

3 (3) All notices, warrants, order, summons, proceedings, documents  
4 or written communications in respect of which service is required by this Act  
5 shall be sufficient service if left with an adult person resident or employed at  
6 the address for service; provided that where there is no person on the  
7 premises at the time of service, service shall be effected by posting the  
8 process sought to be served at the main entrance gate or wall of the premises  
9 or by advertisement or otherwise as may be deemed necessary and proper in  
10 the circumstances.

11 37.-(1) Any notice required or authorised under this Act to be  
12 served on any person may be served either by:

Service of notice  
on individual or  
body corporate

13 (a) delivering it to the person or his agents or servants;  
14 (b) leaving it at the person's proper address; or  
15 (c) posting it to the person's principal office by registered post or  
16 courier.

17 (2) Any notice required or authorised to be served upon a body  
18 corporate shall be deemed to have been duly served if it is served on a  
19 Director of or the Secretary to the body corporate.

20 (3) For the purpose of this section, the proper address of any person  
21 on whom such notice is to be served shall:

22 (a) in the case of a body corporate, be that of the registered or  
23 principal office of the body corporate; and  
24 (b) in any other case, be the last known address of the person;

25 38. In any action or suit against the Agency, no execution or  
26 attachment of process in any nature of it shall be issued or levied against the  
27 Agency unless:

Restriction on  
execution against  
property of the  
Agency

28 (a) not less than three months' notice of the intention to execute or  
29 attach has been given to the Agency; and

30 (b) the consent of the Attorney-General of the Federation has been

Indemnity of  
officer

1 obtained before execution of the judgment.

2 39.-(1) A member of the Board, the Director-General or any officer or  
3 employee of the Agency shall be Indemnified out of the assets of the Agency  
4 against any liability incurred by him in defending any proceeding, whether  
5 civil or criminal, where the proceeding is brought against him in his capacity as  
6 a member of the Board, Director-General, officer or employee of the Agency.

7 (2) Any Sum of money which may be the judgment of any court  
8 awarded against the Agency shall, subject to any direction given by the court  
9 where no notice of appeal against the judgment has been given, be paid from  
10 the fund of the Agency.

Conflicts of  
interest and use  
of insider  
information for  
personal gain

11 40.-(1) Members of the Governing Board, Director - General,  
12 Directors and employees of the Agency Shall not manage or operate any  
13 meteorological enterprise while in office.

14 (2) Any of the persons specified in subsection (1) of this section,  
15 having a financial interest in any meteorological enterprise:

16 (a) shall make full disclosure of such interest to their respective  
17 appointing Authorities and to the Agency;

18 (b) is prohibited from participating in any action or decision that may,  
19 directly or indirectly, affect their financial interest in any meteorological  
20 enterprise.

21 (3) A member of the Board or the Director-General or any other  
22 officer or employee of the Agency shall:

23 (a) not, for his personal gain, make use of any information which has  
24 come to his knowledge in the exercise of his powers or is obtained by him in the  
25 ordinary course of his duty as a member of the Board or as the Director-  
26 General, officer or employee of the Agency;

27 (b) treat as confidential any information which has come to his  
28 knowledge in the exercise of his powers or is obtained by him in the  
29 performance of his duties under this Act; and

30 (c) not disclose any information referred to under paragraph (b) of this

1 subsection, except where required to do so by a court or in such other  
2 circumstances as may be prescribed by the Agency and approved by the  
3 Board, from time to time.

4 41. The Federal High Court shall have jurisdiction to try offences, Jurisdiction  
5 hear and determine proceedings arising under this Act.

6 PART X - MISCELLANEOUS

7 42.-(1) The Minister may from time to time, give general policy Power of the  
Minister to give  
directives of  
general character  
to the Agency  
8 guidelines to the Agency.

9 (2) Notwithstanding the provisions of subsection (1) of this  
10 section, the Minister may give to the Agency directives of a general or  
11 specific nature relating generally to a particular matter or case, as the case  
12 may be.

13 (3) The Agency shall comply with any policy guidelines or any  
14 directive given to it by the Minister pursuant to subsection (1) or (2) of this  
15 section.

16 43.-(1) The Agency may with the approval of the Board, make Power to make  
regulations or  
issue guidelines  
17 rules, guidelines or regulations as in its opinion are necessary or expedient  
18 for giving full effect to the provisions of this Act and for the due  
19 administration of its provisions, save for aeronautical meteorological  
20 services.

21 (2) The contravention of any regulations issued pursuant to any of  
22 the provisions of this Act shall constitute an offence and shall be punishable  
23 as prescribed in the particular regulations.

24 44.-(1) The Nigerian Meteorological Agency (Establishment, Etc.), Repeal and Savings  
Provision  
25 Act, 2003 is hereby repealed.

