

CHAPTER K25 - KWARA STATE HOSPITALITY AND TOURISM DEVELOPMENT BOARD LAW

ARRANGEMENT OF SECTIONS,

PART I

Establishment, Composition, Functions and Powers of the Board

SECTION

1. Establishment of the Board.
2. Composition of the Board.
3. Appointment of Chairman and members, tenure of office and remuneration.
4. Vacation of office.
5. First Schedule.
6. Functions of the Board.
7. Powers of the Board.
8. Power to give directions.

PART II

Establishment, Composition, Functions of the Local Government Hospitality and Tourism Committee

9. Establishment.
10. Composition.
11. Functions of the Committee.

PART III

Administrative Organisation of the Board

12. General Manager.
13. Duties of the General Manager.
14. Power of appointment and discipline.
15. Secretary to the Board.
16. Duties of the Secretary.
17. Management Committee.
18. Other Staff of the Board.
19. Pensions.
20. Power to make regulations relating to employees of the Board.

PART IV

Financial Provisions

21. Funds and resources of the Board.
22. Gifts to the Board.
23. Power to borrow money.

SECTION

24. Guarantee of borrowing by government.
25. Investment of money.

PART V

Accounts and Reports

26. Accounts and statement of accounts.
27. Audit.
28. Annual estimate and expenditure.

PART VI

Miscellaneous Provisions

29. Compulsory acquisition of land.
30. Legal representation.
31. Repeal of Cap. 157 of 1994, Laws of Kwara State and Law No. 6 of 1991.
32. Powers to make rules and regulations.
33. Interpretation.
34. Citation.

FIRST SCHEDULE

SECOND SCHEDULE

KWARA STATE HOSPITALITY AND TOURISM DEVELOPMENT BOARD LAW

A Law to provide for the conduct, development, management and regulation of the hospitality sector and tourism in Kwara State and for connected purposes.

[No. 12 of 2005.]

[Date of commencement: 15th June, 2005]

PART I

Establishment, Composition, Functions and Powers of the Board

1. Establishment of the Board

(1) There is hereby established for the State a body to be known as the Kwara State Hospitality and Tourism Development Board (hereinafter referred

to as the "Board".)

(2) The Board shall—

- (a) be a body corporate with perpetual succession having a common seal;
- (b) have power to sue and be sued in its corporate name;
- (c) be capable of holding, purchasing, acquiring and disposing of property, movable and immovable for the purpose of carrying out its functions under this Law.

2. Composition of the Board

The Board shall consist of the following members—

- (a) a Chairman who shall be a person having sufficient experience in the hospitality and tourism business;
- (b) three other members having experience in the Hospitality and Tourism business, one from each Senatorial District of the State;
- (c) a General Manager;
- (d) a representative of each of the following—
 - (i) The Ministry of Environment and Tourism; and
 - (ii) The Ministry of Agriculture and Natural Resources;

- (e) a representative of the State Hospitality Industry;
- (f) a representative of the State Chambers of Commerce; and
- (g) a representative of any other Ministry, department or body as the need arises.

3. Appointment of Chairman and members, tenure of office and remuneration

The Chairman of the Board and Members referred to in section 2 (a) and (b) of this Law shall—

- (a) be appointed by the Governor;
- (b) hold office for a period of four years and shall be eligible for re-appointment;
- (c) be paid such remuneration whether by way of salary, fees or allowances as the Governor may determine.

4. Vacation of office

(1) The office of the Chairman or a Member of the Board other than an *ex officio* member shall become vacant if—

- (a) he resigns his office by notice under his hand addressed to the Governor;
- (b) by death or physical incapacitation or mental illness he is unable or unfit to perform and discharge his functions as a member;

- (c) the Governor is satisfied that it is not in the interest of the Board or of the public for the person appointed to continue in office;
- (d) he has been convicted of a criminal offence or any offence involving dishonesty or fraud;
- (e) he has financial interest in the operations of the Board;
- (f) he has been absent from three consecutive meetings of the Board without the permission of the Governor in case of the Chairman and without permission of the Chairman in the case of a member;
- (g) he is guilty of misconduct; or
- (h) he becomes bankrupt, suspends payment or compounds with his creditors.

