

A

**LAW TO PROVIDE FOR THE
ESTABLISHMENT OF THE
NASARAWA GEOGRAPHIC
INFORMATION SERVICE
(NAGIS) AND FOR
MATTERS CONNECTED
THEREWITH**

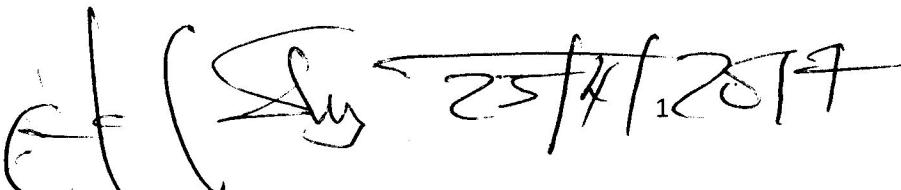
2017

A

LAW TO PROVIDE FOR THE ESTABLISHMENT OF THE NASARAWA
GEOGRAPHIC INFORMATION SERVICE (NAGIS) AND FOR MATTERS
CONNECTED THEREWITH 2017

ENACTED by the Nasarawa State House of Assembly and by the *Enactment*.
authority of same as follows:

- S.1. This law may be cited as the Nasarawa Geographic Information Service (NAGIS) Law and shall come into force on day of 2017. *Citation and Commencement.*
- S.2(1) There is hereby established a body to be known as Nasarawa Geographic Information Service (in this law referred to as "NAGIS" to exercise the functions and powers, and pursue the objectives assigned to it by this law. *Establishment of the NAGIS.*
- (2) NAGIS shall be a body corporate with perpetual succession and a common seal and may:
- i. Sue and be sued in its corporate name;
 - ii. Hold, acquire and dispose of any property or interest in property, moveable or immovable;
 - iii. NAGIS shall be domiciled under the Office of the Governor of Nasarawa State; and
 - iv. NAGIS shall be the only official source of Geospatial data in and for the State.
- S.3(1) There is hereby established for NAGIS an advisory Board which shall consist of members appointed by the Governor. *Advisory Board.*
- (2) The members of the Advisory Board should have cognate experience of modern public service institutions, and/or land administration, and/or any related field of Geographical Sciences or Information Technology
- (3) The Advisory Board shall be composed as follows:
- (i) A part-time Chairman;
 - (ii) One person from the Nigeria Bar Association, Nasarawa State Chapter;



25/4/2017

- (iii) One person from the Institute of Chartered Accountants Nigeria, Nasarawa State Chapter;
- (iv) One person from a reputable non-governmental organization;
- (v) One person from a reputable women's non-government organization;
- (vi) One person from the Nasarawa State Traditional Rulers Council;
- (vii) One person from the Nasarawa Chamber of Commerce, Industry, Mines and Agriculture;
- (viii) One person from the Nigerian Institute of Estate Surveyors and Valuers, Nasarawa State Chapter and
- (ix) The NAGIS Director-General (as a non-voting member)

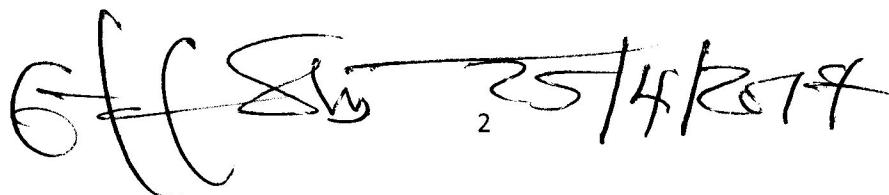
- S.4 Members shall hold office for a period of four years renewable for a further period of four years only, provided however that:
- (i) Any member may resign his appointment at any time by notice in writing under his hand addressed to the Governor;
 - (ii) If a member dies or resigns or otherwise vacates his office before the expiration of the term for which he is appointed, the Governor shall appoint a fit and proper person for the remainder of the term of that member, and the successor shall represent the same interest as that member;
 - (iii) A member may be removed from office by the Governor if he is satisfied that it is not in the interest of NAGIS or the interest of the public that the member should continue in office; and
 - (iv) There shall be paid to every member, such emoluments, allowance and benefits as the Governor may, from time to time, determine.
- S.5. The provisions of the Schedule to this law shall have effects with respects to the proceedings of the Advisory Board and other matters mentioned therein.

Tenure of office.