26 (2) Without prejudice to section 6 of the Interpretation Act, the  
27 repeal of the Act specified in subsection (1) of this section, shall not affect  
28 anything done under or pursuant to the Act.

29 (3) Every regulation, order, requirement, certificate, notice,  
30 direction, decision, authorisation, consent, application, request or thing

1 made, issued, given or done under the repealed Act shall, if in force at the  
2 commencement of this Act, continue to be in force and have effect as if made,  
3 issued, given or done under the corresponding provisions of this Act.

4 (4). All assets, funds, resources and other movable and immovable  
5 property which, immediately before the commencement of this Act, vested in  
6 the Agency established under the repealed Act shall by virtue of this Act and  
7 without further assurance be vested in the Agency established under section 1  
8 of this Act.

9 (5) Every reference to the former Agency, Board, Minister, Executive  
10 Secretary, Board Chairman or any person under their control or a document  
11 issued in the name of the former Agency, Board, Minister, Executive Secretary,  
12 Chairman of the former Board or employee of the former Agency shall be read,  
13 unless the context otherwise requires, as a reference to the Agency, Minister,  
14 Board, Director-General, Chairman, or an employee of the Agency established  
15 under this Act, as the case may be.

Transitional  
provisions

16 45.-(1) Any person who immediately before the commencement of  
17 this Act was a staff of the Agency established under the repealed Act shall  
18 continue in office and be deemed to have been appointed under this Act for  
19 purposes of Pension.

20 (2) Any person who immediately before the coming into force of this  
21 Act is the holder of any office in the Agency existing before the  
22 commencement of this Act shall on the commencement of this Act continue in  
23 office and be deemed to have been appointed to his office unless the authority  
24 by which the person was appointed terminates the appointments.

25 (3) Properties held immediately before the commencement date of  
26 this Act on behalf of the Nigerian Meteorological Agency by any person shall,  
27 by virtue of this Act, be vested in the Agency established under this Act.

28 (4) The Agency established in section 1 of this Act shall be subject to  
29 all the obligations and liabilities to which the former Agency was subject  
30 immediately before the commencement of this Act and all other persons shall

1 have the same rights, powers and remedies against the Agency established  
2 by this Act as they had against the Agency immediately before the  
3 commencement of this Act.

4 (5) Any proceeding or cause of action pending or existing  
5 immediately before the commencement of this Act by or against the Agency  
6 established under the repealed Act in respect of any right, interest, obligation  
7 or liability of the Agency may be continued or commenced, as the case may  
8 be, and any determination of a court of law, tribunal or other Commission or  
9 person may be enforced by or against the Agency established by this Act to  
10 the same extent that such proceeding, cause of action or determination might  
11 have been continued, commenced or enforced by or against the Agency  
12 existing before the commencement of this Act

13 (6) As from the commencement of this Act, any disciplinary  
14 proceeding pending or existing against any employee of the Agency shall be  
15 continued and completed by the Agency established under this Act.

16 46.-(1) In this Act:

17 "aeronautical service" includes information, direction and other facilities  
18 furnished, issued or provided in connection with meteorological forecasts or  
19 data;

20 "airport" means any area on land or water including any building,  
21 installation and equipment intended to be used either wholly or in part for  
22 the arrival, departure and surface movement of aircraft;

23 "Board" means the governing Board of the Agency established under  
24 section 3 (1) of this Act;

25 "meteorology" means meteorology as applied to ocean activities;

26 "member" means a member of the Board and includes the Chairman;

27 "meteorology" means the study dealing with the phenomena of the  
28 atmosphere;

29 "Minister" means the Minister in charge with the responsibility of matters  
30 relating to aviation and Ministry" shall be construed accordingly;

Interpretation

- 1 "power" includes functions and duties;
- 2 "premises" includes lands, plants and ancillary works;
- 3 "President" means the President of the Federal Republic of Nigeria;
- 4 "weather" means the state of the atmosphere which consists of the short-term  
5 minutes to months variation of the atmosphere;
- 6 "Agency" means the Nigerian Meteorological Agency;
- 7 "authorised officer" means the Director-General or any other officer of the  
8 Agency specifically or generally authorised by the Director-General to carry  
9 out the functions of the Agency under this Act;
- 10 "agro-meteorology" means the application of meteorological information and  
11 data in the monitoring, management of agricultural activities and in aid of food  
12 production and security;
- 13 "Convention' of the World Meteorological Organization" is found in the Basic  
14 Documents, of the World Meteorological Organization Publication Number  
15 15. Authentic text of the Convention of the World Meteorological  
16 Organization, adopted by the Washington Conference on 11 October 1947, is  
17 as amended by Resolutions 1 and 2 adopted by the Third Congress in 1959;  
18 Resolutions 1 and 2 adopted by the Fourth Congress In 1963; Resolutions 1, 2  
19 and 3 adopted by the Fifth Congress in 1961; Resolution,48 adopted by the  
20 Seventh Congress in 1975; Resolution 50 adopted by the Eighth Congress in  
21 1979; Resolutions 41, 42 and 43 adopted by the Ninth Congress In 1983;  
22 Resolutions 39 and 41 adopted by the Fourteenth Congress in 2003 and  
23 Resolution 44 adopted by the Fifteenth Congress in 2007;
- 24 "Government" means Government of the Federal Republic of Nigeria;
- 25 "hydro-meteorology" means the application of meteorological information  
26 and data in the monitoring and management of water resources sector and  
27 water related phenomenon;
- 28 "marine-meteorology" means the application of meteorological information  
29 and data in the monitoring and management of coastal and ecosystem and  
30 maritime activities such as ocean transportation and shipping, fisheries, oil

