



Niger State of Nigeria Gazette

Published by Authority

No. 19

Minna - 26th July, 2013

Vol. 17

Niger State Legal Notice No. 19.

The Following is Published in the Supplement to this Gazette:-

N. S. L. N. No. 19 of 2013 - A LAW TO ESTABLISH THE NIGER STATE GEOGRAPHIC INFORMATION SYSTEMS AGENCY AND MATTERS CONNECTED THEREWITH

Printed and Published by the Government Printer, Minna - 011/04/2013/500

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"Member" means member of the Governing Board of the Agency;

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

"Prescribe" means prescribe by regulations made under this Law;

"State" means Niger State of Nigeria;

"Chairman" means Chairman of the Board; and

"Secretary" means the Secretary of the Board and the Agency.

PART II - ESTABLISHMENT, MEMBERSHIP, ETC.

Establishment of the Agency.

3. (1) There is hereby established, an Agency to be known as Niger State Geographic Information Systems Agency (in this law referred to as "the Agency") to exercise the functions and powers, and pursue the objectives assigned to it by this Law.

(2) The Agency shall be a body corporate with perpetual succession and common seal and may:

- a) sue and be sued in its corporate name; and
- b) hold, acquire and dispose of any property or interest in property, movable or immovable.

Board of the Agency.

4. (1) There is hereby established for the Agency, a Governing Board to be responsible for the general policies of the Agency and shall consist of:

**A LAW TO ESTABLISH THE NIGER STATE GEOGRAPHIC
INFORMATION SYSTEMS AGENCY AND MATTERS CONNECTED
THEREWITH**

BE IT ENACTED by the Niger State House of Assembly of Nigeria as follows:-

1. This Law may be cited as the Niger state Geographic Information Systems Agency Law, 2013 and shall come into force on 25th day of July, 2013. Citation.

2. In this Law unless the context otherwise requires:- Interpretation.

"Agency" means the Niger state Geographic Information Systems Agency;

"Board" means the Governing Board of the Agency;

"Commissioner" means the Commissioner for the time being responsible for Land and Housing;

"Financial Guidelines" means the guidelines issued from time to time for the accounting and financial reporting functions of Niger State by the Auditor-General of the State;

"Fund" means the fund established for the Agency pursuant to section 12;

"General Manager" means the General Manager of the Agency;

"Governor" means the Executive Governor of Niger State;

"Government" means Government of Niger State of Nigeria;

"Member" means member of the Governing Board of the Agency;

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

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- a) sue and be sued in its corporate name; and
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Board of the Agency.

4. (1) There is hereby established for the Agency, a Governing Board to be responsible for the general policies of the Agency and shall consist of:

- a) A Chairman, who shall be a person with experience in land related matters, to be appointed by the Governor;
 - b) A General Manager for the Agency to be appointed by the Governor;
 - c) Two persons to be appointed by the Governor (one of whom shall be a practitioner in land related matters) from each of the three Senatorial Zones of the State;
 - d) A representative of Niger State Urban Development Board not below the rank of a Director;
 - e) A representative of Ministry of Justice not below the rank of a Director; and
 - f) A representative of Ministry of Lands and Housing not below the rank of a Director.
- (2) All members other than the General-Manager shall be part-time members.
- (3) Members other than ex-officio members shall hold office for a period of four years renewable once for a further period of four years only, provided however that:
- a) A member may resign his appointment any time by notice in writing under his hand addressed to the Governor;
 - b) 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 office of that member, and the successor shall represent the same interest as the member.
 - c) A member may be removed from office by Governor if he is satisfied that it is not in the interest of the Agency or the interest of the public that the member should continue in the office.

(4) There shall be paid to every member, other than an ex-officio member such emoluments, allowances and benefits as the Governor may, from time to time, determine.

(5) The provisions of the First Schedule to this **Bill** shall have effect with respect to the proceedings of the Agency and other matters mentioned therein.

PART III - FUNCTIONS AND POWERS

Functions of the Agency.

