



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

RICE COUNCIL BILL, 2022

(SB. 53)

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 ORGANISATION OF THE RICE
STAKEHOLDERS TO ENHANCE THE LOCAL PRODUCTION OF RICE IN NIGERIA; AND
FOR RELATED MATTERS, 2022

FIRST READING	-	WEDNESDAY, 9 TH OCTOBER 2019
SECOND READING	-	TUESDAY, 10 TH DECEMBER 2019
THIRD READING AND PASSAGE	-	WEDNESDAY, 19TH JANUARY, 2022

RICE COUNCIL BILL, 2022



Arrangement of Clauses

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- 1.- Establishment of the National Rice Development Council
 - 2.- Membership of the Council
 3. Functions of the Council
 - 4.- Tenure of Office of the Chairman and members of the Council
 - 5.- Secretariat and other Officers of the Council
 - 5.- Funding of the Council
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 - 9.- Annual Estimate and Accounts
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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 ORGANISATION OF THE RICE STAKEHOLDERS TO ENHANCE THE LOCAL PRODUCTION OF RICE IN NIGERIA; AND FOR RELATED MATTERS, 2020 (SB. 53)

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Commencement

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

1. (1) There is established the National Rice Development Council of Nigeria (in this Bill referred to as “the Council”). **1.-Establishment of the National Rice Development Council**
- (2) The Council -
- (a) shall be a body corporate with perpetual succession,
 - (b) a common seal, and
 - (c) may sue and be sued in its corporate name.
2. (1) The Council shall consist of- **2.- Membership of the Council**
- (a) a Chairman who is appointed by the President, on the recommendation of the Minister;
 - (b) representative of the Federal Ministry of –
 - (i) Agriculture and Rural Development,
 - (ii) Industry, Trade and Investment,
 - (iii) Water Resources,
 - (iv) Finance,
 - (v) Science and Technology
 - (vi) Environment;
 - (c) Representative of the-
 - (i) Central Bank of Nigeria;
 - (ii) Standard Organisation of Nigeria;
 - (iii) Consumer Protection Council;
 - (iv) Rice Farmers Association of Nigeria (RIFAN);
 - (v) Paddy Rice Dealers Association of Nigeria (PRIDAN);
 - (vi) Civil Society Advocacy Organisations,;
 - (vii) National Cereals Research Institute (NCRI);
 - (viii) Rice Processors Association of Nigeria (RIPAN).
 - (ix) Rice Millers Association of Nigeria (RIMAN);
 - (x) Association of Small and Medium Scale Modular Rice Millers of Nigeria (ASMERIMON);
 - (xi) Rice Policy Advocacy Initiative of Nigeria (RIPAIN); and
 - (xii) the Executive Secretary of the Council.
- (2) The Minister shall appoint other members of the Council on the recommendation of the bodies they represent.

(3) The supplementary provisions contained in the Schedule to this Bill shall have effect on the proceedings of the Council and on other matters contained therein.

(3) Appointment of Chairman and Executive Secretary of the Council

(a) The appointment of the Chairman of the Council shall be based on the relevant experience, expertise and integrity of the appointee.

(b) The appointment of the Executive Secretary of the Council shall be based on relevant education, training, experience and integrity.

3. The Council shall -

Functions of the Council

- (a) draw policy guidelines and action programmes for the entire rice value chain;
- (b) provide guidelines on the development of rice estates and the organization of the rice stakeholders to enhance the viability of rice varieties;
- (c) facilitate the availability of credit for rice farmers for land preparation and farm inputs in liaison with Federal, State and Local Government institutions and corporate bodies, whose objectives relate to the objectives of the rice stakeholders;
- (d) establish, maintain and supervise the Rice Research and Development Centre;
- (e) design and implement the local adaptation of machinery and facilitate technology transfer for rice processing;
- (f) set targets and measurements for the performance of local rice producers;
- (g) set and regulate quality standards for local rice producers;
- (h) advise, based on improvements in local rice production, the Government of the Federation on the rate of tariff to be charged on imported rice; and
- (i) consider and advise on any other matter which is aimed at enhancing the objectives of the Council.

i. (1) The Chairman and Members of the Council, other than Ex-Officio Members, shall each hold office for a single term of five years.

4.- Tenure of Office of the Chairman and members of the Council

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

i. (1) The Minister shall appoint an Executive Secretary who is the Chief Executive of the Council and is responsible to the Council and the Chairman for the administration of the Council.

5.- Secretariat and other Officers of the Council

(2) The Council may appoint other staff as may be required for the purpose of the efficient performance of the functions of the Council.

(3) The Council shall pay the staff appointed under this section such remuneration and allowances as are payable to persons of equivalent grades in the public service of the Federation.

(4) The secretariat of the Council shall be located in the Federal Capital Territory, Abuja.

(5) The Secretariat shall be responsible to the Council.

6. (1) The Council shall establish and maintain a fund (in this Bill referred to as "the Fund") which shall be applied towards the promotion of the objectives of the Council.

6.- Funding of the Council

(2) There shall be paid and credited to the Fund the following-

(a) 25% surcharge on all rice imports;

(b) 1% of profit after tax of corporate organizations involved in the rice value chain.