(2) Where a vacancy occurs in the membership of the Board it shall be filled by a successor appointed by the Governor to hold office for the remainder of the term for which his predecessor was appointed, so however that the successor shall represent the same interest.

5. First Schedule

The supplementary provisions contained in the First Schedule hereto shall have effect with respect to the meetings and proceedings of the Board and other matters mentioned therein.

6. Functions of the Board

The functions of the Board shall be to—

- (a) formulate policies and programmes aimed at enhancing the improvement and promotion of hospitality and tourism within the State;
- (b) encourage the provisions and improvement of motels and tourism amenities and facilities in the State;
- (c) carry on the business of hoteliers, restaurateurs, cafes, rest-houses, inn, lodging, boarding, etc;
- (d) devise and carry out schemes aimed at encouraging people to visit the State;
- (e) identify, preserve, protect and develop assets and resources;
- (f) encourage people living in and outside Nigeria to spend their holidays in the State;
- (g) encourage the development of Hospitality and ancillary facilities;
- (h) manage and supervise Government owned motels, hotels and other hospitality outfits;
- (i) promote or undertake research on ways of improving and achieving its objectives in the field of hospitality and tourism;
- (j) provide advisory information services, promote and

undertake publicity in any form;

(k) consult with appropriate federal, state governments and or their agencies, local governments and private organisations on ways of improving the hospitality and tourism programmes of the Board and co-operate with these authorities in achieving the objectives of the Board;

(l) assist the Federal and State Government in the creation of—

(i) a sub-system of national parks including natural areas, historical sites and recreational areas which are declared by the National Tourism Development Corporation or its successors to be of national importance and acclaimed in the State;

(ii) State parks, which are approved and declared as such by the Governor;

(iii) game, fishing reserves and wild-life refuges;

(iv) lakes for swimming, fishing and water contact activities;

(v) natural scenic areas;

(vi) holiday resorts and amusement parks, natural beauty spot, souvenir industries;

(vii) monuments, ethnic museums and commemorative plaques.

- (*m*) assist the National Tourism Development Corporation or its successor in the registration of hospitality and tourism enterprises inclusive of the classification of hotels and establishments at which lodging, accommodation, restaurants, night clubs, cinemas and catering centres, etc., are provided by way of trade or business in the State;
- (*n*) establish committees to advise the Board on the performance of its functions;
- (*o*) earmark and furnish any property for the purpose of letting out same to visitors or guests, whether as single rooms, suites, bungalows, chalets or otherwise;
- (*p*) buy, sell, import, produce, manufacture or otherwise deal in food and food products, meat, groceries, fruits, confectionery, wine, spirit, beer, alcoholic beverages, tobacco and any other beverages;
- (*q*) buy, sell or otherwise deal in linen, furniture, furnishings, and any other articles which may be used in any of the businesses of the Board;
- (*r*) promote the sale of arts and crafts in the State;
- (*s*) act as agents, brokers, debt collectors and as trustees for any person or company having any transaction with the Board;
- (*r*) promote tourism-based rural enterprises, accelerate rural-urban integration and cultural exchange;
- (*u*) generate employment through hospitality and tourism

activities;

(*v*) encourage investment in hospitality and tourism development;

(*w*) identify and designate centres of attraction for tourism;

(*x*) identify, preserve, protect and develop hospitality and tourism assess and resources within the State;

(*y*) co-ordinate the activities of hospitality and tourism agencies in the State; and

(*z*) to do all such other things as may be deemed incidental or conducive to the attainment of the functions of the Board under this Law.