5. (1) The Agency shall be responsible;

- (a) for maintaining, generating, managing and providing information on land transactions;
- (b) for registration of land instruments, regulation and control of conduct of searches on land;
- (c) production of certificate of occupancy; and
- (d) subject to the provision of this Bill, such other matters as the Governor may from time to time prescribe.

(2) In discharging its general responsibilities under Sub-Section (1) above, the Agency shall undertake the following duties:

- a) Introduce, implement and sustain best practices for record of land ownership and title certification in Niger State;
- b) Receive, conduct due diligence on, and verify applications for issuance of Certificates of Occupancy for land or the grant of other rights over land or subsequent transactions in land, within Niger State and forward same to the appropriate authority.

(4) There shall be paid to every member, other than an ex-officio member such emoluments, allowances and benefits as the Governor may, from time to time, determine.

(5) The provisions of the First Schedule to this **Bill** shall have effect with respect to the proceedings of the Agency and other matters mentioned therein.

PART III - FUNCTIONS AND POWERS

Functions of the Agency.

- 5.** (1) The Agency shall be responsible;
- (a) for maintaining, generating, managing and providing information on land transactions;
 - (b) for registration of land instruments, regulation and control of conduct of searches on land;
 - (c) production of certificate of occupancy; and
 - (d) subject to the provision of this Bill, such other matters as the Governor may from time to time prescribe.

(2) In discharging its general responsibilities under Sub-Section (1) above, the Agency shall undertake the following duties:

- a) Introduce, implement and sustain best practices for record of land ownership and title certification in Niger State;
- b) Receive, conduct due diligence on, and verify applications for issuance of Certificates of Occupancy for land or the grant of other rights over land or subsequent transactions in land, within Niger State and forward same to the appropriate authority.

- c) Develop and maintain a database of all land within the State particularly with respect to title and title history, location, size, use and other related indicators;
- d) Permit access to existing data on land for the purpose of conducting title searches for members of the public at a fee to be prescribed from time to time; and
- e) Undertake all such other activities as are required for efficient discharge of its duties.

(3) The Agency shall have the power to develop and maintain a geographic information system or such other appropriate system and structures in the State for research, land management and development planning.

(4) In discharging its responsibilities pursuant to subsection (3) of this section, the Agency may pursue all or any of the following objectives:

- a) acquire, provide, deploy and manage software and hardware for storing, assembling, manipulating and displaying geographi- cally referenced material;
- b) establish a central geographic information clearing house to maintain map inventories, information on current and planned geographic and spatial information systems applications, information on grants available for the acquisition or unhan- cement of geographic information resources;
- c) plan, establish and manage a dirctory or geographic informa- tion and the resources available within the state.
- d) coordinate geographic information system projects, including participating in the development and maintenance of base maps and geographic information systems within the state;
- e) provide consulting services and technical assistance, and educa- tion and training, on the application and use of geographic information technologies;

- f) maintain, update, and interpret geographic information systems standards;
- g) provide geographic information system services to persons wishing to augment their geographic information systems capabilities;
- h) In cooperation with other relevant agencies of government, evaluate, participate in pilot studies, and make recommendations on geographic information systems hardware and software;
- i) assist with review of agency information resource plans and participate in special studies as are requested or delegated by the Governor;
- j) provide staff support and technical assistance to the Governor on geographic information systems and policies;
- k) provide cost effective and efficient means of assembling and distributing relevant information among interested persons;
- l) coordinate and provide overview of geographic information systems activities within the state;
- m) review and submit to the Governor for approval all proposed geographic information systems project within the state;
- n) pursue funding strategies to continually develop and maintain up-to-date geographic information systems solutions for the state;
- o) advise the Governor in respect of trends, developments and solutions in geographic information system;
- p) provide technical support to assist other MDA in the state or other persons who wish to incorporate geographic information systems capabilities in their activities and system; and

- q) undertake all other steps and initiatives as are required for the proper administration of this Law.

Powers of the Agency.