(c) Fees charged for services rendered by the Council;

(d) A token farmers levy of N50 per annum in consultation with the Associations represented on the Council; and

(e) All sums accruing to the Council as gifts, testamentary disposition and endowments or contributions from philanthropic organizations or persons.

7. (1) The Council shall, by the approval of the Minister, accept gifts of land, money or other property upon such terms and conditions if any, as may be specified by the person or organization making the gift.

7.- Power to accept gifts

(2) The Council shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Council.

8. (1) The Council shall, by the consent of the Chairman or in accordance with any general guidelines as may be approved by the Council, borrow by way of loan or overdraft from any source any money required by the Council for meeting its obligations and discharging its functions under this Bill:

8.- Power to borrow

Provided that where the sum or the aggregate of the sum involved at any time shall not exceed One Third of the Council's income urging the consent or authority of the Council.

(2) The Council shall, subject to the provisions of this Bill and the conditions of any trust created in respect of any property, invest all or any of its funds with the consent of the Chairman or in accordance with any general guidelines approved by the Council.

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

9.- Annual Estimate and Accounts

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

(2) The Council shall cause to be kept proper accounts and proper records in relation thereto and when certified by the Council, such accounts shall be audited as provided in subsection (3) of this section.

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

10.- Annual Report

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

11.- Staff Regulations

11. (1) The Council shall, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the staff of the Council including provision for —

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

(b) appeals by such staff against dismissal or other disciplinary measures, shall comply with the condition of service of the Federation.

(2) Action on staff pursuant to subsection (1) does not have effect until approved by the Council, and, when so approved, the same shall not be published in the Federal Gazette, but the Council shall cause them to be brought to the notice of the affected persons.

12.- Service of documents

12. A notice, summons or any, other document required or authorised to be served upon the Council under this Bill or any other law, may be served by delivering the same to the office of the Executive Secretary of the Council by sending it by registered post addressed to the Executive Secretary of the Council.

13.- Restriction on execution against the property of the Council

13. In any action or suit against the Council, no execution attachment or process shall be issued against the Council, but any sum of money which may, by the judgment of the court, be awarded against the Council shall, subject to any direction given by the Council, be paid from the Fund of the Council.

14.- Regulations

14. The Council shall make regulations to guide the conduct of all stakeholders in the entire rice value chain.

15.- Interpretation

15. In this Bill —

“Council” means the National Rice Development Council established under section 1 (1) of this Bill;

“Chairman” means the Chairman of the Council;

“Member” means a member of the Council and includes the Chairman;

"Minister" means the Minister charged with responsibility for Agriculture and Rural Development.

16. This Bill may be cited as the Rice Council Bill, 2022.

16.- Short title

SCHEDULE

Proceedings of the Council

1. (1) The Council shall meet for the conduct of its business at such time, place and on such day as the Chairman may appoint, but shall meet at least twice in a year.

(2) At every meeting of the Council, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of *them* to preside at that meeting.

Power of the Council to regulate its proceedings

2. The Council shall have power to regulate its proceedings or those of any of its committees and may make standing orders for that purpose and subject to any standing order under paragraph 3 of this Schedule, may function notwithstanding—

- (a) any vacancy in its membership or the absence of any of its members;
- (b) Any defect in the appointment of a member; or
- (c) That a person not entitled to do so took part in its proceedings.

Quorum

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

Co-opted Members

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

Committees

5. The Council may set up one or more Committees to advise it on the exercise and performance of its functions under this Bill and shall have power to regulate the proceeding of its Committees.

Authentication of instruments not under seal and personal interest in contract

6. (1) Any contract or instrument, which if entered into or executed by a person not being a body corporate would not be required to be under seal, may be entered into or executed on behalf of the Council by any person generally or specifically authorised in that behalf by the Council.

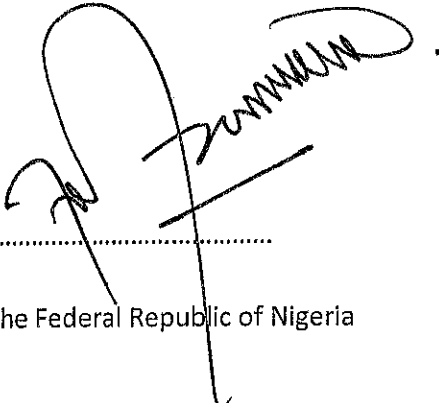
(2) Any member of the Council or a Committee who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a Committee, shall immediately disclose his interest to the Council or the Committee, and he shall not vote on any question relating to the contract or arrangement.

- 7. (i) The common seal of the Council shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Council and recorded in the minutes of the meeting.
- (ii) The affixing of the seal of the Council shall be authenticated by the Executive Secretary of the Council.
- (iii) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Rice Development Council of Nigeria to provide guidance on the rice research, comprehensive development of the rice sector and organisation of the rice stakeholders to enhance the local production of rice in Nigeria.

THIS BILL WAS PASSED BY THE SENATE ON WEDNESDAY, 19TH JANUARY, 2022



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President,
Senate of the Federal Republic of Nigeria



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Clerk,
Senate of the Federal Republic of Nigeria