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CHAPTER 6

AGRICULTURAL DEVELOPMENT PROGRAMME

**AN EDICT TO ESTABLISH A PROGRAMME FOR INTEGRATED AGRICULTURAL AND
RURAL DEVELOPMENT IN ADAMAWA/OR TARABA**

[25 June 1981]

PART I—PRELIMINARY

1. This Edict may be cited as the Adamawa/or Taraba State Agricultural Development Programme Edict.

2. In this Edict, unless the context otherwise requires:-

AADPMU/TADPMU means Adamawa/or Taraba; AASA/or TASA means Adamawa/or Taraba;

"Agriculture" includes horticulture, the use of land for any purpose of husbandry, inclusive of the keeping or of breeding livestock, poultry, the growing of fruits, vegetables, crops and the like, and the use of land as grazing, meadow or pasture land, orchard, osier land or for market gardens;

"Agricultural Development" means the development of Agri-culture under this Edict;

"Chairman" means the Chairman of the Committee appointed under this Edict;

"Committee" means the Gongola State Agricultural Development Executive Committee established by section 3 of this Edict;

"Director of Audit" means the Director of Audit of the State; "financial year" means a period of twelve calendar months commencing from the 1st day of January;

"ADAMAWA/or TARABA" i.e. "AASA"/ or "TASA" means the Agricultural Supply Agency;

"ADAMAWA/or TARABA" i.e. "A.A.D.P.M.U./ T.A.D.P.M.U." means the Agricultural Development Management Unit established under section 13 of this Edict; "Governor" means the Governor of the State; "member" means a member of the Committee and it includes the Chairman;

"R.R.A." means the Rural Roads Agency to be established under section 13 of this Edict;

"State" means the Adamawa/or Taraba State of Nigeria.

PART II—ESTABLISHMENT AND CONSTITUTION

3.—(1) There is hereby established a body for the purpose of executing an Agricultural Development Programme in the State to be known as the Gongola Agricultural Development Programme Executive Committee.

(2) The Committee shall be a body corporate having perpetual succession and a common seal with the power to sue and be sued in its corporate name.

4. The Committee shall consist of the State Commissioner for Agriculture as Chairman and the following other members:-

(a) the State Commissioner for Finance and Economic Development;

(b) the State Commissioner for Local Government and Community Development;

(c) the State Commissioner for Commerce and Industries;

(d) the State Attorney-General and Commissioner for Justice;

(e) the State Commissioner, Ministry of Works, Transport, Land and Survey;

(f) a representative of the Federal Agricultural Planning, Monitoring and Evaluation Unit, Kaduna;

(g) a representative of Federal Agricultural Co-ordinating Unit, Ibadan;

(h) the Programme Manager appointed under section 5(1) of this Edict.

5. —(1) The Committee may, upon such terms and conditions as may be approved by the Governor, appoint a professionally qualified Agricultural Manager with sound experience in modern Agriculture and Rural Development techniques as the Programme Manager of the Committee.

(2) The Programme Manager shall be the Chief Executive of the Committee with respect to the Programme Agreement entered into between the State Government and Federal Government on

the 25th day of June, 1981 and shall be responsible for the execution of the policy of the Committee and the general day-to-day business with respect thereto and shall carry out such other functions as the Committee may from time to time direct.

6. —(1) The Committee may upon such terms and conditions as may be approved by the Governor appoint a Secretary to the Committee.

(2) The Secretary shall conduct the correspondence of the Committee, keep proper records of the proceedings of the Committee and perform such other functions as the Committee may from time to time direct.

(3) The Secretary shall be the Chief Administrative Officer of the Committee.

7. Where it appears to the Governor on the recommendation of the Chairman that any member of the Committee is incapacitated by absence from the State or illness or any other sufficient cause from performing the duties of his office the Governor shall appoint another person to hold office in his place until such time as the Governor is satisfied that the incapacity of that person has terminated.

8. Any member appointed to the Committee under section 4 of his Edict, other than an *ex-officio* member as well as any person co-opted into the Committee under subsection (6) of section 9 of this Edict, may be paid such remuneration as the Governor may determine.

9.—(1) The Committee shall ordinarily meet for the dispatch of the Committee business at such times and at such places as the Committee may determine but shall meet at least once in every two months.

(2) A special meeting of the Committee shall be called upon a written request signed by the Chairman or by a majority of the members of the Committee addressed to the Secretary of the Committee.