7. Powers of the Board

(1) The Board shall have power to do all such things as it may deem necessary for the proper discharge of its functions and without prejudice to the generality of the foregoing provisions, shall, for the purpose of discharging its functions under this Law, have power to—

(*a*) enter into contracts necessary for carrying out its functions;

(*b*) provide allied or ancillary services as may be required to promote the functions of the Board;

(*c*) make rules and standing orders in respect of staff matters;

(*d*) invest money or dispose of such investment as it deems fit,

and also raise funds as appropriate;

- (e) to procure such insurance policies as may be required against risk, arising directly as a result of the performance of its functions and exercise of its powers;
- (f) to draw, make, accept, discount, execute or endorse negotiable instrument;
- (g) to collect revenue for its services; and
- (h) to acquire, purchase, hold, lease, mortgage, sell and dispose of property both movable and immovable.

(2) The Board may from time to time invest money standing to its credit and not for the time being immediately required for the purpose of its functions in securities approved, whether generally or specifically by the Commissioner and the Board may from time to time vary or sell any such investment with the consent of the Commissioner.

8. Power to give directions

(1) The Commissioner may give to the Board directions of a general or specific character as to the exercise and performance of its functions and the Board shall give effect to such directions.

(2) The Board shall afford to the Commissioner facilities for obtaining information relating to the funds, assets, liabilities, functions of the Board and other information relating thereto at such times as he may require, in writing.

PART II

*Establishment, Composition, and Functions of the Local Government
Hospitality and Tourism Committee*

9. Establishment

There is hereby established for each Local Government Area of the State a committee to be known as the Local Government Hospitality and Tourism Development Committee (in this Law referred to as the "the Local Government Committee.")

10. Composition

(1) The Local Government Committee shall consist of—

- (a) the Vice-Chairman of the Local Government Council, who shall be the Chairman, and shall hold office for the period of his vice-chairmanship;
- (b) the Supervisory Councillor charged with responsibility for matters relating to hospitality and tourism;
- (c) a traditional ruler;
- (d) three other persons who by reason of their ability, experience or specialised knowledge are capable of making useful contributions to the development of hospitality and tourism, who shall hold office for a period of three years subject to re-appointment;
- (e) the Divisional Police Officer in the Local Government Area;
- (f) a representative of the State Hospitality and Tourism

Development Board who will also provide professional/technical guidance to the Committee;

(g) a Secretary who shall be appointed from the Local Government Service and shall hold office for a period of three years subject to re-appointment.

(2) The members provided for in section 10 (1) (d) shall be appointed by the Governor.

(3) The appointment and remuneration of members who are not *ex officio* members shall be as contained in their instrument of appointment.

11. Functions of the Committee

(1) The Local Government Committee shall subject to the control of the State Hospitality and Tourism Board perform the following functions—

(a) recommend to the Hospitality and Tourism Board, projects for development as tourist attraction;

(b) advise on such matters relating to hospitality and tourism within the Local Government Area;

(c) preserve and maintain monuments and museums in their areas of jurisdiction;

(d) promote and sustain communal interest in tourism;

(e) identify potential tourist attractions in their Areas; and

(f) serve as information centres and provide tourist guides.

(2) Each Local Government Committee shall be subject to the control of the Board.

PART III

Administrative Organisation of the Board

12. General Manager

(1) There shall be a General Manager for the Board who shall have adequate knowledge, experience, qualification and good record of performance in the Hospitality and Tourism Industry.

(2) The General Manager shall—

(a) be appointed by the Governor;

(b) hold office upon such terms and conditions as to remuneration and other conditions of service as may be specified in his letter of appointment; and

(c) be the Chief Executive and Accounting Officer of the Board.