*Proceedings of
the Advisory
Board.*

- S.6. The Advisory Board shall be responsible for:

*Functions of the
Advisory Board.*



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- (i) Periodic review of NAGIS policies and strategy of the attainment of an efficient enterprise geospatial data infrastructure and land administration system in the State, and to make recommendations as required; and
- (ii) Provision of advice and guidance generally to the Director General.

S.7. NAGIS shall:

*Functions of
NAGIS.*

- (i) Establish and maintain a Geographic Information System (GIS) and Land Information System (LIS) to enhance land use and land management in the State;
- (ii) Compile and collate geospatial information in the State and provide products and services derived from that and other information to the government and the general public;
- (iii) Establish and regulate the standards to be applied for the compilation of geospatial data in the State;
- (iv) Be responsible for the following aspects of land administration and management in the State:
 - a. Creation and compilation of an electronic land registry and electronic registration of land instruments;
 - b. Repository and management of survey information, cadastral maps and datasets in a well-structured GIS environment;
 - c. Processing of grants of statutory rights of occupancy, issuance of letters of grants, processing and issuance of Certificate of Occupancy and processing of grants of consent to all land transactions from a data driven GIS and LIS environment, as Shall be approved by the Governor;
 - d. Provision of support to the Land Use and Allocation Advisory Committee;
 - e. Facilitating the functioning of the Land Allocation Advisory Committee in each Local Government Area and provide administrative and technical support for the processing of grants of customary rights of occupancy;

- f. Provision of such other services as are incidental to the maintenance of geospatial data and land information, land files and geospatial records as are provided for in the Regulations made under this law; and
- g. The creation, production and sale of each type of map for the use of the State government and for sale to the general public.

S.8. NAGIS shall:

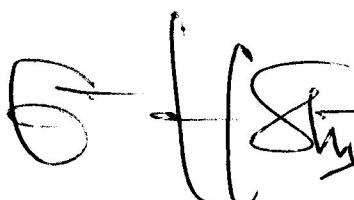
Duties of NAGIS.

- (i) Ensure that efficient and reliable services and secure products are made available to all stakeholders, and to advance good governance and transparency in the State;
- (ii) Ensure that the land administration and land management system in the State are efficient and effective;
- (iii) Ensure a system of land administration and land management that supports the development of social and economic rights in the State; and
- (iv) Conform to national standards concerning geospatial data as well as comparable international, supranational and regional standards.

S.9. NAGIS shall have power to:

Powers of NAGIS.

- (i) Acquire, own, dispose of, charge and otherwise alienate in whole or in part interests in immovable property;
- (ii) Employ staff and enter into contracts for the performance of its functions;
- (iii) Set standards in relation to the quality and format of geospatial information to be created and maintained by the State government and local government councils within the State;
- (iv) Bid for and accept grants made by international development agencies, and to act as the delivery agent for GIS based projects in Nasarawa state, in other States in Nigeria, and at the federal level;
- (v) Enter into collaboration with reputable academic institutions

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4

within Nigeria and internationally for the purposes of research and to ensure the continuous technical competence for its staff;

(vi) Charge fees, as may from time to time be prescribed, for its services;

(vii) Enter into other obligations in pursuance of the delivery of the services, subject to the approval of the Governor; and

(viii) Exercise such other powers as are incidental to the discharge of the responsibilities of NAGIS.

S.10(1) Subject to the approval of the Governor, NAGIS may from time to time borrow by way of overdraft or otherwise such sums as it may require for the effective discharge of its functions under this law. *Power to borrow.*

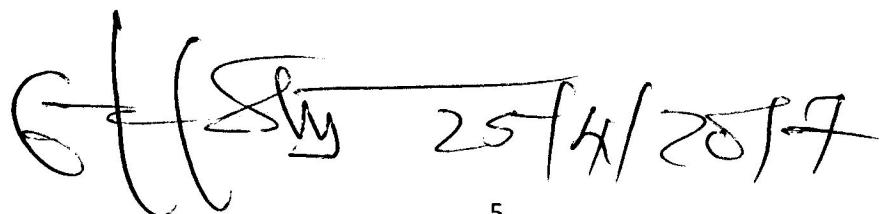
(2) Grant charges, including charges over immovable property, as security for its obligations.

