

- (c) one person appointed by the Governor from amongst the members of the Katsina State Council of Chiefs; and
- (d) not less than five and not more than seven other persons, who shall be appointed by the Governor, with the approval of the Executive Council.

KDS 4 of 1984.

Tenure of office of members.

5.—(1) A member of the Council, not being the Chairman or an *ex-officio* member shall hold office for three years and shall be eligible for re-appointment.

(2) A member of the Council, not being an *ex-officio* member, may by notice in writing given to the Governor, resign his/her membership.

(3) A member may be removed from office by the Governor for inability to discharge the functions of his office (whether arising from infirmity of the mind or body or any other cause) or for misconduct.

Functions of the Council.

6. The Council shall advise the Governor on any matter relating to the exercise of the powers of the Governor under the provisions of subsection (1) of section 192 of the Constitution.

Power to regulate procedure.

7. The Council shall have power to regulate its own procedure.

CHAPTER 5

AGRICULTURAL AND RURAL DEVELOPMENT
AUTHORITY

AN EDICT TO ESTABLISH THE AGRICULTURAL AND RURAL
DEVELOPMENT AUTHORITY IN THE STATE

KTS 10 of 1980

[21 September] Date of
commence-
ment.

PART I—PRELIMINARY

1. This Edict may be cited as the Katsina State Agricultural and Rural Development Authority Edict.

Title.

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

Interpreta-
tion.

“Authority” means the Katsina State Agricultural and Rural Development Authority (KTARDA);

“Bank” means the International Bank for Reconstruction and Development (IBRD);

“Chairman” means the Chairman of the Authority;

“Commissioner” means the Commissioner charged with the responsibility for agriculture in the State;

“Company” means the Katsina State Farmers Supply Company (FASCOKT);

“Department of the Authority” means any organisation or body established under the Authority including the Katsina State Agricultural Programme Management Unit, Zonal Development Committee and Katsina State Farmers Supply Company Limited;

“Director of Audit” means the State Director of Audit;

“Executive Committee” means the Katsina State Agricultural and Rural Development Executive Committee (KTARDEC) established under section 4 of this Edict;

“Fadama” means a low lying area in a river valley usually flooded during the rainy season;

"Federal Government" means the Federal Government of Nigeria;

"Governor" means the Governor of the State;

"Local Government" means a Local Government area within the State;

"Managing Director" means the Managing Director of the Authority;

"Member" means a member of the Authority;

"Project" means the Project established by the Authority for the purpose of executing its programmes;

"State" means the Katsina State of Nigeria;

"Unit" means the Katsina State Agricultural Programme Management Unit (KTAPMU).

PART II—ESTABLISHMENT AND CONSTITUTION OF THE AUTHORITY

Establishment of the Authority.

3.—(1) There is hereby established an Authority to be known as the Katsina State Agricultural and Rural Development Authority for the purpose of carrying out integrated development of agriculture in the state.

(2) The Authority shall:—

(a) be a body corporate with perpetual succession and a common seal and shall have power to sue and be sued in its corporate name; and

(b) have power to acquire, hold and dispose of any property whether movable or immovable.

Objects of the Authority.

4. The objects of the authority shall be to carry out an integrated agricultural and rural development of the State, and in particular to carry out:—

(a) a programme to increase production of crops through the introduction of improved farming practices to farmers, strengthening of extension services and provision of improved inputs;

(b) a programme to improve farm management through the introduction of an agronomic package planned water management and pump irrigation on the fadama land;

(c) a programme to set up a farm inputs organization to supply farmers with necessary inputs;

(d) applied research involving the testing of crop varieties, agronomic practices, new implements and farming system;

(e) seeds and planting materials production programme involving the supply of foundation seed and the securing of disease-free stocks for further multiplication;

(f) agro-forestry development involving production of seedling, modernisation of nurseries and establishment of wind-breaks and woodlots;

(g) soil conservation and land use planning involving application of appropriate measures, collecting and processing data for long and short term land use planning;

(h) weather recording, prediction and forecasting of pests and disease occurrences;

(i) a road programme consisting of:—

(i) construction and maintenance of feeder roads to provide access to the farm service centres and linking important agricultural areas to the main roads network;

(ii) improvement of the access tracks within the fadama areas.

(j) rural water supply programme involving:—

(i) provision of potable water to rural dwellers;

(ii) drilling of boreholes, construction of earth drums and rehabilitation of existing ones;

(iii) the establishment of a maintenance unit; and

(k) such other programmes or objectives as may be assigned to it by the Governor.