13. Duties of the General Manager

The General Manager shall—

(a) be responsible for the day to day administration of the Board;

(b) be responsible for carrying out the policies and decisions of

the Board in accordance with the provisions of this Law;

- (c) manage all the businesses and preserve all the properties of the Board;
- (d) define and assign responsibilities to the staff;
- (e) set up staff Management Committee which will assist him in the selection of members of the intermediate, middle and the junior staff cadres of the Board subject to the approval or ratification of the Board as the case may be;
- (f) submit quarterly progress report, profit and loss statements and half yearly balance sheets to the Board; and
- (g) have control of all employees of the Board.

14. Power of appointment and discipline

Power to appoint and exercise disciplinary control over the General Manager and to determine his terms and conditions of service as to remuneration or otherwise shall vest in the Governor and shall also be subject to the provisions of any regulations that may be made under this Law.

15. Secretary to the Board

There shall be a Secretary to the Board who shall be appointed from the Civil Service of the State by the Governor.

16. Duties of the Secretary

The Secretary shall—

- (a) conduct the correspondence of the Board;
- (b) keep the records of the Board, take charge of and keep the seal of the Board;
- (c) be in control of the administration of the Secretariat of the Board; and
- (d) carry out such other functions as the Board or the General Manager may assign to him from time to time.

17. Management Committee

There shall be a Management Committee which shall comprise all Departmental Heads to be chaired by the General Manager and shall be charged with the responsibility of appointments, promotions and the exercise of disciplinary control over all the officers of the Board earning salary from Grade level 01-06.

18. Other staff of the Board

(1) The Board shall—

- (a) employ, engage, appoint such number of employees as may, in the opinion of the Board be required to assist the Board in the proper and effective conduct of its business upon such terms and conditions of service as are in line with the conditions of service obtainable in the Civil Service of the State;
- (b) employ on secondment such officers in the Civil Service of

the State or in the service of any Local Government as may with the agreement of such officers, be seconded to the service of the Board in accordance with the procedure applicable to the secondment of such officers;

- (c) have power to dismiss such employees as it may consider necessary; and
- (d) not appoint, engage, employ or dismiss any officers or employee whose salary is equal or in excess of the prescribed salary without the approval in writing of the Governor.

(2) The exercise of the powers vested in the Board by subsection (1) of this section shall be subject to the provisions of any regulations or rules made under this Law.

19. Pensions

- (1) Service in the Board shall be approved service for the purpose of the Pensions Act.

(2) The officers and other persons employed in the Board shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grade as appropriate in the Civil Service of the State.

(3) Nothing in subsections (1) and (2) of this section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

20. Power to make regulations relating to employees of the Board

The Board may, with the approval of the Governor, and subject to the provisions of this Law, make regulations with respect to the appointment, promotions, transfer and dismissal of, and exercise of disciplinary control over, its employees and without prejudice to the generality of the foregoing provisions make regulations for any of the following matters—

- (a) the qualifications to be required for appointments;
- (b) the method of appointment (including probation and confirmation);
- (c) the form of any agreement to be entered into between the Board and its employees;
- (d) the terms and conditions of service (including without prejudice to the generality of that expression, the salaries, allowances the grants of advances, the provisions of quarters, leaves and medical treatments;
- (e) the procedures and requirements for promotions;
- (f) the maintenance of discipline (including dismissal) and the determination of appointments;
- (g) the transfer of employees between the Board and the Government of the State or Local Government or any statutory corporation; and
- (h) such other matters relating to departmental procedures, duties and responsibilities of employees as the Board considers can be best provided for by regulations.

PART IV

Financial Provisions

21. Funds and resources of the Board

- (1) The funds of the Board shall comprise—
- (a) all funds which may from time to time be granted or lent to the Board by the State, Federal or any other Government in Nigeria;
 - (b) sums received from donations, subventions, grants and endowments;
 - (c) interests on investments;
 - (d) all such sums as may from time to time be granted to the Board by any person;
 - (e) all property and investments acquired by or vested in the Board and all monies earned or arising therefrom;
 - (f) all fares and other sums derived by the Board from the provisions of its services under this Law; or
 - (g) all sums or property which may in any manner become payable to or vested in the Board in respect of any matter arising out of or incidental to its functions and all other sums accruing to the Board from other services.

