

A BILL

FOR

AN ACT TO ESTABLISH NATIONAL INDUSTRIAL PARK DEVELOPMENT AGENCY AS A MECHANISM FOR CLUSTERING OF KNOWLEDGE & INNOVATION BASED INDUSTRIAL PARKS FORMATIONS IN NIGERIA; AND FOR RELATED MATTERS, 2022 (SB. 850).

[] COMMENCEMENT

Enacted by the National Assembly of the Federal Republic of Nigeria –

SECTIONS	PROVISIONS OF THE PRINCIPAL ACT	PROVISIONS OF THE AMENDMENT BILL	REMARKS
	<p>1. Establishment of the National Industrial Park Development Agency, etc.</p> <p>(1) There is established the National Industrial Park Development Agency (herein after called “the Agency”).</p> <p>(2) The Agency:</p> <ul style="list-style-type: none">(a) Shall be a body co-operate,(b) May be sued and be sued in its co-operate name; and(c) May hold movable and immovable property. <p>(3) The agency shall have its corporate Headquarters in Abuja, the Federal Capital Territory.</p>		

	<p>2. Constitution of the Board of the Agency.</p> <p>(1) There is constituted a Board for the Agency, herein after called “the Board”;</p> <p>(2) The Board shall consist of:</p> <p>(a) The chairman,</p> <p>(b) a representative of the following Ministries not below the rank of a Director;</p> <p>(i) Ministry of Commerce, Industry and Investment,</p> <p>(ii) Ministry of Labour and Employment,</p> <p>(iii) Ministry of Science and Technology,</p> <p>(iv) Ministry of Justice, and</p> <p>(v) Ministry of Agriculture;</p> <p>(c) A representative each of the following bodies;</p> <p>(i) Manufacturers Association of Nigeria,</p> <p>(ii) Council for the Regulation of Engineering of Nigeria (COREN)</p> <p>(d) The Director-General of the Agency, who shall serve as the Secretary.</p> <p>(3) The provision contained in the schedule to this Bill shall have effect with respect to the tenure of office of members and proceedings of the Board and other matters mentioned therein.</p>		
	<p>3. Functions of the Agency</p> <p>The Agency shall perform all or any of the following functions</p> <p>(a) Admission of entrepreneurs in to clusters</p> <p>(b) Utilization of products by micro, small and medium Enterprises</p> <p>(c) Industrial development with foreign direct and indirect investment</p> <p>(d) Provisions and maintenance of infrastructure</p>		

	<ul style="list-style-type: none"> (e) Technology transfer and development (f) Entrepreneurship development (g) Development of inventors /innovators; (h) Human resources development; and (i) Development of Research Institutes. 		
	<p>4. Tenure of office of members of the Board</p> <ul style="list-style-type: none"> (1) The Chairman and members of the Board shall be appointed by the President on recommendation of the Minister, and shall each hold office for a term of four years, subjected to renewal by the President for another four years and no more. (2) Without prejudice to the foregoing provisions, the Minister may appoint from among the members any person to act as temporary Chairman during the long absence or temporary incapacitation or other cause of the Chairman and the person so appointed shall, while the appointment subsists, have the same powers as exercised by the Chairman. 		
	<p>5. Fund of the Agency</p> <ul style="list-style-type: none"> (1) The Agency shall establish and maintain a Fund which shall be applied toward the promotion of the objectives specified in this bill (2) There shall be paid and credited for the Fund established pursuant to subsection (1) of this section – <ul style="list-style-type: none"> (i) Such sum as may accrue to the Agency byway of subvention from the Federal Government. (ii) Fee charged for service rendered by the Agency (iii) Contribution from the organized private sector; and (iv) All sums accruing to the Agency by way of gifts, testamentary disposition and endowments or contributions from private organizations. 		