5. The Authority shall for the purpose of carrying out its objectives have the power of and responsibility for the:—

Powers and duties of the Authority.

(a) construction of its offices, workshops, stores, staff houses and farm service centres;

(b) planning, monitoring and evaluation programme covering the authority's activities, programmes, regular production

- of reports and of cost accountants data on plant and vehicle utilisation and civil works;
- (c) collection by planning, monitoring and evaluation units of basic agronomic data, results from small adoption plots and market price information;
- (d) staff development and training in improved agricultural methods, infrastructure development, communications, and management, including the establishment of Media Centres;
- (e) distribution by the Company of farm inputs to farmers within the State through farm service centres and viable primary co-operative societies;
- (f) involvement of Local Governments into operations of the Authority through technical and advisory committees and training programmes;
- (g) detailed water supply planning including the fadama area;
- (h) monitoring of markets within the State and evaluation studies of the overall economic effect of the Authority's programmes; and
- (i) such other functions and duties as the Governor may assign to the Authority.

The
Executive
Committee
(KTARDEC).

6.—(1) The governing body of the Authority shall be an Executive Committee to be known as the Katsina State Agricultural and Rural Development Authority Executive Committee.

(2) The Executive Committee shall consist of:—

- (a) the Governor Chairman
- (b) the Commissioner of Agriculture and Natural Resources Deputy Chairman
- (c) Commissioner of Finance and Economic Planning—member
- (d) the Commissioner of Works and Transport—member
- (e) the Attorney-General and Commissioner of Justice—member
- (f) Secretary to the Government—member
- (g) Director of the State Agency for Rural Development—member

- (h) Regional Head, Federal Agricultural Co-ordinating Unit—member
- (i) one representative of River Basin Development Authority within the State—member
- (j) Managing Director of the Authority—member/Secretary

(3) The Executive Committee shall be responsible for the co-ordination and definition of rural development policy and for overseeing projects executed by the Authority.

(4) The Executive Committee should meet at least three times a year.

7.—(1) There shall be established a General Purpose Committee for the Authority with the following members:—

The General
Purpose
Committee
(KTADGPC).

- (a) the Commissioner of Agriculture and Natural Resources as the Chairman;
- (b) the Commissioner of Finance and Economic Planning;
- (c) the Commissioner of Works and Transport;
- (d) Director of State Agency for Rural Development;
- (e) Regional Head, Federal Agricultural Co-ordinating Unit;
- (f) Managing Director of the Authority;
- (g) Director of Administration and Legal Services of the Authority—Secretary.

(2) The General Purpose Committee shall perform such functions as may be assigned to it by the Executive Committee.

8. Where the Authority desires to obtain the advice of any person upon any matter, the Authority may co-opt such person to be a member for such meeting or meetings as may be required, and any such person whilst so co-opted shall have all the rights and privileges of a member of the Authority save that he shall not be entitled to vote on any question or count towards a quorum.

Power to
co-opt.

9. Where any member of the Authority is temporarily incapacitated from performing the functions of his office or is temporarily absent, the Governor may appoint any person to hold temporarily the office held by such incapacitated or absent

Temporary
membership.

member during the period of such incapacity or absence and all functions of such member under this Edict shall devolve upon the person so temporarily appointed.

Chief
Executive.

10. There shall be a Managing Director who shall be the Chief Executive of the Authority and shall be responsible for the day to day running of its affairs and the General Purpose Committee for the successful execution of the entire programme of the Authority.

Managing
Director.

11. The Managing Director who shall be appointed by the Governor shall be a professionally qualified and experienced agricultural officer.

Meetings.

12.—(1) The General Purpose Committee shall ordinarily meet for the despatch of its business at such times and places as it may determine but shall meet at least once every three months.

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

(3) The quorum at any meeting of the General Purpose Committee shall not be less than one half of the total number of members holding office at the time of the meeting.

(4) The validity of any proceedings of the General Purpose Committee shall not be affected by any vacancy among the members or by any defect in the appointment of any member.

Establish-
ment of
Departments
and
Management
Units.

13. For the purposes of executing its programme and functions under this Edict, the Authority may set up as the need arises, Departments and Management Units, and appoint suitable and experienced persons to head such Departments and Management Units.

Management
of the
Authority.