(2) All other monies accruing to the Board from any other source approved by the Government and which shall be properly accounted for and reported on.

(3) All sums received by the Board shall be credited to the funds of the Board and the Board, shall apply such funds in accordance with this Law or upon such conditions as may be attached to its derivation or appropriations.

22. Gifts to the Board

(1) The Board may accept gifts of land, money or other property if any, as may be specified by the person or organisation making the gift.

(2) The Board shall not accept any gift if the conditions attached to the gift are inconsistent with the functions of the Board under this Law.

23. Power to borrow money

The Board may with the consent of the Governor borrow on such terms and conditions as the Board may determine, such sums of money as the Board may require in the exercise of its functions under this Law.

24. Guarantee of borrowing by Government

The Government may by the undertaking of the State Commissioner for Finance subject to the approve of the Governor in such manner and on such conditions as he may deem fit, guarantee the repayment of the principal and the interest of any borrowings of the Board in accordance with the provisions of this Law.

25. Investment of money

The Board may invest money standing to its credit and not for the time being required for the purposes of its functions in stocks, shares, debentures or any other securities whatsoever and the Board may sell, dispose or otherwise deal with all or any of such securities.

PART V

Accounts and Reports

26. Accounts and statement of accounts

(1) The Board shall keep proper accounts of its revenue and expenditure, payments, receipts, assets and liabilities and shall at the end of each financial year prepare an annual statement of Account showing in a fair and accurate manner the financial position of the Board.

(2) The said annual statement of Accounts shall be a fair and accurate statement of the financial position and of the results of the operations of the Board for the financial year to which it relates.

27. Audit

The Annual Statement of Accounts shall be audited by the Auditor-General of the State or such other Auditors as may be approved by the Board on the recommendation of the Auditor-General.

28. Annual estimate and expenditure

(1) (a) Before the commencement of each financial year the Board shall prepare an estimate of its revenue and expenditure for that financial year.

(b) The Board shall submit a copy of the estimates prepared in subsection (1) (a) above to the Commissioner for his approval and the

Commissioner shall have the power to disallow, reduce or vary any provision under any item in the estimate as he may consider necessary.

(2) The Board shall prepare and submit to the Commissioner, not later than three months after the end of each financial year a report on the activities of the Board during the immediate preceding year and the report shall include the Income and Expenditure Accounts and the balance sheet together with a certified copy of the audited accounts and the Auditor-General's report thereon.

PART VI

Miscellaneous Provisions

29. Compulsory acquisition of land

(1) Whenever there is need for an acquisition by the Board of any Land required for the purposes of carrying out its functions and powers as set out in this Law, the appropriate authority in the Ministry of Lands and Housing or a person authorised by the Governor may, upon the application of the Board and after such enquiry as he may think fit, declare that the land is required for the service of the Board.

(2) The Land to which a declaration as in subsection (1) above is made shall be deemed to be required for public purposes within the State and within the meaning of the Land Use Act, and the Governor may cause action to be taken under the said Act, for acquiring the Land for the Government.

(3) The compensation, if any payable under the Land Use Act, for the acquisition of any Land under this section shall be paid by the Board, as assessed by the Ministry of Land and Housing.

30. Legal representation

In any suit by or against the Board, the Board may be represented in Court at any stage of the proceedings by—

(a) the Attorney-General of the State; or

(b) a legal practitioner.

31. Repeal of Cap. 157 of 1994, Laws of Kwara State and No. 6 of 1991

(1) The Kwara State Tourism Board established by the Kwara State Tourism Board Law is hereby dissolved and the said Law is hereby repealed. The Kwara State Tourism Board (Amendment) Law is also hereby repealed.

