



CROSS RIVER STATE OF NIGERIA

LAW NO. 21 (2007)

A Law to provide for the establishment of the Cross River State Border Communities Development Commission and for other matters connected therewith.

Long Title.

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Commencement.

BE IT ENACTED by the Cross River State House of Assembly as follows –

Enactment.

PART I ESTABLISHMENT OF THE COMMISSION

1. (1) There is hereby established a body to be known as the Cross River State Border Communities Development Commission (in this Law referred to as the "Commission").

Establishment of the Border Communities Development Commission.

(2) The Commission shall be a body corporate, with perpetual succession and a common seal and with power to sue and be sued in its corporate name and to own, hold and dispose of property whether movable or immovable.

(3) The border communities referred to in this law are as contained in the schedule to this law.

2. Members of the Commission shall be appointed by the Governor and shall consist of the following –

Membership of the Commission.

- (a) the Deputy Governor as Chairman;
- (b) the Attorney General and Commissioner for Justice;
- (c) the Commissioner for Works;
- (d) the Commissioner for Lands;
- (e) the State Security Adviser;
- (f) the Commissioner for Education;
- (g) the Commissioner for Health;
- (h) the Surveyor-General of the State; and
- (i) a representative of each Senatorial District of the State.

3. (1) A member of the Commission, other than an ex-officio members (that is, paragraphs (a–h) of section 2 above), shall hold office for a period of three (3) years and may, at the end of such term, be eligible for re-appointment .

Tenure of Office.

(2) An ex-officio member shall cease to be a member of the Commission if he ceases to hold the office that qualified him for membership of the Commission.

4. (1) A person may not be appointed as a member of the Commission if that person -

Appointment of members of the Commission.

- (a) under any Law in operation in any part of the Federation of Nigeria, is adjudged to be a lunatic or otherwise declared to be of unsound mind;
- (b) is under a sentence of death imposed on him by a competent court of law in Nigeria or a sentence of imprisonment or fine involving dishonesty or fraud;
- (c) has, within a period of less than ten years prior to his/her nomination, been convicted and sentenced for an offence involving fraud or dishonesty; and

(d) is an undischarged bankrupt having been so adjudged by a court of competent jurisdiction or otherwise declared bankrupt under any law in force in any part of Nigeria.

(2) A member of the Commission may, at any time, resign his office in writing addressed to the Governor through the Chairman of the Commission.

(3) A member of the Commission, other than an ex-officio member, shall cease to hold office or be removed before the expiration of his tenure by the Governor if -

- (a) he becomes bankrupt; or
- (b) he is convicted of a felony or any offence involving dishonesty or fraud; or
- (c) he is indicted for a serious misconduct or for acts inimical to the smooth running of the Commission; or
- (d) become of unsound mind or incapable of carrying out his duties; or,
- (e) in the case of a professional person, if he is disqualified or suspended from practicing his profession in any part of the world by an order of a competent authority made in respect of that member.

Remuneration.

5. Members of the Commission shall be paid such allowances and remuneration as may be determined by the Governor.

PART II - FUNCTIONS AND POWERS

Functions of the Commission.

6. (1) The Commission shall -

- (a) in conjunction with the relevant security agencies, take requisite steps to ensure security of border communities;
- (b) undertake the comprehensive development of border communities within the State;
- (c) advise Government on Border Communities development and other related issues;
- (d) consult with the border communities and advice the State Government on areas which require urgent attention in order to maintain peace and develop border communities;
- (e) execute such policies, projects and programmes in border communities as the state government may direct;
- (f) co-ordinate the activities of all relevant Ministries, Departments and Agencies in the implementation of Government policies and programmes for the development of border communities;
- (g) plan and implement strategies towards ensuring efficient execution of projects and dispute resolution machinery within border Communities.

(2) The Commission shall perform such other functions as are necessary or incidental to the attainment of the objectives of this Law.

7. The Commission shall have power to set guidelines for the implementation and monitoring of Government projects in border communities.

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PART III - STAFF OF THE COMMISSION

8. (1) The Management of the Commission shall be headed by a Director-General to be appointed by the Governor on such terms and conditions as the Governor may deem fit.

Powers of the Commission.

(2) The Director-General, who shall be the Chief Executive Officer of the Commission, shall serve at the instance of the Governor and may be removed from office at the Governor's discretion.

Appointment of Director-General and Directors.

(3) A person shall not be appointed a Director-General if that person is otherwise disqualified from being appointed into the Commission as member under this Law.

