

# 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 Senator Bimma Enagi*

[ . . ] Commencement

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

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), Rice Policy Advocacy  
15 Initiative of Nigeria (RIPAIN), etc.

16           **(b)** Representative of the Paddy Rice Dealer Association of Nigeria  
17 (PRIDAN);

18           **(c)** Representative of the Central Bank of Nigeria;

- 1 (d) Representative of the Civil Society Advocacy Organizations;  
2 (e) Representative of the National Cereals Research Institute  
3 (NCRI);  
4 (f) Representative of the Federal Ministry of Industry, Trade and  
5 Investment;  
6 (g) Representative of the Federal Ministry of Agriculture and Rural  
7 Development;  
8 (h) Representative of the Federal Ministry of Water Resources;  
9 (i) Representative of the Federal Ministry of Finance; 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;

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

1 approved by the Chairman in Council.

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

Annual Estimate  
and Accounts

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

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

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

Annual Report

16 11.-(1) The Council shall, subject to the provisions of this Act,  
17 make staff regulations relating generally to the conditions of service of the  
18 staff of the Council and without prejudice to the generality of the foregoing,  
19 such regulations may provide for-

Staff Regulations

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

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

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

28 12. Any notice, referred to in section 12 of this Act and any  
29 summons, notice or other document required or authorized to be served  
30 upon the Council under the provisions of this Act or any other law may be

Service of  
documents



1 function notwithstanding-

2 (a) Any vacancy in its membership or the absence of any  
3 members;

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

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

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

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

#### 14 *Committees*

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

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

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

27 7.-(i) The common seal of the Council shall not be used or affixed  
28 to any document except in pursuance of a resolution duly passed at a  
29 properly constituted meeting of the Council and recorded in the minutes of  
30 the meeting;

1           (ii) The fixing of the seal of the Council shall be authenticated by the  
2     Executive Secretary of the Council;

3           (iii) Any document purporting to be a document duly executed under  
4     the seal of the Council shall be received in evidence and shall, unless the  
5     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 the Organization of the rice Stakeholders to enhance the local production of rice in Nigeria.