



Lagos State of Nigeria

Official Gazette

No. 3

IKEJA — 31st January, 2019

Vol. 52

Lagos State Government Notice No. 3

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MR AKINWUNMI AMBODE
Governor of Lagos State

LAW No. 4

2019



Lagos State of Nigeria

**A LAW TO PROVIDE FOR THE ESTABLISHMENT OF THE LAGOS STATE
TOURISM PROMOTION AGENCY AND FOR CONNECTED PURPOSES.**

Commencement (28th January, 2019)

THE LAGOS STATE HOUSE OF ASSEMBLY enacts as follows:

Interpretation.

I. In this Law, unless the context otherwise requires –

“Commissioner” means the Commissioner for Tourism or a member of the State Executive Council for the time being charged with the responsibility for tourism;

“Environmental Impact Assessment” means a systematic examination conducted to determine whether or not a programme, activity or project will have any adverse impact on the environment;

“Governor” means the Governor of Lagos State;

“House” means the Lagos State House of Assembly;

“Hotel” includes a facility used for the reception of guests, travelers and tourists desirous of dwelling or sleeping;

“State” means Lagos State of Nigeria;

“Sustainable Tourism” means tourism development that meets the needs of visitors while protecting and enhancing tourism opportunities for the future;

“Tourism Operator” means the registered owner of a tourism establishment; and

"Tourism Establishment" includes –

- (i) an establishment that provides temporary accommodation for a guest, for a continuous period of less than one (1) month, and includes a building, structure or place in which accommodation or lodging, with or without food is provided for a price to travelers, such as cabin, cottage, house keeping unit, hotel lodge, motel, inn, hostel, bed and breakfast establishment, resort, travel trailer, travel trailer park, recreational vehicle park, house boat, camping cabin and camp ground;
- (ii) a tour guide operator; or
- (iii) a tourism promotion services establishment.

Establishment
of the Lagos
State Tourism
Promotion
Agency.

- 2. (1) There is established the Lagos State Tourism Promotion Agency (referred to in this Law as "the Agency").
- (2) The Agency shall –
 - (a) be a body corporate with perpetual succession and a common seal;
 - (b) have powers to sue and be sued in its corporate name; and
 - (c) be capable of acquiring, holding, managing or disposing of moveable or immovable property for the purpose of performing its functions under this Law.

Objectives of
the Law.

- 3. The objectives of this Law are to-
 - (a) promote, market and develop the State domestically and internationally as a major tourist destination, by highlighting its uniqueness and assisting the development of its tourism products and services;
 - (b) develop and promote the State as a premier travel and tourist destination;
 - (c) attract and increase tourist arrivals and direct tourism investment;
 - (d) identify and develop potential tourism destinations in the State;
 - (e) maximise the economic and social benefits of tourism;
 - (f) encourage and promote improved standards of tourist establishments, facilities, attractions and services offered to tourists;
 - (g) facilitate closer cooperation between government and participants in the tourism industry in the State;

- (h) enhance revenue generation for the State in the tourism sector;
 - (i) increase employment opportunities in the tourism sector; and
 - (j) encourage active Public Private Partnership in the development of tourism in the State.
4. (1) The functions of the Agency shall be to –
- Functions of the Agency.
- (a) advise private organisations, State and Local Governments on matters relating to tourism;
 - (b) formulate and implement campaigns and other strategies to promote the State locally and internationally as a major tourist destination;
 - (c) promote the State's tourism industry to achieve international best practices in the delivery of tourism products and services;
 - (d) encourage the provision, improvement and marketing of tourism facilities and products in the State locally and internationally;
 - (e) undertake and conduct necessary research for the promotion and improvement of the tourism industry in the State;
 - (f) ensure regular local and international advertisement of the State as a major tourist destination;
 - (g) facilitate the creation of investment opportunities for tourism development by focusing on the following key segments -
 - (i) Beach and Leisure;
 - (ii) Culture and Heritage;
 - (iii) Arts and Entertainment;
 - (iv) Nature and Adventure;
 - (v) Wellness and Medical Tourism; and
 - (vi) Business Meetings, Incentives, Conferences and Events (MICE);
 - (h) develop and promote the State as a center for international meetings, conventions, exhibitions, sports, medical and wellness, nature and adventure, beach and leisure, culture and heritage, arts and entertainment tourism and other special events;
 - (i) market the State as a business tourism destination by –
 - (i) coordinating biddings for the State;
 - (ii) collaborating with persons, suitable bodies or organs of the State to develop and promote tourism in the State;