(4) The Director-General shall be assisted by Directors who shall be appointed by the Governor and shall be deployed as heads of departments of the Commission to be created on the Governor's approval.

(5) Where the Director-General or a Director is appointed by the Governor from outside the State Civil Service, the remuneration and conditions of services of such officer shall be the same as that of a Permanent Secretary or Director, respectively, in the state civil service.

9. (1) The Commission may, from time to time, appoint, subject to the approval of the Governor, such other staff, as it may deem necessary to assist in the performance of the business of the Commission.

Staff of the Commission.

(2) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of officers and employees of the Commission shall be determined by the Civil Service guidelines and regulations in operation, and subject to such rules.

- (a) the staff of the Commission shall be civil servants deployed from other ministries or other agencies of government or recruited for the Commission, as the need may arise, by the State Civil Service Commission;
- (b) staff of the Commission shall, in respect of their service in the Commission, be entitled to pension, gratuities and other retirement benefits as applicable in the state civil service; and
- (c) notwithstanding subsection (2) (b) above, the Commission may appoint a person to any office on contract terms, which shall preclude the grant of a pension, gratuity or retirement benefits.

PART IV - FUNDS AND ACCOUNTS

10. The funds of the Commission shall consist of -

- (a) such sums as may from time to time be granted to the Agency by contributions from the State Government and Local Government Councils; such sums shall be contributed in the following ratio -
 - (i) 1% of the monthly statutory allocation to all Local Government Councils in the state to be deducted in accordance with the Local Government Law; and
 - (ii) a matching monthly contribution from the state government which shall not be less than 1% of the statutory allocation of the Local Government Councils for the particular month.

Funds and Accounts.

- (b) such revenue as the Commission may derive from its investments and services;
- (c) loans and grants to the Commission; and
- (d) such sums as may accrue to the Commission from any other source.

Loans and grants by the State Government and advance account.

11. It shall be lawful for the Government to make to the Commission –

- (a) grants of any sums or property as the Government shall deem fit; and
- (b) loans upon such terms as to repayment, payment of interest or otherwise, as the Government may determine.

Borrowing powers.

12. The Commission may, subject to such terms and conditions as may be approved by the Governor, borrow such moneys as it may from time to time require for the performance of any of its functions under this Law.

Bank Account.

13. (1) The Commission shall keep and operate bank accounts in reputable banks approved by the Governor and all moneys received on behalf of the Commission shall be paid into the said accounts.

(2) No withdrawal shall be made from the said accounts unless the cheque or other instrument in respect of such withdrawal is signed by the Director-General and the accountant of the Commission or such other persons as may be authorized in that behalf of the Commission.

Estimates.

14. The Commission shall, not later than the 31st day of September in each year, submit to the Governor estimates of the revenue and expenditure of the Commission during the next succeeding financial year.

Account and annual reports.

15. (1) The Commission shall keep proper records, books and statements of the Commission relating to the income and expenditure of the Commission, and balance sheet for each financial year.

(2) The Commission shall, within 6 months of the end of each financial year, submit to the Governor –

- (a) a report of its activities for that financial year;
- (b) profit and loss account of the Commission including its balance sheet for that financial year.

Auditor-General report.

16. The report of the State Auditor-General on the said account be forwarded to the Cross River State House of Assembly at the end of each financial year.

PART V - MEETINGS OF THE COMMISSION

Meetings of the Commission.

17. (1) The members of the Commission may at such date, time and place as the Chairman may decide, hold any meeting for the transaction of its business: Provided that the Commission shall meet at least once every three months.

(2) The Chairman shall preside at such meetings and shall have both an original and a casting vote.

Attendance of non members.

18. Whenever on any special occasion the Commission desires to obtain the service of any person on any matter, the Commission may invite such person to be in attendance at such meetings as the Commission may decide, and the person so invited shall have all the rights and privileges of a member except that he shall not vote on any question or count towards the quorum at such meeting.

19. The proceedings of the Commission meetings shall not be affected by reason of any defect in the appointment of any member, or the absence of any member or vacancy in the membership of the Commission or that a person not so entitled has taken part in such proceedings. Validity of proceedings.

20. No meeting of the Commission shall proceed to business unless half of the members of the Commission are present at such meeting and this shall be the quorum. Quorum,

21. The Commission may make standing orders for the proper conduct of its business and the regulation of its proceedings or those of any of its committees. Standing Orders.

PART VI MISCELLANEOUS PROVISIONS

22. (1) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the Commission by any person generally or specially authorized by the Director-General for that purpose. Execution or issue of instrument.