14. The General Purpose Committee shall, subject to the provisions of this Edict have general control of the management of the Authority.

Sub-
committees.

15. The Executive Committee shall, for the purpose of

ensuring efficient monitoring of the Authority establish such sub-committees as it deems fit.

16.—(1) The Authority shall organise its operations into two zones, namely:— The two
operational
zone.

(a) Zone I

Consisting of the following Local Government areas:
Daura, Bindawa, Jibia, Kaita, Katsina, Mani, Mashi, Rimi and Zango (with headquarters at Ajiwa).

(b) Zone II

Consisting of the following Local Government areas:
Bakori, Batsari, Dutsin-ma, Faskari, Funtua, Ingawa, Kankara, Kankia, Malumfashi, Musawa and Safana (with headquarters at Funtua).

(2) There shall be a Zonal Manager for each of the zones, who shall be responsible to the Managing Director and charged with the responsibility of executing that part of the project relating to the zone under his charge and in particular for:—

(a) the preparation of a zonal annual work programme and budget after consultation with the Zonal Development Committee and the management;

(b) the construction of roads and water supplies, establishment and operation of a project workshop; operation centre; maintenance of transport and buildings;

(c) control of project agricultural activities and training; and

(d) liaising with zonal commercial unit of the Company and the zonal Credit Financing Agency (CFA).

17. The functions of the agricultural zones shall include:— Functions of
the zones.

(a) advising the Authority on the annual zonal work programme and its budget;

(b) co-ordinating zonal programme activities, with Local Government Council officials; and

(c) co-ordinating technical functions such as siting of feeder roads, civil works and guidelines for land utilisation and review of project related disputes.

Zonal
Development
Committee.

18.—(1) Each of the two zones mentioned in subsection 1(a) and (b) of section 17 shall have a Zonal Development Committee for the purpose of ensuring the effective performance of the functions of the Committee.

(2) The Zonal Development Committee shall be composed of:—

- (a) Zonal Manager as Chairman;
- (b) Chairman of every Local Government area within the Zone—member;
- (c) Zonal Chief Accountant—member;
- (d) one District Head from each Local Government within the Zone to be appointed by the Commissioner on a yearly rotational basis—member;
- (e) one Zonal Officer from a River Basin Authority within the Zone.

(3) The functions of a Zonal Development Committee shall include:—

- (a) the co-ordination of the execution of agricultural programme at the zonal level;
- (b) advise on the annual zonal programme and its budgets;
- (c) co-ordinating with officers of Local Government Councils;
- (d) advise on siting of roads, farm service centres and other civil works.

Katsina
Farmers
Supply
Company
Limited
(FASCOKT).

19.—(1) For the purpose of acquiring all inputs necessary for the execution of the projects of the Authority there shall be established a limited liability company to be known as the Katsina State Farmers' Supply Company Limited to be headed by a General Manager who shall be responsible to the Managing Director.

(2) The company shall be responsible for the procurement and distribution of agricultural supplies throughout the State.

(3) The General Manager of the company shall be a qualified economist or qualified in any discipline related to economics while the Secretary shall be a person with basic legal knowledge.

20. Upon the commencement of this Edict, there shall without further assurance vest in the Authority, all lands, works, assets, rights, privileges and liabilities including staff (unless otherwise stated) of the following institutions:—

Vesting of
institutions,
property etc.
on the
Authority.

- (a) Katsina State Agricultural Development Project;
- (b) Katsina State Farmers Supply Company Limited.

PART III—FUNDS, ASSETS, ACCOUNTS AND REPORT

21.—(1) The funds of the authority shall consist of:—

Funds of the
Authority.

- (a) such monies as may from time to time be appropriated or granted to it by the Government of the State;
- (b) such monies as may from time to time be lent or granted to the Authority by the Federal Government of Nigeria;
- (c) such monies or other property whatsoever as may from time to time be advanced by way of loan, or grant to the Authority by any Local Government of the State or statutory corporation, any agency, International organisation, private foundation, Bank or any person whatsoever;
- (d) such sums as may be due to or received by the Authority in the performance of its functions; and
- (e) all such other sums or property payable to or vested in the Authority under this Edict or by virtue of any other law.

(2) The accounts of the Company shall in accordance with the relevant provisions of the Companies Act, be prepared and presented as a group account with the Authority giving a true and fair view of the group as a whole and showing any indebtedness of the company to and from the Authority.

No. 51 of
1968.

(3) The financial year of the Company shall be the same as the financial year of the Authority.