S.11(1) NAGIS may accept any gift, grant or donations of land, money or other property from any person upon such terms and conditions (acceptable to NAGIS), if any, as may be specified by the person making the gift or donation. *Power to accept gifts.*

(2) NAGIS may accept technical assistance by way of training of its staff or equipment from foreign persons, organizations, foreign government and international, multilateral organizations that is relevant to the discharge of its functions and responsibilities under this law.

(3) NAGIS may enter into collaborative agreements with academic institutions both in and out of Nasarawa State as well as international institutions for the purpose of sharing knowledge and obtaining professional training of its staff in key technical operations.

(4) NAGIS shall not accept any gift or donation or technical assistance or equipment if the conditions attached thereto by the person or foreign governments or academic institution making the gift or donation technical assistance or equipment are inconsistent with the functions of NAGIS.



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S.12. For the purpose of carrying out the functions conferred on NAGIS under this law, the Director General, or any employee of NAGIS duly authorized in that behalf:

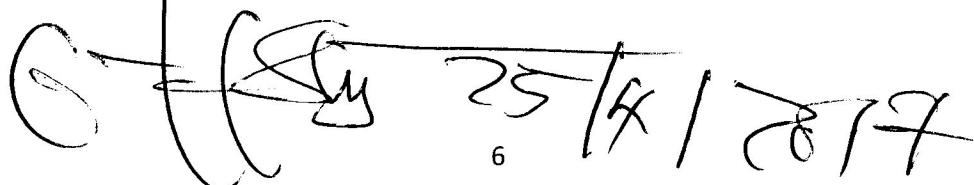
Power to obtain information.

- (i) Shall have a right of access to all relevant geospatial data records of any private person and corporate body within the State; and
- (ii) May by notice in writing, served on any person require such person to furnish or cause to be furnished geospatial data or other similar data held by or available to such persons, on such matters as may be specified in the notice.

S.13(1) NAGIS shall have a Director General who shall:

Staff of NAGIS.

- (i) Be the Chief Executive and Accounting Officer of NAGIS and shall be responsible for the execution of its policies and management of its day-to-day business and administration;
 - (ii) Be responsible for implementation of the business plan and budget; and
 - (iii) Perform such other duties as are assigned by the Governor.
- (2) The Director General shall hold office upon such terms and conditions as may be specified in his appointment letter.
- (3) The Director General may be removed from office for inability to discharge the functions of the office (whether arising from infirmity of mind or body or any other cause) or for gross misconduct.
- (4) The tenure of the Director General shall be for four years in the first instance and renewable for one other term and no more.
- (5) NAGIS may from time to time appoint such other employees as it may deem necessary, to enable NAGIS effectively perform its functions under this law.
- (6) The staff of the NAGIS appointed under section 13(5) shall be appointed upon such terms and conditions of service as NAGIS may, after consultation with the State Civil Service Commission, determine.
- (7) The power of NAGIS under this section shall include the power to:
- (i) Hire staff.



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- (ii) Promote and control the staff of NAGIS as may appear necessary or expedient; and
- (iii) To dismiss, terminate, consider the resignation or withdrawal of appointment and exercise disciplinary control over the staff of NAGIS, other than the Director General.

- S.14(1) The Director General of NAGIS to be appointed by the Governor subject to confirmation by the Nasarawa state House of Assembly shall have at least a Master Degree in any related field of geospatial sciences or information technology obtained from a recognized and reputable university.
- (2) The Director General shall have at least five years of cognate experience working in or heading a GIS organization of a substantial size.

*Qualification of
the Director
General of
NAGIS.*

- S.15(1) NAGIS shall establish and maintain a fund from which shall be defrayed all expenditure incurred by NAGIS.
- (2) NAGIS shall be funded from the following sources:
- (i) State budget allocation;
 - (ii) Grants or contribution from other sources which shall be accounted from within the State Budget.
- (3) A maximum of ten percent (10%) of the revenue generated by NAGIS from its operations shall be appropriated to NAGIS and applied towards the funding of its operations, provided that any funds that may accrue above the actual budgetary allocations to NAGIS for the year shall be transferred to the State Treasury.
- (4) There shall be credited to the fund established under section 15(1) such payments as may be made to it as running expenses of NAGIS and other assets accruing from time to time to NAGIS.
- (5) NAGIS shall from time to time apply the funds at its disposal to:
- (i) The cost of administration of NAGIS;
 - (ii) Paying members of the Advisory Board or any sub-committee for such expenses as may be expressly authorized by the Governor.