(3) At every meeting of the Committee, the Chairman if present shall preside and in his absence a member of the Committee elected by the members present from among themselves shall preside.

(4) Questions proposed at a meeting of the Committee shall be determined by a simple majority of members present and voting and in the event of an equality of votes the person presiding shall have a second or casting vote.

(5) The quorum at any meeting of the Committee shall be six.

(6) The Committee may at any time co-opt any person or persons to act as an adviser or advisers at any of its meetings so, however, that no person so co-opted shall be entitled to vote at any such meeting on any matter for decision by the Committee.

(7) The validity of any proceedings of the Committee shall not be affected by any vacancy among its members or by any defect in the appointment of any of them or by reason that a person not entitled so to do has taken part in such proceedings.

(8) Any member of the Committee who has any interest in any:-

(a) company or undertaking with which the Committee proposes to make any contract;
or

(b) contract which the Committee proposes to make;

shall disclose in writing to the Committee the nature of his interest and shall, unless the Committee otherwise directs, be disqualified from participating in any deliberations of the Committee on the contract and shall in any case be disqualified from voting in any decision of the Committee on such contract and any member who infringes the provisions of this subsection shall be liable to be removed from the Committee.

10. —(1) The Committee shall at any of its meetings in relation to the Sardauna Agricultural

Development Project, co-opt the General Manager of AASA/TASA, the Sole Administrator Sardauna Local Government, and the persons so co-opted shall have the right to vote in any matter for decision by the Committee.

(2) At any of the meetings of the Committee with respect to deliberations in relation to the Sardauna Agricultural Development Project there shall be deemed to be no quorum unless at least two of the persons to be co-opted under subsection (1) of this section are present notwithstanding the provision of section 9(5) of this Edict.

PART III—FUNCTIONS AND POWERS

11.—(1) The Committee shall carry out an integrated development of agriculture in the State on behalf of the State Government by:-

- (a) giving full effect to the Programme Agreement entered into of between the defunct Gongola State Government and the Federal Government on the 25th day of June, 1981;
- (b) giving full effect to the Project Agreement to be entered into between the Government of the State and the International Bank for Reconstruction and Development.

(2) Without prejudice to the generality of subsection (1) of this section, it shall be the duty of the Committee to:-

- (a) provide the development of agriculture by improvement of farming methods and farm management;
- (b) provide and maintain proper infrastructure for the development of agriculture;
- (c) adopt with or without amendment and carry into effect master-plan for the maintenance and development of its undertakings under this Edict or any other Law;
- (d) do all such things and acts as may appear to it to be necessary for the purpose of its functions under this Edict.

12. The Committee shall have power to:-

- (a) construct and maintain roads, rural water supply, farm service centre and such other infrastructure necessary for the improvement of agricultural and rural development;
- (b) establish a Management Unit to provide the management structure, staff and support to implement the Project;
- (c) set up training schemes to meet the technical needs of the Project and develop a comprehensive staff development programme;
- (d) to construct and maintain buildings and other works necessary for the discharge of its functions under this Edict;
- (e) enter into any contract or other transaction as it may consider necessary for the purpose of its functions under this Edict;
- (f) acquire and to hold any movable or immovable property and to dispose of such property for the discharge of any of its functions under this Edict;
- (g) invest its funds not immediately required for its purpose in such securities as may be approved by the Committee and to dispose of such securities;
- (h) borrow money for the purpose of its functions under this Edict and issue debentures and provide other securities in respect of such loans;
- (i) collect revenue from its services;
- (j) make, draw or endorse negotiable instruments;
- (k) do such other things as may appear to it to be incidental, supplemental or conducive to the proper discharge of its functions under this Edict or any other written Law.

13.—(1) The Committee is hereby empowered to set up as its agents a Management Unit to be

known as ADAMAWA or TARABA Agricultural Development Programme Management unit, an Agency for the procurement and distribution of agricultural supplies to be known as the ADAMAWA or TARABA Agricultural Supply Agency and the following:-

- (a) a Rural Roads Agency for the construction of and main-tenance of rural roads in compliance with the objectives of the Committee.
- (2) The composition of each of the bodies to be established under subsection (1) of this section shall be as specified in the Schedule to this Edict.

PART IV—STAFF

14.—(1) The Committee may from time to time engage such staff of the employees as may become necessary for the proper and efficient Committee-conduct of the business and functions of the Committee.

(2) The employees of the Committee shall be engaged on such terms and conditions as the Governor may on the recommenda-tions of the Committee, determine.