6. (1) The Agency shall have the power to:

- a) do all things which by this law or any other enactment or administrative directive are required or permitted to be done by the Agency;
- b) monitor any matter that may affect the functions of the Agency; and
- c) do such other things as are necessary or expedient for the full discharge of its functions under this Law.

(2) Subject to any limitation imposed by law, the Agency may delegate any of its powers to any member or official of the Agency and authorize any such member or official to perform any of its functions.

7. (1) for the purpose of carrying out the functions conferred on the Agency under this Law, the General-Manager, or any employee of the Agency duly authorized in that behalf:-

- (a) shall have a right of access to all relevant geographic information records of any person within the state; and
- b) may by notice in writing, served on any person require such person to furnish or caused to be furnished geographic information or other similar information held by or available to such persons, on such matters as may be specified in the notice.

(2) It shall be the duty of any person required to furnish information pursuant to subsection (1) of this section to comply with the notice within the period specified in the notice or where no period is specified in the notice within a reasonable period.

PART III - DEPARTMENTS OF THE AGENCY

Departments of the Agency.

8. (1) Subject to subsection (2) of this section, the Secretariat shall comprise the following departments:

- a) Geo-information;
- b) Land Unit;
- c) Information and Communication Technology; and
- d) Administration and Accounts.

(2) For the effective conduct of the functions of the Agency, the Governor may issue regulations prescribing additional departments for the Agency or altering the departments listed in subsection (1) of this section in any manner whatsoever.

(3) Notwithstanding the provisions of subsection (2) of this section, the agency shall have power to set up technical committees to assist in the performance of its duties and functions under this Law.

Duties of the General Manager..

9. (1) The General-Manager shall be the Chief Executive Officer of the Agency.

(2) The General-Manager shall be a person with professional qualifications and at least 15 years experience in either geographic information systems or land relate matters.

(3) The General-Manager shall be responsible for the day-to-day administration of the Agency and the execution of the policy and practice of the Agency and shall be subject to the supervision and control of the Board.

(4) The General-Manager shall hold office for the term specified in subsection (3) of Section 4 of this Law provided that the said term may be renewed for another term or move as the Governor deems it fit.

(5) without prejudice to the generality of the provisions of this Bill or any other Law assigning specific responsibilities to other organizations, the General Manager may implement such programmes as are necessary for carrying into effect the provisions of this bill and in particular all matters relating to Geographic Information Systems.

(6) The General manager shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment.

10. There shall be a Secretary for the Board who shall be a Legal Practitioner with not less than 10 years post qualification experience and shall also be the Secretary of the Agency.

Secretary to
the Board.

(2) The Secretary to the Board shall:-

- (a) issue notices of meetings of the Board;
- (b) keep the records of the proceedings of the Board; and
- (c) carry out such duties as the Chairman or the Board may from time to time, direct.

(3) The General-Manager shall be responsible for the day-to-day administration of the Agency and the execution of the policy and practice of the Agency and shall be subject to the supervision and control of the Board.

(4) The General-Manager shall hold office for the term specified in subsection (3) of Section 4 of this Law provided that the said term may be renewed for another term or move as the Governor deems it fit.

(5) without prejudice to the generality of the provisions of this Bill or any other Law assigning specific responsibilities to other organizations, the General Manager may implement such programmes as are necessary for carrying into effect the provisions of this bill and in particular all matters relating to Geographic information Systems.

(6) The General manager shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment.

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- (a) issue notices of meetings of the Board;
- (b) keep the records of the proceedings of the Board; and
- (c) carry out such duties as the Chairman or the Board may from time to time, direct.

11. (1) The Agency may from time to time, appoint such other employees as it may deem necessary, to enable the Agency effectively perform its functions under this Law.

Staff of the
Agency.

(2) The Staff of the Agency so appointed under subsection (1) of this Section shall be appointed upon such terms and conditions of service as the Agency may, after consultation with the Niger State Civil Service Commission, determine.

