

A BILL

FOR

AN ACT TO ESTABLISH COMMUNAL FARMS IN ALL THE 774 LOCAL GOVERNMENT AREAS OF THE FEDERATION TO DEVELOP A SUSTAINABLE AGRO ALLIED BUSINESS IN NIGERIA AND FOR RELATED MATTERS, 2020

Sponsored by Hon. Oberuakpefe Anthony Afe

[] Commencement

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

1 1.-(a) There shall be establishment of a land administration
2 committee which may only be disestablished if its existence is no longer
3 required in terms of this Act; Establishment
of Land
Administration
Committee

4 (b) In the exercise of the powers and the performance of the duties
5 of a land administration committee as contemplated in sub-section, a
6 representative of the traditional council must ensure that the composition of
7 its membership satisfies the requirements;

8 (c) Any provision in this Act which refers, or is applicable to a
9 traditional council is intended to establish norms and standards and a
10 national policy with regards to Communal land, to effect uniformity across
11 the nation.

12 2.-(a) A land administration committee must consist of a total Composition
of the Committee
13 number of members as may be determined by the representatives of the
14 Minister in consultation with the Local Government political leadership;

15 (b) At least one third of the total membership of a land
16 administration committee must be women;

17 (c) One member of a land administration committee must represent
18 the interest of vulnerable members, including women, children, youth, the
19 elderly and the disabled;

20 Each of:

	1	(i) Representative of the Minister;
	2	(ii) Representative from the State Ministry of Agriculture;
	3	(iii) Representative from local government department of
	4	Agriculture;
	5	(iv) Representative of the host communities.
Term of Office	6	3. The term of office of the members of the land administration
	7	committee is determined by the rules but may not exceed a period of five years.
Powers and duties of Land Administration Committee	8	4. -(i) Registration of communal land;
	9	(ii) Establishment and maintenance of registers and recording of all
	10	transactions affecting such rights;
	11	(iii) Promote and safeguard the interest of the host communities;
	12	(iv) Assist in the resolution of land disputes;
	13	(v) Continuously liaise with the relevant agency or institution
	14	concerning the provision of basic services and infrastructural development;
	15	(vi) Dispute resolution;
	16	(vii) Perform any other duty as may be prescribed by the Minister.
Establishment of Communal Farming Board	17	5. -(a) The Minister may, by notice in the Gazette;
	18	(i) Establish one or more communal land board having jurisdiction in
	19	such...,
	20	(ii) Disestablish a Board or amend its area of jurisdiction.
	21	(b)Composition:
	22	(i) Members of the Board must be appointed by the Minister in
	23	accordance with the principle of Federal character through a nomination and
	24	selection process, from local, state and federal.
	25	(c)A Board consist of:
	26	(i) One representative from each of the organs of state determined by
	27	the minister;
	28	(ii) One member nominated by institutions or persons in agricultural
	29	sector.
	30	(d) Members from the affected Local Government, of whom at least;

- 1 (i) One must represent the interest of farmers;
- 2 (ii) One must represent the interest of female/youth;
- 3 (iii) One must represent the interest of community.
- 4 (e) In approving member of the Board, the Minister must:
- 5 (i) have due regard to the required knowledge of agriculture ,
- 6 including relevant skills, expertise and experience;
- 7 (ii) ensure that at least one third of the Board members are women.
- 8 (f) a member of the Board is appointed for a period of five years but
- 9 minister may in her/or his discretion extend such term of office by a further
- 10 period not exceeding six months until a new Board member has been
- 11 appointed,
- 12 (g) The Minister must, after consultation with the appointed Board
- 13 members appoint:
- 14 (i) A chairperson and a deputy chairperson from among such
- 15 members;
- 16 (ii) When a chairperson is unable to perform his or her duties, the
- 17 deputy chairperson must perform such duties.
- 18 (h) The Minister must publish in the Gazette the names of and
- 19 position held by, each appointed to a Board the date on which each
- 20 appointment takes effect and such other information as may be prescribed.
- 21 (i) If a member of a Board dies or vacates office before the expiry of
- 22 his or her term of office, the Minister may appoint another person to serve
- 23 out the remaining portion of such term.
- 24 **6.-(a)** The Minister may not appoint as a member of a Board a
- 25 person who:
- 26 (i) Is declared by a court of law to be mentally incompetent;
- 27 (ii) Has been removed from an office of trust on account of
- 28 improper conduct;
- 29 (iii) Has had his or her name removed from any professional
- 30 register on account of misconduct and who has not been reinstated by a

Disqualification
as Board Member

1 competent court of law or the body;
2 (iv) Is an elected or appointed political representative in the national
3 state or local government.

4 (b). A member of a Board must vacate his or her office if he/she:

5 (i) becomes disqualified in terms of sub-section (1) from being
6 appointed as a member of a Board;

7 (ii) resigns by written notice addressed to the minister;

8 (iii) is removed from office by the minister on reasonable ground,
9 after a 2/3 vote of no confidence by the Board members.

10 (c) Has without the leave of the Board , been absent from half or more
11 than meetings of the Board a continuous twelve -month period.

Land requirement
for farming

12 **7.** For the purpose of the communal farm:

13 (i) A local government shall acquire a land not less than 500 hectares
14 in one (1), two (2) or three(3) locations within the Local Government Area;

15 (ii) Those in metropolitan cities, where there is no enough availability
16 of land, the state may go into partnership with another state, for the purpose of
17 acquiring farm land.

Comparative
Farming

18 **8.** The land administrative committee shall make sure that farming is
19 based on comparative advantage where production will yield best according to
20 the soil structure and fertility in areas of crop production, others include ;
21 Livestock production, Farm production, Farm tools, Machinery and
22 Agriculture economies

Financial
Provisions

23 **9.**-(a) There shall be established for the farm a fund which shall be
24 managed and controlled by the Board;

25 (b) All subventions and budgetary allocations from the Federal
26 Government and states counterpart funding;

27 (c) All sums accruing to the farm from time to time from agricultural
28 grant;

29 (d) Gift, donations and contributions national and international
30 institutions and philanthropist;

- 1 (e) Fees, if any, charged by the farm for services rendered;
- 2 (f) A contribution of 0.05 of net earnings from Bank of Agricultural
- 3 co-operatives societies and grant from Central Bank of Nigeria.

4 **10.** This Bill may be cited as the Communal Farm (Establishment) Citation
5 Bill, 2020.

6 SCHEDULE

7 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

8 *Proceedings of the Board*

9 1. Subject to the provisions of this bill, the Board may make
10 standing orders regulating its proceedings

11 2. The Board shall meet whenever summoned by the chairman, or
12 if required to do so, by at least 2/3 of members of the Board.

13 3. The Chairman shall preside over the meeting of the Board and in
14 his absence; the members of the Board shall nominate one person amongst
15 themselves to act as the chairman for that meeting.

16 *Committees*

17 1. The management committee may appoint sub-committee to
18 carry out, on his behalf, sub-committees to carry out, on his behalf, such
19 functions that the committee shall legitimately carry out.

20 2. The decision of the sub-committee appointed shall be rectified
21 by the management committee to be effective.

EXPLANATORY MEMORANDUM

This Bill seeks to provide a framework for the establishment of communal farms in each Local Government of the Federation to sustain Agricultural Business in Nigeria.