- (j) maintain relations with tour operators, travel agents and the hotel industry in respect of tourism in the State;
- (k) promote places of entertainment and night clubs;
- (l) create and beautify recreational parks, zoos and gardens within designated tourism zones;
- (m) coordinate the activities of tourism organisations in the State;
- (n) identify tourism market needs and trends and advise tourism stakeholders accordingly;
- (o) undertake and co-ordinate tourism research and analysis in accordance with the provisions of this Law;
- (p) collate and analyse information for the tourism sector and its clients in the private and public sectors, relating to-
 - (i) tourism products and services at local, regional and international levels;
 - (ii) trends in tourism;
 - (iii) processes or activities likely to impact on sustainable tourism; and
 - (iv) tourism statistics.
- (q) assess strategies and techniques for product development and marketing;
- (r) undertake market intelligence;
- (s) determine, in consultation with lead agencies, the capacities of the various tourism destinations and conservation needs and priorities;
- (t) assess information that is the basis of integrated tourism development area plans;
- (u) research on sustainable tourism and other emerging areas;
- (v) organise symposia, conferences, workshops and other meetings to promote the exchange of views on issues relating to tourism research and analysis;
- (w) publish annually, research findings and communicate recommendations to the relevant lead agencies, institutions and other stakeholders in the tourism sector;
- (x) collaborate with the Nigerian Tourism Development Corporation and other Federal Government Agencies for the purpose of achieving the objectives of this Law;
- (y) explore and market tourism resources and products;
- (z) attract, promote, facilitate and service large scale tourism events, fairs, conventions and expositions;
- (aa) devise and maintain a data platform for the collation of data and information about tourism;
- (bb) develop wide and varied tourism products in alignment with the key focus sectors referred to in this Law;

- (cc) develop tourist centers within the State;
 - (dd) receive in consideration of the services rendered by the Agency such commission or payment as may be agreed upon;
 - (ee) ensure that licences issued under the Hotel and Licensing Law Ch. H7 Laws of Lagos State 2015, are monitored for compliance with the provisions of this Law; and
 - (ff) do all such acts as appears to it to be requisite and advantageous for carrying out its functions under this Law.
- (2) Prescribe the principles, objectives, standards, indicators, procedures and incentives for the development, management and marketing of sustainable tourism and shall, in particular prescribe-
- (a) the packaging of niche tourism products and services;
 - (b) standards for tourism development area plans;
 - (c) measures to facilitate and enhance domestic and regional tourism;
 - (d) priority areas for tourism development, capacity building and training;
 - (e) innovative schemes, incentives and ethics to be applied in the development and marketing of sustainable tourism, including public private partnerships;
 - (f) clear targets indicating projection in tourism growth annually;
 - (g) measures necessary to ensure equitable sharing of benefits in the tourism sector;
 - (h) adaptation and mitigation measures to avert adverse impacts of climate change on tourism, tourism products and services;
 - (i) plans for the development, implementation and co-ordination of a national tourism marketing strategy; and
 - (j) the State as a premier tourist destination at international, regional, national and local levels.

Establishment
and Composition
of the Lagos State
Tourism Promotion
Agency Governing
Board.