(3) The power of the Agency under this section shall include to:

- (a) promote and control the staff of the Agency as may appear to the Agency necessary or expedient; and
- (b) dismiss, terminate, consider the resignation or withdrawal of appointment and exercise disciplinary control over the staff of the Agency, other than the General Manager.

(4) The Board may specifically delegate to the General Manager, the power to appoint such categories of Staff of the Agency as the Board may from time to time specify.

(5) The Staff of the Agency shall be public Officers of the State, as defined in the State Civil Service Commission Law.

(6) The Agency may engage such consultants and advisers as it may require for the effective discharge of its functions.

12. (1) The Agency may, subject to the provisions of this Law and in consultation with Niger State Civil Service Commission, make Staff regulations relating generally to the conditions of service of its employees and without prejudice to the generality of the foregoing, such regulations may provide for:

- (a) the appointment, promotion and disciplinary control (including dismissal) of the employees of the Agency; and

(b) appeals by employees against dismissal or other disciplinary measures.

(2) Pending the release of the regulations described in subsection (1) of this section, the employment of the staff of the Agency shall be governed by the terms and conditions generally applicable to officers in the public service of the state.

(3) Staff regulations issued by the Agency under subsection (1) of this section shall not have effect until approved by the Governor and published in the Gazette.

PART IV - FINANCIAL PROVISIONS

Finance.

13. (1) The Agency shall establish and maintain a fund ("the Fund") which shall consist of:

- (a) the initial take-off grant from the Government;
- (b) such sums as may be provided by the government by way of subvention or otherwise;
- (c) fees and other charges received by the Agency pursuant to this Law;
- (d) subject to sub-section 4 of this section, all other sums accruing to the Agency by way of grants, gifts, testamentary dispositions, endowments, bequest and donations made to the Agency;
- (e) income from any investment or other property acquired by or vested in the

(2) the fund shall be managed in accordance with rules prescribed by the Governor, provided the rules shall contain provisions:-

- (a) specifying the manner in which the assets of the fund are to be held;
- (b) regulating payments into the fund and the matters to which the assets of the fund may be applied; and
- (c) requiring the keeping of proper accounts and records for the purpose of the fund in such form as may be prescribed.

(3) Subject to the approval of the Governor and any other relevant Law, the Agency 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 Bill.

(4) The Agency may accept any gift, grant or donation of land, money or other property from any person upon such terms and conditions (acceptable to the Agency), if any, as may be specified by the person making the gift or donation.

(5) The agency shall not accept any gift or donation if the conditions attached thereto by the person making the gift or donation are inconsistent with the functions of the agency.

Estimate.

14. (1) The Agency shall, not later than 30th September in each year, submit to the Commission responsible for Budget and Planning an estimate of its expenditure and income (including estimates of expected payments into the fund) during the next succeeding year

(2) The Agency shall keep proper accounts in a form which conforms to accepted accounting standards, and proper records in relation thereto and the accounts shall be audited as provided in subsection (3) of this section.

(3) The accounts of the Agency shall be audited at the end of each calendar year by Auditors appointed by the Government from the list and in accordance with the Financial Guidelines and the fees of the Auditors and the expenses for the audit generally shall be paid from the fund.

15. (1) The Agency shall, not later than 30th June in each year, submit to the Governor, a report on the activities of the Agency and its administration during the immediately preceding year and shall include in the report the audited accounts of the Agency and the auditors' report thereon. Report.

(2) Every Annual Report made by the Agency under subsection (1) shall contain particulars of all directions given under Bill by the Governor to the Agency during each financial year.

(3) The Report referred to in subsection (1) shall before submission to the Governor be forwarded to the Commissioner for his comments and any comment made in respect thereof shall form part of the Report to be submitted to the Governor.

PART V - REGULATIONS AND SUPPLEMENTARY PROVISIONS:

16. The Board may subject to the approval of the Governor make regulations for the effective operation of this Law and the due administration thereof. Regulations.

Offences.