22.—(1) All monies received by the Authority shall be credited to the funds of the Authority.

Application
of sum
received by
the
Authority.

(2) The Authority may apply funds at its disposal to its own expenses including the remuneration and expenses of its members

in respect of their duties as members and payment of salaries, allowances, pensions, gratuities and retiring benefits of its staff.

(3) The Authority may incur expenditure necessary for or incidental to the carrying out of its functions and duties conferred upon it under this Edict.

Accounts
and audit.

23.—(1) The Authority shall keep proper books of accounts in respect of each and every financial year and shall within six months after the end of each financial year cause the accounts thereof to be audited by independent public auditors appointed by the Authority in consultation with the Director of Audit of the State.

(2) Without prejudice to the provisions of subsection (1) of this section, whenever the Authority is undertaking a project jointly financed with external resources, the consent of the co-financiers for the said project shall be required in appointing auditors for the period of such co-financing.

Annual
report.

24. The Authority shall within six months after the end of each financial year submit to the Executive Committee an annual report of its activities for that year and shall include in such report a copy of the audited account of the Authority together with the Director of Audit's report thereon.

Annual
estimates
and actions
plan.

25. Before the commencement of each financial year, the Authority shall submit to the Executive Committee its proposed budget estimates and work plan for that financial year.

PART IV—MISCELLANEOUS

Representa-
tion in
court.

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

(2) For the purposes of this section:—

“suit” means action or any civil proceedings commenced by the writ of summons or in such other manner as may be prescribed by the rules of court but does not include criminal proceedings.

27.—(1) Any contract or instrument which when entered into or executed by a person not being a body corporated, may not require to be under seal, may be entered into or executed on behalf of the Authority by the Managing Director or any person generally or specially authorised in that behalf by the Authority.

Common
seal
(authentic-
ation of
documents).

(2) The fixing of the common seal of the Authority shall be authenticated by the signature of the Managing Director or some other member or person as may generally or specially be authorised in that behalf by the Authority.

28. Notwithstanding anything contained in this Edict, the Governor may give directives of a general or specific nature to the Authority with respect to the performance of its functions.

General
direction of
the
Governor.

29. Subject to the provision of this Edict, the Authority may make regulations for the proper implementation of its objectives.

Standing
orders.

30. The Authority shall grant pensions and gratuities to the staff of the Authority in accordance with any Pensions Law operating in the State.

Pensions
and
Gratuities.
Cap. 97.

31. A member of staff shall not be personally liable for any act or omission, or for any default of the Authority as long as such act, omission or default is in the course of his duties under the Authority and in good faith.

Protection of
members
and staff.

32.—(1) Subject to the provisions of this Edict every contract entered into by the Katsina State Agricultural Development Project and the Katsina State Farmers Supply Company, including a contract of employment shall have effect and continue to subsist as if entered into under and pursuant to the provisions of this Edict.

Transitional
provisions.

(2) All regulations, standing orders and notices shall have effect subject to the provision of this Edict.

33.—(1) At the commencement of this Edict, all existing staff of the Katsina State Agricultural and Rural Development Authority who are in the employment of the Civil Service of the State shall be deemed to be on secondment to the Authority for a period of six

Transitional
status of
staff.

months with status, designation and function which correspond as nearly as possible to those appertaining to them before the commencement of this Edict.

(2) During the period of secondment, staff may apply in writing to the Authority for transfer to the services of the Authority.

(3) An officer who has not applied for transfer or whose application for transfer has not been approved by the Authority, shall within six months from the commencement of this Edict, revert to the Civil Service of the State.

34. The Executive Committee shall have powers to make regulation and standing orders for the purpose of carrying out the functions of the Authority under this Edict.

CHAPTER 6

ANATOMY

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title.
2. Licences to practise anatomy.
3. Executors or other persons having lawful custody of bodies may permit them to undergo anatomical examination.
4. Provision in case of persons directing anatomical examination after their death.
5. The body not to be removed without a certificate.
6. Superintendent of school of anatomy may receive bodies for anatomical examination.
7. Superintendent of school of anatomy to receive with body a certificate as aforesaid and keep record of particulars of deceased.
8. New bodies are to be removed for examination.
9. Persons not to be liable to prosecution for having in their possession human bodies.
10. Law not to extend to or prohibit post-mortem examination directed by competent authority.
11. Penalty.
12. Power to make regulations prescribing forms.