5. (1) There is established for the Agency, the Lagos State Tourism Promotion Agency Governing Board (referred to in this Law as "the Board").
- (2) The Board shall comprise of –
- (a) the Chairman;
 - (b) five (5) members who shall be appointed from the five (5) Divisions of the State, from the public or private sector;
 - (c) the Commissioner for Tourism or a representative not below Grade Level 15;
 - (d) a representative each from the Lagos State Chapter of the –
 - (i) Nigeria Hotel Association;
 - (ii) National Association of Nigerian Travel Agencies;
 - (iii) Federation of Tourism Association of Nigeria;and
 - (e) the General Manager.
- (3) (a) The Chairman shall be a person of proven integrity with relevant qualifications and passion for tourism and tourism development in the State.
- (b) The members of the Board, other than the ex-officio members shall be persons of proven integrity and ability with relevant professional qualifications and experience in the field of tourism, entertainment and hospitality.
- (4) The Chairman and members of the Board, other than the ex-officio members shall be appointed by the Governor subject to the confirmation of the House.

Tenure of
Office.

6. Members of the Board, other than the General Manager, and ex-officio members, shall hold office on part-time basis for a period of four (4) years and may be re-appointed for one further term of four (4) years only.

Remuneration
and
Allowances.

7. Members of the Board, shall be paid such remuneration and allowances as the Governor may approve.

Cessation of
Office of
Members of
the Board.

8. (1) A member of the Board shall cease to hold office if the member –
- (a) becomes of unsound mind or incapable of carrying out the duties of the office;

- (b) has been convicted of a felony or any offence involving dishonesty;
 - (c) is an undischarged bankrupt or is in obvious financial distress; and
 - (d) is guilty of gross misconduct in relation to the duties of the Office.
- (2) A member of the Board may resign from the appointment by giving one (1) month's notice in writing addressed to the Governor and the membership shall cease on the date of the resignation.
- (3) The Governor may remove any member of the Board if satisfied that it is in the interest of the public to do so.
- 9. (1) The Board shall meet at least four (4) times every calendar year and at other times as may be required for the due performance of its functions under this Law. Meetings.
- (2) The Chairman shall convene an extra-ordinary meeting not later than twenty-one (21) days from the receipt of a notice written and signed by at least five (5) members stating the matter to be discussed.
- (3) If the Chairman fails to convene the meeting as requested by the members in accordance with subsection (2) above within the prescribed time, the Secretary shall convene the meeting.
- (4) If the Chairman is absent from any scheduled meeting of the Board, the members present shall elect one of the members to preside at that meeting.
- 10. An act or proceeding of the Board shall not be invalidated by reason of any vacancy among its members, defect in the appointment of a member or by reason that a person not entitled to do so, took part in the proceedings. Validity of Proceedings.
- 11. The quorum for a meeting of the Board shall be seven (7) members. Quorum.
- 12. (1) A decision of the Board shall be determined by the majority of the members present and voting. Voting.
- (2) Where there is equality of votes the Chairman or the person presiding shall have a deliberative and casting vote.

- Power to Co-opt.
13. Where the Board desires to obtain the advice of any person on a matter, the Board may co-opt that person to be a member for such meeting(s) as may be required, and the person so co-opted, shall have all the rights and privileges of a member but shall not be entitled to vote on any question or count towards a quorum.
- Disclosure of Interest.
14. (1) A member who is in any way directly or indirectly interested in a transaction or project of the Agency shall disclose the nature of the interest at a meeting of the Board.
- (2) The disclosure of interest by a member shall be recorded in the minutes of the Board and the member shall not take part in any deliberation of the Board with respect to the transaction or project.
- Powers of the Board.
15. The Board shall have powers to –
- (a) market the State as a tourist destination throughout the year;
 - (b) open and operate such offices within or outside the State as may be necessary for effective performance of its functions;
 - (c) act as agent of the State Government for the transaction of any business connected with any tourism related enterprise;
 - (d) assist to improve on the facilities for the development of the State as a premier tourist destination;
 - (e) engage in local and international publicity to project the State as a tourist destination;
 - (f) determine standards to be maintained by tourism enterprises within the State;
 - (g) enter into such contracts as may be expedient for carrying into effect the provisions of this Law;
 - (h) form or participate in the formation of any company for the purpose of carrying out all or any of the functions of the Board;
 - (i) enhance the tourism sector's contribution to the economy of the State;
 - (j) direct and coordinate the resources and efforts of Government, private sector and allied fields for the full realisation of tourism plans and programmes of the State;
 - (k) promote tourism and performing acts in consonance with tourism by attending conventions and other events with a view to promoting the State as a tourists destination;
 - (l) promote and confirm appointment of persons employed by the Agency;
 - (m) exercise disciplinary control over any person employed by the Agency; and
 - (n) do all other things necessary and incidental to the performance of its powers.