*Financial
provisions.*

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- (iii) The payment of salary, fees and other remuneration and allowances payable to the staff of NAGIS;
- (iv) Publicize and promote the activities of NAGIS;
- (v) Train the members of staff of NAGIS;
- (vi) Conduct research activities relating to the objectives and goals of NAGIS; and
- (vii) To undertake all activities connected with its functions under this law.

- S.16(1) The financial year of NAGIS shall run from January to December of each year. *Estimate of expenditure and income.*
- (2) NAGIS shall present to the Governor, through the Ministry of Finance, NAGIS's budget for the next fiscal year not later than the 30th September in each year.
- (3) NAGIS is to keep proper books of accounts and records of income and expenditure and shall prepare annual accounts including a profit and loss account and balance sheet.
- (4) Not later than four months after the end of the financial year to which they relate, the accounts shall be audited by the State Auditor-General or Auditors appointed by the Auditor-General or Auditors appointed from a list and in accordance with the guidelines supplied by the State Auditor-General.
- (5) The Auditor-General may carry out or cause to be carried out any investigation into NAGIS financial transactions.
- S.17(1) NAGIS shall prepare an annual report and statement of account on the operations of NAGIS during the preceding year not later than three months after the end of each financial year. *Auditor's report.*
- (2) Copies of the accounts, Auditor's report and annual report shall be submitted by the Director General of NAGIS to the Governor.
- S.18. For the purpose of providing office premises necessary for the performance of its functions, NAGIS may, subject to the relevant *Power to acquire land.*

25/04/2017

8

provisions of the Land Use Act.

- (i) Purchase or take on lease any interest in land, building and property;
- (ii) Build, equip and maintain offices and premises; and
- (iii) To sell or lease out any office or premises held by it, which is no longer required for the performance of its functions.

S.19. Subject to the provisions of this law, the Governor may give to NAGIS and or the Advisory Board of NAGIS such directives of a general nature relating to the performance by NAGIS of any or all its functions under this law and it shall be the duty of NAGIS and/or the Advisory Board to comply with such directives.

*General
directives from
the Governor.*

PART III - REGULATIONS AND SUPPLEMENTARY PROVISIONS

S.20. The Advisory Board may, with the approval of the Governor, make such regulations as necessary or expedient for carrying into effect the provisions of this law.

Regulations.

S.21. Any person who:

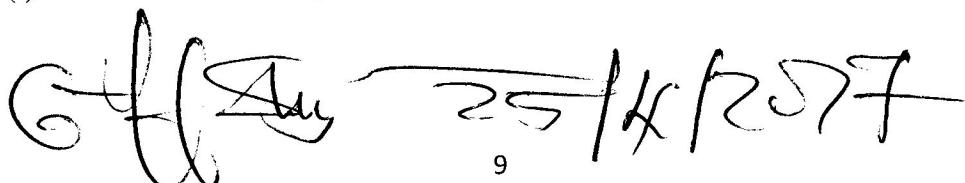
- (i) Willfully obstructs NAGIS or any authorized officer of NAGIS in the exercise of any of the powers conferred on it by this law; or
- (ii) Fails to comply with any lawful enquiry or requirements made by an authorized officer in accordance with the provisions of this law, Shall be guilty of an offence and shall be liable upon conviction to a fine of five hundred thousand Naira or imprisonment for a term not exceeding six months or both such fine and imprisonment.

*Obstruction of
the agency or its
authorized
officers.*

S.22(1) No suit shall be commenced against NAGIS before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon NAGIS by the intending plaintiff and the notice shall clearly and explicitly state:

- (i) The cause of action;

*pre-action
notice.*



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- (ii) The particulars of claim; and
- (iii) The relief which is claimed.
- (2) The notice referred to in section 22(1) and any summons, notice or other documents required or authorized to be served upon NAGIS in connection with any suit by or against NAGIS shall be served by delivery of same to the Director-General of NAGIS.

S.23 Every member, agent or staff of NAGIS shall be indemnified out of the assets of NAGIS against any liability incurred by him in defending any proceedings, whether civil or criminal, if judgement is given in his favour or in which he is acquitted if any such proceeding is brought against him in his capacity as such members, agent or staff as aforesaid.

Indemnity for employees of NAGIS.