1 exploration etc;

2 "policy and guidelines" means policy and guidelines made for the  
3 administration of the functions of the Agency;

4 "Regulations" means rules that may be established by the Agency from time  
5 to time for the administration and regulation of meteorological services in  
6 Nigeria;

7 "seismological activities" means application of meteorological information  
8 and data in the monitoring of earthquake and tremor and other earth related  
9 activities;

10 "synoptic station" means a meteorological observatory where all the  
11 meteorological parameters are observed and reported on a 24 hourly basis;  
12 and

13 "WMO" means World Meteorological Organisation,

14 (2) Every other term shall have the same meaning as contained in  
15 the Basic Documents of the World Meteorological Organisation.

16 47. This Bill may be cited as the Nigerian Meteorological Agency Short title  
17 (Establishment, etc.) Bill, 2019.

18 SCHEDULE

19 *[Section 3(5)]*

20 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD ETC.

21 *Proceedings of the Board*

22 1. Subject to this Act and section 27 of the Interpretation Act, the  
23 Board shall have power to regulate its proceedings and may make Standing  
24 Order with respect to the holding of its meetings, and those of the  
25 committees, notices to be given, the keeping of minutes of its proceedings,  
26 the custody and production for inspection of such minutes and such other  
27 matters as the Board may from time to time, determine.

28 2. At every meeting of the Board, the Chairman shall preside and  
29 in his absence the members present at that meeting shall appoint one of their  
30 numbers to preside at the meeting.





*Miscellaneous*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

10. The common seal of the Agency shall be kept in the custody of the Director Legal Services and shall be authenticated by the signature of the Director - General or such other officer as the Board may designate.

11. The fixing of the seal of the Agency shall be authenticated by the signature of the Director-General or any other person generally or specifically authorised by the Board to act for that purpose and that of the Secretary of the Agency.

12. Any contract or instrument which if made by a person not being a body corporate would not be requires to be under seal may be made or executed on behalf of the Agency by the Director-General or any other person generally or specifically authorised by the Board to act for that purpose.

13. Any document purporting to be a contract instrument or other document duly signed or sealed on behalf of the Agency shall be received in evidence and shall, unless the contrary is proved be presumed without further proof to have been so signed or sealed.

14. The validity of any proceedings of the Board or any of its committees shall not be affected by:

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

(b) any defect in the appointment of a member of the Board or committee; or reason that any person not entitled to do so took part in the proceedings of the Board or committee.

15. A member of the Board or a Committee set up by the Board or Agency who is directly or indirectly interested in any matter being deliberated on by the Board, or is interested in any contract made or proposed to be made by the Agency shall, as soon as possible after the relevant facts have come to his knowledge disclose the nature of his interest at a meeting of the Board or Committee and shall not vote on any question relating to the contract or arrangement.

1           16. A disclosure under paragraph 15 of this Schedule shall be  
2 recorded in the minutes of the meetings of the Board and the member  
3 concerned shall:

4           (a) not, after the disclosure, take part in any deliberation or decision of  
5 the Board: and

6           (b) be excluded for the purpose of constituting a quorum of any  
7 meeting of the Board for any deliberation or decision, with regard to the subject  
8 matter in respect of which his interest is so disclosed

9           17. A member of the Board or a committee shall not be personally  
10 liable for any act or omission done or made in good faith while engaged on the  
11 business of the Agency.

#### EXPLANATORY MEMORANDUM

*(This Memorandum does not form part of the above Bill but is  
intended to explain its purport)*

This Bill seeks to repeal the Nigerian Meteorological Agency (Establishment etc.) Act, 2003 and to enact the Nigerian Meteorological Agency (Establishment etc.) Act, 2019 to provide for comprehensive legal and institutional framework for the regulation of meteorology in Nigeria.