16. The Agency may invest any money belonging to it by way of endowment (whether for general or special purposes) and any such money not immediately required for current expenditure, in any investment or security and shall have power to vary such investment in accordance with the extant financial regulations of the State. Power to Invest.
17. (1) The Agency may enter into any joint private venture for the purpose of carrying into effect the objectives of this Law. Joint Private Venture.
- (2) Any joint private venture entered into by the Agency shall be subjected to the Public Private Partnership Law.
18. (1) The Governor may give to the Board directions that is not inconsistent with the provisions of this Law or any regulation made under it and the Board shall give effect to such directions. Directions by the Governor.
- (2) The Board shall furnish the Governor with information with respect to its properties and activities as the Governor may require.
19. (1) The Board may in its discretion, appoint from among its members or other persons who are not members, to be members of committees formed, for carrying out its functions under this Law or to give effect to the decision(s) of the Board. Appointment of Committees and Delegation of Powers.
- (2) The Board may in writing and subject to such conditions as it may determine, delegate or assign any of its powers or duties under this Law to –
- (a) any committee of the Board;
 - (b) an employee of the Agency; or
 - (c) with the concurrence of the General Manager, any other suitable body.
- (3) The Board may continue to exercise powers conferred upon it, or perform a function under this Law or any other Law, notwithstanding the delegation of such power or function under subsections (1) and (2) of this Section.
20. (1) There shall be for the Agency, a General Manager who shall be appointed by the Governor, subject to the confirmation of the House. Appointment of the General Manager.
- (2) The General Manager shall be –

- (a) a person of proven ability and integrity with cognate and relevant experience;
- (b) the Chief Executive and Accounting Officer of the Agency, subject to the general control of the Board; and
- (c) responsible for the execution of the policies and day to day administration of the affairs of the Agency in accordance with the provisions of this Law.

(3) The terms and conditions of appointment of the General Manager shall be as specified in the letter of appointment.

Secretary of
the Agency.

21. (1) There shall be for the Agency, a Secretary with at least ten (10) years cognate experience, to be appointed from the Public Service or Private Sector of the State and shall be responsible to the General Manager.
- (2) The duties of the Secretary includes -
- (a) making arrangements for meetings of the Board;
 - (b) preparing the agenda and the minutes of such meetings;
 - (c) conveying decisions of the Board to its members and all concerned; and
 - (d) generally performing all other duties affecting the Agency as may be specifically assigned by the General Manager.

Legal
Adviser of
the Agency.

22. (1) There shall be for the Agency a Legal Adviser who shall be a legal practitioner with at least ten (10) years post call experience.
- (2) The Legal Adviser shall be responsible to the General Manager in the performance of the functions of the Office.
- (3) The Legal Adviser shall be responsible for the following -
- (a) provide legal advice with respect to the duties of the Board;
 - (b) attend to legal issues affecting the Agency; and
 - (c) general performance of all other duties affecting the Board as may be assigned by the General Manager.

Staff of
the Agency.

23. The Agency may, subject to the approval of the Governor engage such other staff as may be necessary for proper execution of its functions under this Law and pay to such persons so employed such remuneration and allowances as may be determined by the Board in accordance with the extant policies of the State Government.