(2) Any document purporting to be a document duly executed or issued under the seal of the Commission or on behalf of the Commission shall, unless the contrary is proved, be deemed to be a document so executed or issued as the case may be.

23. A member or staff of the Commission shall not be personally liable for any act or omission or for any default of the Commission so long as such act, omission or default was in good faith and in the course of the operations of the Commission. A member not personally liable.

24. Service upon the Commission of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Director General of the Commission. Service of notice or other legal process.

25. In this Law, unless the context otherwise requires - Interpretation.

"Border Communities" means Communities lying on the external borders of the state as contained in the schedule herein;

"Chairman" means the Chairman of the Commission;

"Commission" means the Cross River State Border Communities Development Commission established under this Law;

"Director-General" means the Chief Executive of the Commission;

"Federation" means the Federal Republic of Nigeria;

"Governor" means the Governor of Cross River State;

"Government" means the Government of Cross River State;

"Member" means member of the Commission and includes the Chairman;

"State" means Cross River State of Nigeria.

This Law shall be known as the Cross River State Border Communities Development Commission Law 2007, and shall come into force on theday of 2007. Short Title/ Commencement.

SCHEDULE

S/NO.	LOCAL GOVERNMENT COUNCIL	BORDER COMMUNITIES
1.	Akamkpa	Ekang Mfamenyin Nkame Mbeban Ojok Old Ndebiji Owom Ikpai Nyaje Ntebachot Old Ekuri New Ekuri Orem New Okuri Abung Ekongonaku Akor Okarara
2.	Abi	Ekuereku - Akarafor Anong - Ekureku Akpoha Ekurekuba Egboronyi Emim Ekpon Efafanyi Igoni goni Ebom Ebijakara Bazohure Ibalebo Ghetani Ekpon Agbara - Agbakolo
3.	Akpabuyo	Idebe offiong Umo Esuk Mba Esuk Ewa Effiom

S/NO.	LOCAL GOVERNMENT COUNCIL	BORDER COMMUNITIES
4	Bakassi	Ndidung Esit Ikot Ekeng Ewa Esit Ikot Ewa Nsa Esine Ufot Akwa Obio Iwang Okuku Barakpa Ikot Antigha Ikot Ene Uyi Ikot Abasi Ene Akwa Ikot Antigha Owok Nyama Ikot Mkpang Ikot Abasi Effiong Ikot Enene Itam Asiak Obufa Itam Ekpene Esuk Efruit Esighi Idua Iwang Asiak Obufa Efut Ikot Eyo Ndem Ine Akpa Inwang Ine Obodom Ine Inua Esighi Ama Odung Ekpri Obutong Akwa Obutong Ekpri Ikang Edik Idim Ikot Effanga Edik Idim Ikot Eyi Ikang Esine Ufot Ikang Effio Ekpe Ine Ukpono Ine Effiom Ine Akpa Ikang Ine Ikang Ine Utan Asuquo Ine Nkan Olkure 1 & 2 Ine Ibout Owong Nwak Ofong Uberre Ofum Ine Asibong Ewo Edik Inim Ndian Ubom Ine Iyoso Akpab Okon Ene Ita Ikot Okon Ekpri Wong Ikot Nkokanie Abakpa Ikot Efi Odiong Ene Ikot Obok Efiom

S/NO.	LOCAL GOVERNMENT COUNCIL	BORDER COMMUNITIES
	Bakassi contd.	Ikot Otu Usung Esuk Efiio Obori Ikot Archibong Ikot Edem Oku Ikot Iwang Esuk Okon Ikot Mkpanane Ama Odung Ifiang Etap Okon Edem Mbakang Ifiang Nsung Edik Okon Idem Esin Ufot Nyok Efiang Ifiang Edem Inyang Esuk Beto Ine Assem Ifiang Ayong Obot Aqua Esuk Aye Abana Akpangkanya Ekpoft Abia Odiong Attai Ema Akwa Archibong Efut Iwang Amoto Ambai Ekpa Natunda
5.	Bekwarra	Abukpem Akaraba Gakem Atibulum Agbara Ilah Utugbor Akpakpa Nyanya Abuagbor Iye Ikparikobo
6.	Biase	Etana Ipene Urugbam Ubrini Imienyo Biakpan Ikun Umouolo Edu Egbor Obum Ikun Abanwan