Interpretation

S.24. In this law, unless the context otherwise requires:

“Advisory Board” means the Advisory Board of NAGIS;

“Director-General” means the Director-General of NAGIS;

“Governor” means the Governor of Nasarawa State;

“Member” means member of the Governing Advisory Board of NAGIS;

“NAGIS” means the Nasarawa Geographic Information Service;;

“Person” includes any individual, partnership, firm, company, corporation (statutory or otherwise), joint venture, trust, association, organization or other entity, each case whether or not having separate legal personality;

“Prescribe” means prescribe by Regulation;

“State” means Nasarawa State;

“The fund” means the fund established by NAGIS pursuant to section 15.



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SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO NAGIS

NAGIS Director General

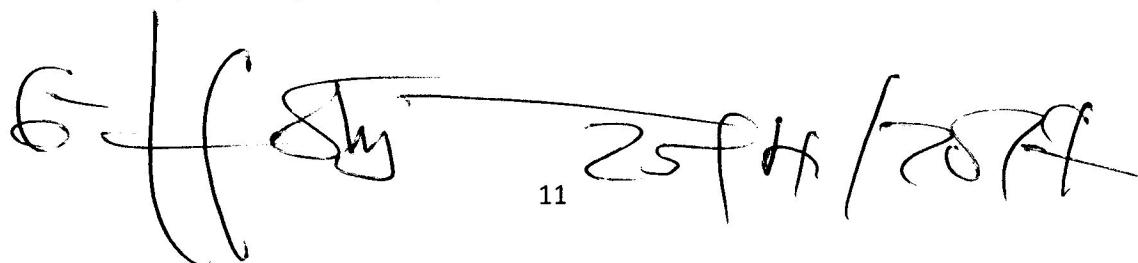
1. The Director General shall prepare the annual NAGIS Business Plan and Budget and to present this to the Advisory Board for review at least three (3) months prior to the commencement of every financial year.
2. The Director General shall prepare the quarterly NAGIS Management Report and to present this to the Advisory Board for review.
3. The fixing of the seal of NAGIS to any contract or instrument shall be authenticated by the signature of the Director General.
4. Any document purporting to be a contract or instrument or other document signed or sealed on behalf of NAGIS shall be received in evidence and unless the contrary is proved, be presumed, without further proof to have been so signed or sealed.

NAGIS Fund Account

5. Pursuant to Section 15 a bank account, the "NAGIS Fund Account", shall be opened by Accountant General of the State.
6. Pursuant to Section 15 the payment of the State Budget allocation and any other grants, contributions and appropriations will be credited to this account.
7. Pursuant to Section 16 all costs and fees will be debited from this Fund Account.
8. Pursuant to Section 14 the account will be reconciled annually and funds accrued above actual budgetary allocations will be transferred to the State treasury.

Quorum and Voting of the NAGIS Advisory Board

9. Subject to the provision of this law and section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the Chairman to have a second or casting vote), the Advisory Board may make Standing Orders regulating the proceedings of NAGIS and any committee thereof, subject to the instruction of the Governor.
10. If at any time the office of the Chairman is vacant, or the Chairman is in the opinion of the Advisory Board permanently or temporarily unable to perform the function of the



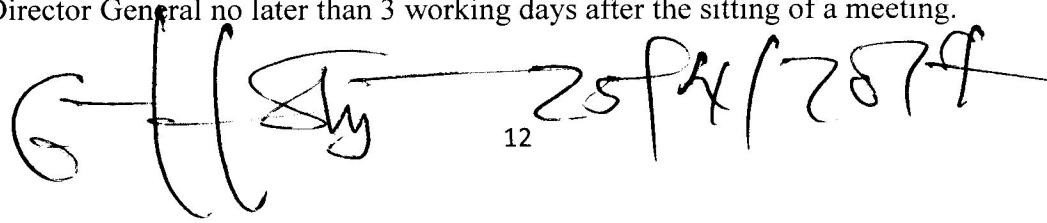
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office, the Advisory Board may appoint one of its members to perform such functions for the period of one meeting.