24. (1) The Pensions Law shall, in its application to any office under this Law, have effect as if the office were in the Civil Service of the State.
- (2) Nothing in this Section shall prevent the appointment of a person to any office on terms which precludes the grant of pensions in respect of service in that office.
25. (1) The Agency shall establish and maintain a fund from which shall be defrayed all its expenditures.
- (2) The funds of the Agency shall consist of subventions made to it by the State Government and such other sums as may accrue to it in accordance with the provisions of this Law.
- (3) There shall also be paid to the fund –
- (a) all moneys paid to the Agency by way of grants, loans, subsidies, donations, gifts, charges, fees, subscriptions, interests and royalties;
 - (b) all moneys which may vest in the Agency under any enactment; and
 - (c) all other sums or property which may in any manner become payable to or vested in the Agency in respect of any matter incidental to its powers or functions under this Law.
26. The Agency shall have borrowing powers as may be allowed under the extant financial regulations of the State, subject to the approval of the House.
27. (1) Subject to the provisions of subsection (2) of this Section, the Agency may accept money, grants, gifts, endowments, donations and testamentary dispositions or other property in aid of the objectives of the Agency, on such conditions, if any, as may be specified by the donor.
- (2) The Board shall not accept any gift if the conditions attached to such gifts are inconsistent with the functions and policies of the Agency.
- (3) A register shall be kept of all donations to the Agency including the names and particulars of the donors.
- (4) All properties or monies donated and received for any approved purpose shall be administered in accordance with such purpose.

Application
of the
Pensions
Law.

Funds of
the Agency.

Power to
Borrow.

Power to
Accept Gifts,
Donations,
Grants and
Endowments.

Audit.

28. The Agency shall prepare at the end of each financial year, statements of its accounts which shall be audited by a firm of external auditors appointed by the Board from the list of approved auditors provided by the Auditor-General of the State in accordance with the State Audit Law.

Annual
Estimates.

29. (1) The Agency shall, in accordance with the State Administrative Policies and Guidelines prepare and submit to the Governor through the Commissioner a report of its activities and operations with a certified copy of the audited accounts of the Agency and the Auditor's report and within such period as may be indicated.
- (2) The Agency shall prepare and submit to the Commissioner for the Governor's approval, its annual estimate of revenue and expenditure for the period commencing on the 1st day of January and ending on the 31st day of December of each year in accordance with extant directives on budget preparation.

Registers.

30. (1) The Agency shall keep and maintain registers of—
- (a) standards for the tourism development area plans formulated by the Board under the provisions of this Law;
 - (b) tourism facilities, activities and services approved under this Law;
 - (c) public and private sector institutions or associations involved in tourism or tourism related activities and services;
 - (d) authorised expatriates, in consultation with the Ministry relating to Immigration, working in the tourism and hospitality sector within the country; and
 - (e) institutions offering tourism and hospitality training.
- (2) All registers kept and maintained under this Section shall be open for inspection to members of the public during official working hours, at the Agency's office, on the payment of a prescribed fee.

Tourism
Levy.

31. (1) The Commissioner shall by Notice, require all persons engaged in tourism activities and services in the State to pay a Tourism Levy every year to be determined by the Regulations made under this Law.
- (2) The Tourism Levy Notice may make different provisions in relation to different tourism activities and services.

(3) All monies received in respect of the Tourism Levy shall be paid into the Fund of the Agency and be used solely for the development of tourism in the State.

(4) A person who fails to comply with the provisions of this Section commits an offence, and is liable on conviction to a fine of Two Hundred and Fifty Thousand Naira (₦250,000.00) in addition to the Tourism Levy.

(5) In addition to the penalty imposed under subsection (4) a tourism operator or the operator of a tourism related business who fails or refuses to pay the levy imposed, shall be denied access to government services and closure of the tourism establishment.

32. The Agency may appoint-

- (a) an employee of the Agency; or
- (b) any company with whom the Agency has entered into a contract or an individual employed by such a company, as a tourism standards officer for the purposes of this Law and the regulations made under it.

Tourism
Standards
Officer.