S/NO.	LOCAL GOVERNMENT COUNCIL	BORDER COMMUNITIES
	Biase contd.	Utuma Ibini Emudakotong Omaronwanga Inuk Evai Emibit
7.	Boki	Bashu 1 & 2 Danare 1 & 2 Aba-ogbagante Abnorok (Biajua) Bumaji Ekwaro Okwangwo Beebo Bamba Okwa 1 & 2
8.	Calabar South	Anantigha Duke Town Henshaw Town Urua Inwang James Island
9.	Etung	Abia Agbokim Ajassor Mfum Okoroba Old Mfamenyin Mission Abijang Nsofang Mkpot Ekugatai
10.	Ikom	Ntan Nselle
11.	Obanliku	Kakwe Lishiehe Shikpeche Ablesang Blekonu Bayuluga New Ikwette Baggo Bagga market Bassenge Amana 1 & 2 Utanga Iyindeve Ogbakoko Memgbe Belegete Kotele Amanakureke

S/NO.	LOCAL GOVERNMENT COUNCIL	BORDER COMMUNITIES
	Obanliku contd.	Balinge I & 2 Apombu Old Ikwette
11.	Obubra	Obagu Ete Obiagu Ibom Eja Ijutum Idoro Ospong Ofonekom Isobo Bikobiko Ebiom Ogada Apiapum Ofodua Abuna Oheuna Eda Okpetumo Azuanyi Eoda Isobotaka Imabana Onyadama Adun Beach
12.	Obudu	Nkirira Ukprinyi Ukwutia Mgbenege Ukpe Bettekwe Igwo Ukambi Atiekpe Abonkib Ukpanya Ikuomku Bebuabong
13.	Odukpani	Iso Akpa Utan Ine Ekpi Ufok Iso Inim Ufok Mfin Akpa Mfrukim Ini Eta Eyo Okon Ikot Efiok Akpatre Efe Odu Okpo Ukwa Isong Inyang Mbiabo Usuk

S/NO.	LOCAL GOVERNMENT COUNCIL	BORDER COMMUNITIES
	Odukpani contd.	Ikot Akpana Aquo Ikot Akpatre Efe Mbiabong Ito Akwa Efe Nkanta Ukwa Ibom Mbiabo Ukwa Iso Esuk Ededet Ikot Etan Oku Ikot Udia Obio Usuiere Ikot Offiang Ebiti Ukwa Nkasi Mkwa Plantation Amukabi Mbiabo Ukwa Onor Usung Esuk Ekanim Ukim Afia Isong Obio Inwang Ikot Mme Asang Ntan Obu Obio Usiere Obot Akpabi Ito Ikot Nya Mbiabo Esin Ufot Ufok Afin Ikot Essien Ekpe Inyang Ikot Eton Mbiabo Ikoneto Mbiabo Abasi Efari Mbiabo Edere Mbiabo Ikot Edem Efehentem Ikot Efa
14.	Yala	Ijibollio 1 Benekaba Ntrigom Obiagu Ndubia Odariko Ijiraga Ntara Waterside Eketekwe Isuong Dogu Obendegana Egangan

S/NO.	LOCAL GOVERNMENT COUNCIL	BORDER COMMUNITIES
	Yala contd.	Wanishem Ukwava Achuata Doma Odokodo Sofid Achuera Ukpe Ucheimama Ayu Obarakonde Ijegbeji Elu-Ogolo Elu-Okoro Ogba Ijibollo 2 Adum Ukun Ipollo Okpagada Ndunwakwu Ogomogomo Eketekwe Okpodom-Ntrigom Ishibong Wanagina Idah Otukpo Opipua Uchu Wonye Ijiegu Ijama Elu-Gbala Elu-Kapia Mfuma Abuom Ngolome Ochongo Osina Alifokpa Ipuole Gabu Mbuor Abakpa Igbofia Owelemat Adum-Wanokom Item-Wanikade Ucheyum Lema-Wanogana Akulega Okakala-Iyango Oyeje Makilipi Lema Odda Addum-Wanihem

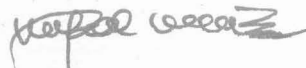
S/NO.	LOCAL GOVERNMENT COUNCIL	BORDER COMMUNITIES
	Yala contd.	Ehik Alomolor

This printed impression has been carefully compared by me with the Bill which has been passed by the Cross River State House of Assembly and found by me to be a true and correctly printed copy of the said Law.



ELDER (NTUFAM) JOHN A. OKON
CLERK OF THE HOUSE

I assent



LIYEL IMOKE
GOVERNOR
CROSS RIVER STATE

MADE at Calabar this 31st Day of December 2007.