(3) Public Officers may be transferred or seconded to the Committee or may otherwise give assistance thereto.

PART V—FUNDS, ASSETS AND ACCOUNTS

15. The funds of the Committee shall consist of:-

- (a) such funds as may from time to time be contributed or granted by the Federal Government and State Government as subventions;
- (b) such sums as may be received by the Committee in the performance of its functions under this Edict;
- (c) such sums as may accrue to the Committee from its investments, properties and other sources;
- (d) such sums or property as may from time to time be advanced by way of loans or grants to the Committee by any Local Government, Statutory Corporation, or International Organization.

16. The Committee shall keep proper books of accounts in respect of each financial year and shall within three months after the end of each year cause the accounts to be audited by an approved auditor to be appointed by the Director of Audit who shall make a report thereon.

17. The Committee shall as soon as may be after the end of each financial year submit to the Governor an annual report of its activities for that year and shall include in such report a copy of the audited accounts of the Committee together with the Director of Audit's report thereon.

PART VI—MISCELLANEOUS

18.—(1) The use of the seal of the Committee shall be authenticated by two signatures, namely:-

- (a) the signature of the Chairman or such other member of the Committee authorised by the Committee to authenticate the application of the seal; and
- (b) the signature of the Secretary or such other officer, of the Committee authorised by the Committee to act in the Secretary's place for that purpose.

(2) The Committee may by instrument in writing under its common seal empower any person whether generally or in respect of any specified matters as its attorney, to execute deeds on its behalf in any place not situated in the State.

(3) Any instrument or contract which, if executed or entered into by a person other than a body corporate, would not require to be under seal, may be executed or entered into on behalf of the Committee by any member of the Committee if such person has previously been authorised by a resolution of the Committee to execute or enter into that particular instrument or contract.

(4) The Committee, if it thinks fit, may by writing under its common seal appoint any person outside Nigeria as agent to execute or enter into the instrument or contract and the instrument or contract if executed or entered into on behalf of the Committee shall have effect as if it had been duly executed or entered into as prescribed for the purpose of this subsection.

(5) Every document purporting to be an instrument executed or issued by or on behalf of the Committee and:-

(a) sealed with the common seal of the Committee authenticated in the manner provided by subsection (1) of this section; or

(b) signed by and under seal of a person appointed as attorney under subsection (2) of this section; or

(c) signed by a member of the Committee or other person authorised in accordance with subsection (3) of this section to act for that purpose,

shall be deemed to be so executed or issued until the contrary is shown.

19—(1) In any suit the Committee may at any stage of the proceedings be represented in court by a State Counsel or any other competent legal practitioner.

(2) For the purpose of this section, "suit" includes action or any civil proceedings commenced by writ of summons or in such other manner as may be prescribed by rules of court but does not include criminal proceedings.

20. —(1) The Governor may give directives of a general or specified nature to the Committee with respect to the performance of its functions under this Edict and it shall give effect thereto.

(2) The Governor may by order confer on the Committee such additional functions as he may deem fit.

21. The Committee may make standing orders to prescribe its standing own procedure and the conduct of its meetings or the meetings of the bodies established under section 13 of this Edict, and may amend, vary or revoke such standing orders.

22. —(1) The Committee may with the approval of the Governor make regulations for ensuring the full implementation of the laws provisions of this Edict.

(2) The Committee may acting in consultation with the Governor from time to time also make bye-laws or give administrative instructions in writing for regulating its internal operation including but without prejudice to the general effect of the foregoing, regulation of the conditions of service of the employees of the Committee.

SCHEDULE

PART A—COMPOSITION OF AADPMU/OR TADPMU

AADPMU/or TADPMU shall consist of the following members:-

(a) a Programme Manager;

(b) a Chief Accountant and Administrative Officer

(c) a Chief Extension Officer;

(d) a Rural Roads Engineer (Co-ordinator of RRA);

(e) a Training and Management Development Adviser;

(f) the General Manager of AASA/or TASA;

(g) the Accountant of AASA/or TASA;

(h) a Senior Monitoring and Evaluation Officer; and

(i) eight Zonal Road Engineers and Zonal Mechanical Engineers.

PART B—COMPOSITION OF AASA/TASA

AASA/or TASA shall consist of such members as AADPMU/or TADPMU may appoint.

PART C—COMPOSITION OF RRA

RRA shall consist of such members as AADPMU/or TADPMU may appoint.