33. (1) A duly authorised officer of the Agency shall have power to enter and conduct an inspection of a tourism establishment for the purpose of ensuring that the tourism establishment meets the requirements of this Law, the regulations made under it and other relevant laws of the State as may be incidental to the operation and maintenance of a tourism establishment.

Power to
Enter and
Inspect.

(2) For the purpose of enforcing this Law and the regulations made under it, a duly authorised officer may, at any reasonable time, and without a warrant -

- (a) enter the premises of any tourism establishment; and
- (b) inspect the premises and the register of any tourism establishment.

(3) A duly authorised officer shall not enter any part of a tourism establishment that is a-

- (a) dwelling unit rented and actually occupied by a tourist or member of the public; or
- (b) private dwelling of the owner or staff of the tourism establishment;

without the consent of the occupier or without a warrant.

34. A person shall not obstruct or assault a tourism standards officer while the tourism standards officer is exercising authority or performing a duty under this Law or the regulations made under it.

Obstruction
of Tourism
Standards
Officer.

Register to
be kept
by a Tourism
Establishment.

35. (1) Every tourism operator of a licensed tourism establishment shall ensure that a register is maintained for the tourism establishment and that, for every person who rents a unit or site at the tourism establishment, there is entered in the register, the-
- (a) name and address of the person;
 - (b) number and type of the unit or site rented by the person;
 - (c) motor vehicle licence number of the person, if the person is travelling by motor vehicle;
 - (d) number of people in the travel party, if the person is sharing the units or sites rented; and
 - (e) such other information of the person as may be required by the regulations made under this Law.
- (2) The tourism operator of a tourism establishment shall ensure that an occupancy return for the tourism establishment is prepared and submitted to the Agency every month, in accordance with the regulations made under this Law.
- (3) A tourism operator or manager of a tourism establishment shall not knowingly enter a false statement or knowingly permit such a statement to be entered in the register or on an occupancy return for the tourism establishment.
- (4) A person shall not, when registering in a tourism establishment-
- (a) represent as bearing a name other than the person's own name; or
 - (b) make any false statement as to the person's place of residence.

Provision of
Identification.

36. Every user of a tourism establishment shall provide a valid and acceptable means of identification when registering.

Eviction
from a
Tourism
Establishment.

37. A registered person with a tourism establishment may be evicted where the person -
- (i) acts in a way that may endanger the reputation of the tourism establishment; or
 - (ii) disturbs the comfort of the guests of the tourism establishment.

Lien on
Baggage.

38. Every tourism operator has a lien on the baggage and property of every person registered at the operator's tourism establishment for the value of any accommodation or service provided.

39. A member of the Board, officer, employee or agent of the Agency shall not be liable for an act done or omitted to be done in the discharge of the person's duties done in good faith. Protection from Personal Liabilities.
40. (1) A person who wishes to carry out a research on the tourism sector of the State shall seek and obtain the approval of the Agency in writing before carrying out such research. Research Permit.
- (2) A person granted a research permit under subsection (1) of this Section may be required, upon completion of the research, to deposit a copy of the research report, thesis or assessment with the Agency for data collection purposes.
- (3) A person who had carried out a research on the tourism sector in the State before the commencement of this Law may register and deposit such research work with the Agency for data collection and update purposes.
- (4) A researcher from outside Nigeria/State, shall be required to have a sponsoring institution from the home Country/State and a locally recognised collaborating institution shall guarantee that the researcher shall comply with the requirements under this Law.
- (5) The Commissioner may prescribe regulations to carry out the purposes of this Section.
41. (1) The Agency shall, in collaboration with relevant Ministries, Departments and Agencies of Government and stakeholders, establish a comprehensive tourism database for tourism in the State. Establishment of a Tourism Database.
- (2) The database established under subsection (1) of this Section shall include relevant data produced by the National Bureau of Statistics, Universities and Research Institutions or as a consequence of collaborative research by the Agency with local and foreign institutions and researchers.
- (3) The Agency shall, in consultation with relevant Ministries, Departments and Agencies of government and stakeholders, ensure that data is collated in accordance with any harmonised standards that may be prescribed under this Law or regulations made under it.
- (4) The Agency shall always make the data and information in its database available and accessible to stakeholders and the general public.