17. Any person who:

- (a) Willfully obstructs the Agency or any authorized officer of the Agency in the exercise of any of the powers conferred on the Agency by this Law; or
- (b) 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 Two Hundred and Fifty Thousand Naira, or imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Notice.

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

- (a) the cause of action;
- (b) the particulars of claim; and
- (c) the relief which he claims.

(2) The notice referred to in subsection (1) of this Section and any summons, notice or other documents required or authorized to be served upon the Agency in connection with any suit by or against the Agency shall be served by delivery of same to the Secretary of the Agency.

indemnification.

19. Every Member, Agent or Staff of the Agency shall be indemnified out of the assets of the Agency against any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted if any such proceeding is brought against him in his capacity as such Member, agent or staff as aforesaid.

FIRST SCHEDULE**SUPPLEMENTARY PROVISIONS RELATING TO THE AGENCY
PROCEEDING OF THE AGENCY**

- 1.** Subject to this Law and section 27 of the interpretation law (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 Board may make standing orders regulating the proceedings of the Agency and any committee thereof.
- 2.** If at any time, the office of the chairman is vacant or the chairman is in the opinion of the Board permanently or temporarily unable to perform the function of his office, the board may appoint one of its members to perform such functions for the period of the vacancy in the office of the chairman and references in this schedule to the chairman shall be construed accordingly.
- 3.** Every meeting of the Board shall be presided over by the chairman and if the chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their members to preside at the meeting.
- 4.** The quorum at a meeting of the Board shall consist of a Chairman (or in the appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this schedule) and three other members.
- 5.** Where upon any specific issue or occasion, the board desires to obtain the advice of any person on any particular matter, the Board may co-opt that person to be a member for as an 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.

Committees:

6. (1) Subject to its standing orders, the Board may appoint such number of standing ad hoc committees as it thinks fit to consider and report on any matter with which the Agency is concerned.

(2) Every committee appointed under the provisions of subparagraph (1) of this paragraph, shall be presided over by a member of the Board and shall be made up of a number of persons, not necessary members of the board, as the Board may determine in each case.

7. The decision of the Committee shall have no effect until it is confirmed by the Board.

8. No act or proceedings of the board shall be questioned on account of any vacancy among its members or on account of the appointment of any member having been defective.

FIRST SCHEDULE

I assented this 26th day of July, 2013 Time 3.05 p.m.

Chief Servant of Niger State
Dr. Mu'azu Babangida Aliyu OON, CON
Governor of Niger State

SECOND SCHEDULE

I withheld assent this.....day of.....2013 Time.....

Chief Servant of Niger State
Dr. Mu'azu Babangida Aliyu OON, CON
Governor of Niger State

THIRD SCHEDULE

I, Abdullahi M. Kagara, Clerk to the Legislature of Niger State hereby certify that this Law has been passed in accordance with Sub-Section 3 of Section 100 of the Constitution of the Federal Republic of Nigeria 1999 (as amended). This printed impression has been carefully compared by me with the Bill, which has been passed by the Legislature and found by me to be a true and correctly printed copy of the said Bill.

ABDULLAHI M. KAGARA
Clerk to the Legislature



FIRST SCHEDULE

I assented this 26th day of July, 2013 Time 3.05 p.m.

Chief Servant of Niger State
Dr. Mu'azu Babangida Aliyu OON, CON
Governor of Niger State

SECOND SCHEDULE

I withheld assent this.....day of.....2013 Time.....

Chief Servant of Niger State
Dr. Mu'azu Babangida Aliyu OON, CON
Governor of Niger State

THIRD SCHEDULE

I, Abdullahi M. Kagara, Clerk to the Legislature of Niger State hereby certify that this Law has been passed in accordance with Sub-Section 3 of Section 100 of the Constitution of the Federal Republic of Nigeria 1999 (as amended). This printed impression has been carefully compared by me with the Bill, which has been passed by the Legislature and found by me to be a true and correctly printed copy of the said Bill.

ABDULLAHI M. KAGARA
Clerk to the Legislature