(2) The transitional and savings provisions in the Second Schedule to this Law shall have effect in relation to the employees, assets and liabilities of the Board dissolved under this section and other matters mentioned therein notwithstanding anything to the contrary in this Law or any other enactment.

32. Power to make rules and regulations

The Board may with the approval of the Governor make rules and regulations generally for the purpose of this Law.

33. Interpretation

In this Law unless the context otherwise requires—

"Board" means the Kwara State Hospitality and Tourism Development Board established under section 1 of this Law;

"Commissioner" means the Commissioner charged with the

responsibility for Hospitality and Tourism;

"financial year" means the period of Twelve Calendar, months ending on the 31st December;

"General Manager" means the General Manager of the Board who is also the Chief Executive of the Board;

"Governor" means the Governor of the State;

"Government" means the Government of the State;

"Hospitality" means—

(*a*) Accommodation establishment – hotels, motels, guest houses, guest inns, etc.;

(*b*) Food service – restaurants, fast food, food canteen, cafeteria, coffee shop, snack bar, cafe and bukateria.

"Hotel or Motel" means a building hired out to the public as a place where all transient persons who come will be received as guests for fees (or compensation);

"Member" means a member of the Board and includes the Chairman;

"State" means the Kwara State of Nigeria;

"the Local Government Committee" means the Local Government Motel and Tourism Development Committee establishment under section 9 of this Law;

"Tourism Establishment" means—

- (a) travel agencies and tourism operators enterprises;
- (b) amusement/theme parks enterprises;
- (c) tourism promoters enterprises;
- (d) Vehicle and vessel hire services (boats, cars, tourist coaches, etc.);
- (e) hand craft/souvenir enterprises;
- (f) leisure, recreation enterprises; and
- (g) other related services.

35. Citation

This Law may be cited as the Kwara State Hospitality and Tourism Development Board Law, 2005.

FIRST SCHEDULE

1. Meetings and procedures

(1) The Board or the Local Government Committee shall hold such and so many meetings as may be necessary for the fulfilment of its functions, so however, that it shall hold at least four meetings in a year.

(2) At the meeting of the Board or the Local Government Committee—

(a) the Chairman shall, if present, preside over the meeting;

(b) if the Chairman is not present or if the office of the Chairman is vacant, the members present shall choose one of their fellow members to be Chairman of the meeting.

(3) Every question at a meeting of the Board or the Local Government Committee shall be determined by a majority of the votes of the members present and voting on the question and in the case of any equal division of votes, the chairman of the meeting shall have a second casting vote.

(4) The Board or the Local Government Committee may act notwithstanding one or more vacancies among its members.

(5) Any four members of the Board or the Local Government Committee may by notice in writing signed by them, request the Chairman to call a special meeting of the Board or the Local Government Committee for the purposes set out in such notice and the Chairman shall thereupon call a special meeting.

2. Quorum

One third of the members present shall form a quorum at any meeting of the Board or the Local Government Committee.

3. Seal of the Board

(1) The Board shall, as soon as may be after its establishment, provide

itself with a common seal.

(2) The common seal of the Board shall be authenticated by the signature of the Chairman and the General Manager of the Board or any other member authorised by the Board to act in that behalf.

(3) Judicial notice shall be taken of the common seal of the Board and every document purporting to be an instrument made by the Board and to be sealed with the common seal (purporting to be authenticated in accordance with paragraph 3 (2) of this Schedule) shall be received in evidence and be deemed to be such instrument without further proof unless the contrary is shown.

4. Standing order

Subject to the provisions of this Law the Board or the Local Government Committee may regulate its own proceedings and may make standing orders for that purpose.

5. Validation of act and proceedings

No act or other proceedings of the Board or the Local Government Committee shall become invalid by reason only that—

- (a) there are some defects in the appointment of any person purporting to be a member; or
- (b) there is any vacancy amongst its members or absence of any member; or
- (c) a person not entitled to do so took part in its proceedings.