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|------------------------------------|--|
| Access to
Public
Records. | 42. (1) The General Manager shall on request, have access to public records or documents of a lead agency in the custody of a person or an establishment where, in the General Manager's opinion, the information sought is for the purposes of obtaining the required tourism data completion or correction of the information already obtained.

(2) A person who fails to give the required information or documents requested for under subsection (1) above contravenes the provision of this Law and thus commits an offence. |
| Access to
Data by
Person(s). | 43. (1) Subject to subsection (3) of this Section, a person may upon application access any data or information upon payment of a prescribed fee by the Agency.

(2) The Agency shall avail the data or information under subsection (1) in the format requested unless-
(a) it is reasonable for it to make the information available in another format; or
(b) the information is already publicly available and easily accessible to the applicant in another format.
(3) The Agency may refuse to grant an application under subsection (1) where the data in accordance with the Freedom of Information Act is classified and restricted.

(4) The Agency shall communicate to the applicant, in writing, the reasons for refusal within twenty-one (21) days from the date of making the decision.

(5) The Commissioner may on the recommendation of the Board, prescribe regulations to effectively carry out the provisions of this Section. |
| Monitoring
Mechanisms. | 44. (1) The Agency may, with the approval of the Commissioner develop monitoring mechanisms and set indicators to determine-
(a) sound management of tourism products and services; and
(b) trends affecting the State's tourism sector.

(2) The Agency shall give a report to the Commissioner on the results of the monitoring mechanisms against the pre-determined indicators.

(3) The Commissioner shall, at least once in a year, submit to the House a monitoring report and avail the monitoring report to the public. |

45. A person who has reason to believe that the provisions of this Law have been, are being, or are about to be violated, may petition the High Court for-
- (a) a declaration that the provisions of this Law are being, have been or are about to be contravened;
 - (b) an injunction restraining any specified person from carrying out the contravention;
 - (c) a writ of mandamus against an officer or a person who has failed to perform a duty imposed by this Law; or
 - (d) any remedy at law or equity for preventing or enforcing the provisions of this Law.
46. The Common Seal of the Agency shall be determined by the Board and the affixing of the common seal shall be authenticated by the signatures of the General Manager and the Secretary, or any other member authorised by the Board to act for that purpose.
47. The provision of Section 39 shall not relieve a tourism establishment of the liability to pay compensation or damages to a person for an injury to that person, the person's property or the person's interests caused by the exercise of the powers conferred on the Agency by this Law or by any other Law or by the failure, whether wholly or partially.
48. (1) The Commissioner may, on the recommendation of the Agency, make regulations prescribing all matters which by this Law are required to be prescribed or which are necessary for the carrying out of the provisions of this Law.
- (2) Without prejudice to the generality of subsection (1), Regulations made under subsection (1) may provide for the —
- (a) conditions which a licence or permit may be granted or issued under this Law in conjunction with other relevant Agencies of Government;
 - (b) criteria for standardisation and classification of tourism facilities and services;
 - (c) classification of tourism activities and services;
 - (d) fees and other charges required to be paid under this Law;
 - (e) restriction, regulation or other control of tourism activities and services;
 - (f) beach management;
 - (g) training of personnel for the tourism agencies and the tourism and hospitality sector in general;

Restraint of Breaches.

Common Seal.

Liability for Damages.

Power to make Regulations.

- (h) Code of Practice for the tourism and hospitality sector; and
- (i) co-operation and consultation with the agencies of Government for higher education in matters relating to the regulation of the courses or programmes of instruction leading to the award of certificates and diplomas in the Tourism and Hospitality sector.

(3) Regulations made under this Section may require acts or things to be performed or done to the satisfaction of the Commissioner, and may empower the respective tourism agencies to issue orders imposing conditions and dates upon, within or before which the acts or things shall be performed or done.

(4) Regulations made under this Law shall be made in accordance with the Regulations Approval Law of Lagos State 2015.