11. In any event the vacancy of the Chairman cannot exceed six (6) months, whereupon the Governor will terminate the assignment and appoint a new Chairman.
12. Every meeting of the Advisory Board shall be presided over by the Chairman and if the Chairman is unable to attend a particular meeting, members present at the meeting shall elect one of their members to preside at the meeting.
13. No two (2) consecutive meetings can be held without the attendance of the Chairman.
14. The Quorum at a meeting of the Advisory Board shall consist of the Chairman (or in the appropriate case, the person presiding at the meeting pursuant to paragraph 10 of this Schedule) and three (3) other members.
15. Where upon any specific issue or occasion, the Advisory Board desires to obtain the advice of any person on any particular matter, the Advisory Board may co-opt that person to be a member for as many meetings as may be necessary, and that person while so co-opted shall have all the rights and privileges of a member, except that he shall not be entitled to vote or count towards a quorum.
16. The Director General attends as a member except that he shall not be entitled to vote or count towards a quorum.
17. Secretariat services will be provided by NAGIS, including the drafting and circulation of meeting agenda, taking minutes and noting recommendations, and the distribution of meeting minutes and recommendations.

Proceedings of the NAGIS Advisory Board

18. The Chairman will every year schedule and convene at least four (4) quarterly meetings of the Advisory Board.
19. The Advisory Board shall receive the annual NAGIS business plan and budget for their review, any necessary recommendations presented to the Director General.
20. The Advisory Board shall receive the quarterly NAGIS management report for their review, with any necessary recommendations noted.
21. The Chairman shall subsequently forward the quarterly NAGIS management report, together with any Advisory Board recommendations to the Governor for further action.
22. The Chairman, through the Secretariat, approve and sign meeting minutes and recommendations, and distribute the same to the Governor, the members and the Director General no later than 3 working days after the sitting of a meeting.



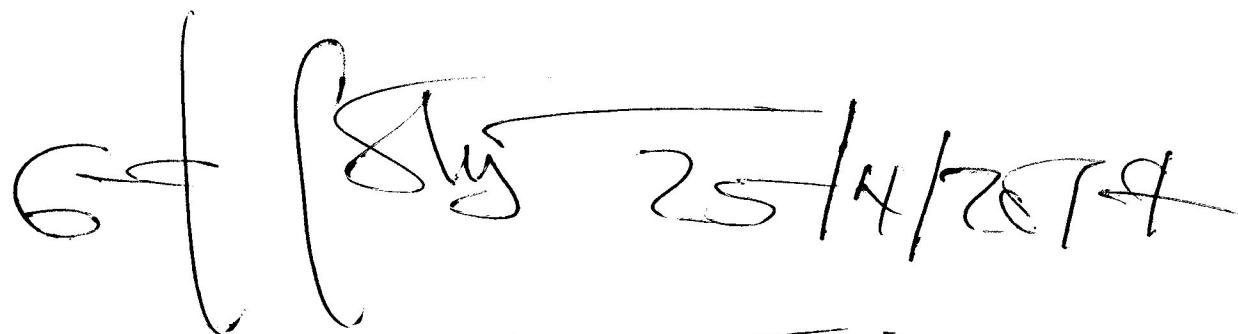
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Committees

23. Subject to its standing orders, the Advisory Board may appoint such number of standing ad hoc committee as it thinks fit to consider and report on any matter with which NAGIS is concerned.
24. Every committee appointed under the provisions of paragraph 23 of this Schedule shall be presided over by a member of the Advisory Board, and shall be made up of a number of persons, not necessarily members of the Advisory Board as the advisory Board may determine in each case.
25. The decision of any committee shall have no effect until it is confirmed by the Advisory Board.

Miscellaneous

26. The validity of any proceedings of the Advisory Board or a Committee thereof, shall not be adversely affected by:
 - a. Any vacancy in the membership of the Advisory Board, or
 - b. Any defect in the appointment of a member of the Advisory Board or Committee; or
 - c. That the reason that a person not entitled to do so, took part in the proceedings.
27. Any member of the Advisory Board or a Committee thereof, who has a personal interest in any contract or arrangement entered into or a proposal to be considered by the Advisory Board or Committee, shall forthwith disclose his interest to the Advisory Board or Committee and shall not vote on any question to contract, arrangement or proposal.


Hafizullah JIBRIN
Chairman Committee

13 N.S.F.A

This printed impression (**Nasarawa Geographic Information Service (NAGIS) Law**) has been carefully compared by me with the Bill, which has been passed by the Nasarawa State House of Assembly and is found by me to be a true and correct copy of the Bill.



EGO MAIKEFFI ABASHE
Clerk of the House
Nasarawa State House of Assembly

I assented this 21st day of May 2017

Umar Tanko Al-Makura

UMAR TANKO AL-MAKURA
Governor
Nasarawa State of Nigeria