6. Powers

The Board may delegate to the Chairman or to a staff of the Board the affairs of the Board except the power to—

- (a) approve or take any development or capital loan;
- (b) make a standing order; or
- (c) do any act involving extraordinary expenditure.

7. Power to co-opt persons

(1) Where upon any special occasion the Board or the Local Government Committee desires to obtain the advice of any person upon any matter, the Chairman may co-opt such person to be a member for such meetings as may be required whether or not expressly convened for the purpose of considering the particular matter.

(2) Such co-opted person shall not be entitled to vote nor shall he count towards a quorum.

8. Non-liability of members

A member shall not be personally liable for any act or omission to do any act or for any default of the Board so long as such act, omission or default is in good faith and in the course of the operation of the Board.

9. Committees and sub-committees

(1) The Board or the Local Government Committee may appoint one or more committees or sub-committees respectively to advise it on the exercise

and performance of its functions under this Law and shall have power to regulate the proceedings of its Committee or sub-committee.

(2) Every committee or sub-committee appointed under the provisions of this paragraph shall be presided over by a member of the Board or the Local Government Committee and shall be made up of such numbers of persons not necessarily members of the Board or of the Local Government Committee as the Board or Local Government Committee may determine in each case.

(3) No decision of a committee or sub-committee shall have effect unless confirmed by the Board or the Local Government Committee.

SECOND SCHEDULE

1. Savings

By virtue of this Law, there shall on the commencement of this Law be vested in the Board all assets, funds, resources and other movable and immovable property which immediately before the commencement of this Law was vested in the Kwara State Tourism Board (in this Schedule referred to as the "the dissolved Board.")

2.

Subject to the provisions of paragraph 1 of this Schedule—

(a) the rights, interest, obligations and liabilities of the dissolved Board existing immediately before the commencement of this Law, under any contract or instrument, or at Law or in equity apart

from any contract or instrument, shall by virtue of this Law be deemed to have been assigned to and vested in the Board;

(*b*) any such contract or instrument as is mentioned in subparagraph (*a*) of this paragraph, shall be of the same force and effect against or in favour of the Board, and shall be enforceable as fully and effectively as if instead of the dissolved Board the Board had been named therein or had been a party thereto; and

(*c*) the Board shall be subject to all the obligations and liabilities to which the dissolved Board was subject immediately before the commencement of this Law and all persons shall, as from the commencement of this Law have the same rights, powers and remedies against the Board as they had against the dissolved Board immediately before the day.

3.

Any proceeding or cause of action pending or existing immediately before the commencement of this Law by or against the dissolved Board in respect of any right, interest, obligation or liability of the dissolved Board may be continued, or as the case may require, commenced and the determination of a Court of law, tribunal or other authority or person may be enforced, by or against the Board, to the same extent that such cause of action or determination might have been continued or commenced or enforced by or against the dissolved Board if this Law had not been made.

4.

Notwithstanding the dissolution of the Kwara State Tourism Board by section 31 of this Law any person who immediately before the commencement of this Law held office under the dissolved Board either as a member, officer,

staff or in any other post shall, on the commencement of this Law be deemed to have been transferred to the Board on terms and conditions not less favourable than those obtaining immediately before the commencement of this Law and service under the dissolved Board shall be deemed to be service under the Board for pension purposes.

5.

For the purposes of paragraph 4 of this Schedule, the terms and conditions comprised in any transferred appointment shall not be construed as being less favourable merely because they are not in all respects identical or superior to the terms and conditions enjoyed by any person concerned immediately before the commencement of this Law if the first-mentioned terms and conditions taken as a whole offer substantially equivalent or greater benefits.

6.

The Commissioner, if he thinks fit, may by order published in the *Gazette* make additional transitional or savings provisions for the better carrying out of the objectives of this Schedule.

CHAPTER K25

KWARA STATE HOSPITALITY AND TOURISM DEVELOPMENT BOARD LAW

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