Violation of
the
Integrated
Tourism
Development
Area Plan.

49. A person shall not fraudulently alter or revoke —
- (a) an approved integrated tourism development area plan required to be developed; or
 - (b) an approved integrated tourism development area plan under this Law.

Prohibition
of Pollution
of a Designated
Tourism
Development
Area.

50. (1) A person shall not—
- (a) discharge any dangerous material, substances or oil into a designated tourism development area contrary to the provisions of this Law or any other Law; or
 - (b) pollute wildlife habitats and ecosystems, or discharge any pollutant to the environment contrary to the provisions of this Law or any other Law in a designated tourism development area.

(2) A person who contravenes any of the provisions of subsection (1) of this Section commits an offence and is liable on conviction, to a fine not exceeding Five Hundred Thousand Naira (₦500,000.00), or imprisonment, in case of a natural person, to a term not exceeding three (3) years, or both. In case of a corporate body to a fine not less than Ten Million Naira (₦10,000,000.00)

(3) In addition to the fine imposed under subsection (2), the court may direct the convicted person to —

- (a) pay the full cost of cleaning up the polluted wildlife habitat and ecosystem and mitigating effects of the pollution; and
- (b) clean up the polluted habitats and ecosystems and mitigating effects of the pollution to the satisfaction of the Agency.

(4) Without prejudice to the provisions of subsections (2) and (3) of this Section, the court may direct the concerned person to meet the cost of the effect of the pollution to a third party through adequate compensation, restoration or restitution.

51. (1) A person who—

- (a) fails to comply with a lawful requirement or demand made or given by an authorised officer;
- (b) obstructs a person in the execution of the powers or duties conferred under this Law;
- (c) knowingly or recklessly makes a statement or representation which is false;
- (d) knowingly or recklessly furnishes a document or information required under this Law which is false; or
- (e) knowingly or recklessly uses or furnishes a fake or forged or invalid licence or a licence that has been altered without authorisation; or
- (f) breaches or fails to comply with the provisions of this Law, commits an offence.

Offences and
Penalties.

(2) A person who commits an offence under the provisions of subsection (1) of this Section is liable on conviction to a fine not less than Two Hundred Thousand Naira (₦200,000.00), or to imprisonment for a term not exceeding two (2) years or both.

(3) Where an offence under this Law is committed by a body corporate, an association of individuals, a director, partner or any other person involved in, acting or purporting to act in the management of its affairs, it shall be a defence if that person proves that the —

- (a) act or omission constituting the offence took place without the person's knowledge; or
- (b) offender took reasonable steps to prevent the commission of the offence.

(4) A person who commits an offence under this Law for which no specific penalty is provided is liable, on conviction, to a fine not less than One Hundred Thousand Naira (₦100,000.00) or to imprisonment for a term not exceeding three (3) months or both.

(5) A tourism establishment that contravenes the provisions of this Section commits an offence and is liable on conviction to a fine of not less than —

- (a) Five Hundred Thousand Naira (₦500,000.00) or imprisonment for a term not less than six months (6) for an individual or both; or
- (b) One Million Naira (₦1,000,000.00) for corporate bodies.

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| Enforcement. | 52. | (1) The enforcement arm of the Agency shall be a special unit of the Neighbourhood Safety Corps.

(2) The special unit shall be deployed from the Neighbourhood Safety Corps to the Agency and shall be specially trained to function in the tourism environment of the State. |
| Repeal. | 53. | The Lagos State Waterfront and Tourism Development Corporation Law Ch L.71 Vol. 7 Laws of Lagos State 2015 is repealed. |
| Citation and Commencement. | 54. | This Law may be cited as the Lagos State Tourism Promotion Agency Law and shall come into force on the 28th day of June, 2019. |

This printed impression has been compared by me with the Bill which has been passed by the Lagos State House of Assembly and found by me to be a true and correctly printed copy of the said Bill.

MR. AZEEZA. SANNI
Clerk of the House of Assembly