	<p>6. Staff of the Agency</p> <p>(1) There shall for the Agency a secretariat which shall be under the control of the Director-General.</p> <p>(2) The Director-General shall be responsible for the day to day administration of the council</p> <p>(3) There may be appointed such other staff for the Agency as may be required for the purpose of the efficient performance of the functions conferred on the Agency and the Agency shall pay such staff such remuneration and allowances as are payable to persons by equivalent grade in the civil service.</p>		
	<p>7. Power to accept gifts</p> <p>(1) The Agency may, with 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.</p> <p>(2) The Agency shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the functions of the Agency</p>		
	<p>8. Borrowing power</p> <p>(1) The Agency may, with the consent of the Minister or in accordance with any general guidelines approved by the President, borrow by way of loan or overdraft from any source any moneys required by the Agency for meetings, obligations and discharging its functions under this Act;</p> <p>(2) The Agency may invest any surplus funds of the Agency in such securities as may be approved by the President.</p>		
	<p>9. Annual estimates and account</p> <p>(1) The Board shall cause to be prepared not later than 30th June in each year, an estimate of the expenditure and income of the Agency during the year and when prepared, they shall be submitted to the minister.</p> <p>(2) The Agency shall cause to be kept, proper account of the Agency and</p>		

	<p>proper records in relation thereto and when certified by the Agency, such accounts shall be audited as provided in subsection (3) of this section.</p> <p>(3) The accounts of the Council shall be audited with six months after the end of each year by an auditor appointed by the Board from the list of auditors and in accordance with the guidelines supplied by the Auditor-General for the Federation.</p>		
	<p>10. Annual</p> <p>The Agency shall, not later 30th September in each year, submit to the Minister a report on the activities of the Agency and its administration during the immediately preceding year and shall include in such report audited accounts of the Agency.</p>		
	<p>11. Staff Regulations</p> <p>The Board may, subject to the provisions of this Bill, make staff regulations relating generally to the condition of service of the staff of the Agency and without prejudice to the generality of the foregoing, such regulation may provide for-</p> <p>(a) The appointment promotion, termination, dismissal and disciplinary control of staff of the Agency; and</p> <p>(b) Appeals by such staff against dismissal or other disciplinary measures.</p>		
	<p>12. Procedure in respect to suits against the Council, etc.</p> <p>No suit shall be commenced against the Agency before the expiration of a period of the month after written notice of intention to commence by the intending plaintiff or his agent, and the notice shall clearly and explicitly state-</p> <p>(a) The cause of action,</p> <p>(b) The particulars of the claim,</p> <p>(c) The name and place of abode of the intending plaintiff</p> <p>(d) The relief which he claims.</p>		

	<p>13. Service of documents</p> <p>The notice referred to in Section 12 of this Bill, and any summons, notice and other documents required or authorized to be served upon the Board may be served by delivering the same to the Chairman or the Director-General or by sending it by registered post addressed to the Director or the Principal of the Agency.</p>		
	<p>14. Restriction on execution against the property of the Agency</p> <p>In any action or suit against the Agency, and execution or attachment of process in the nature thereof shall be issued against the Agency, but any sums of money which may, by the judgment of the court, be awarded against the Council shall subject to any directions given by the Board, be paid from the general reserve fund of the Agency.</p>		
	<p>15. Power to give direction</p> <p>The Minister may give the council directions of a general character or relating generally to particular matters (but not to any individual or case) with regard to the exercise by the Council of its functions under this Act, and it shall be the duty of the Agency to comply with such directions.</p>		
	<p>16. Interpretation</p> <p>In this Act:</p> <p>“Chairman” means the Chairman of the Board</p> <p>“Board” means the National Industrial Development Park Agency established by section 1 of this Bill.</p> <p>“Member” means the member of the Board of the National Industrial Development Park Agency.</p> <p>“Minister” means the Minister charged with responsibility for Science and Technology.</p>		
	<p>17. Citation</p> <p>1. This Bill may be cited the National Industrial Development Park Agency (Establishment) Bill, 2022.</p>		

