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*Government Notice No. 72*

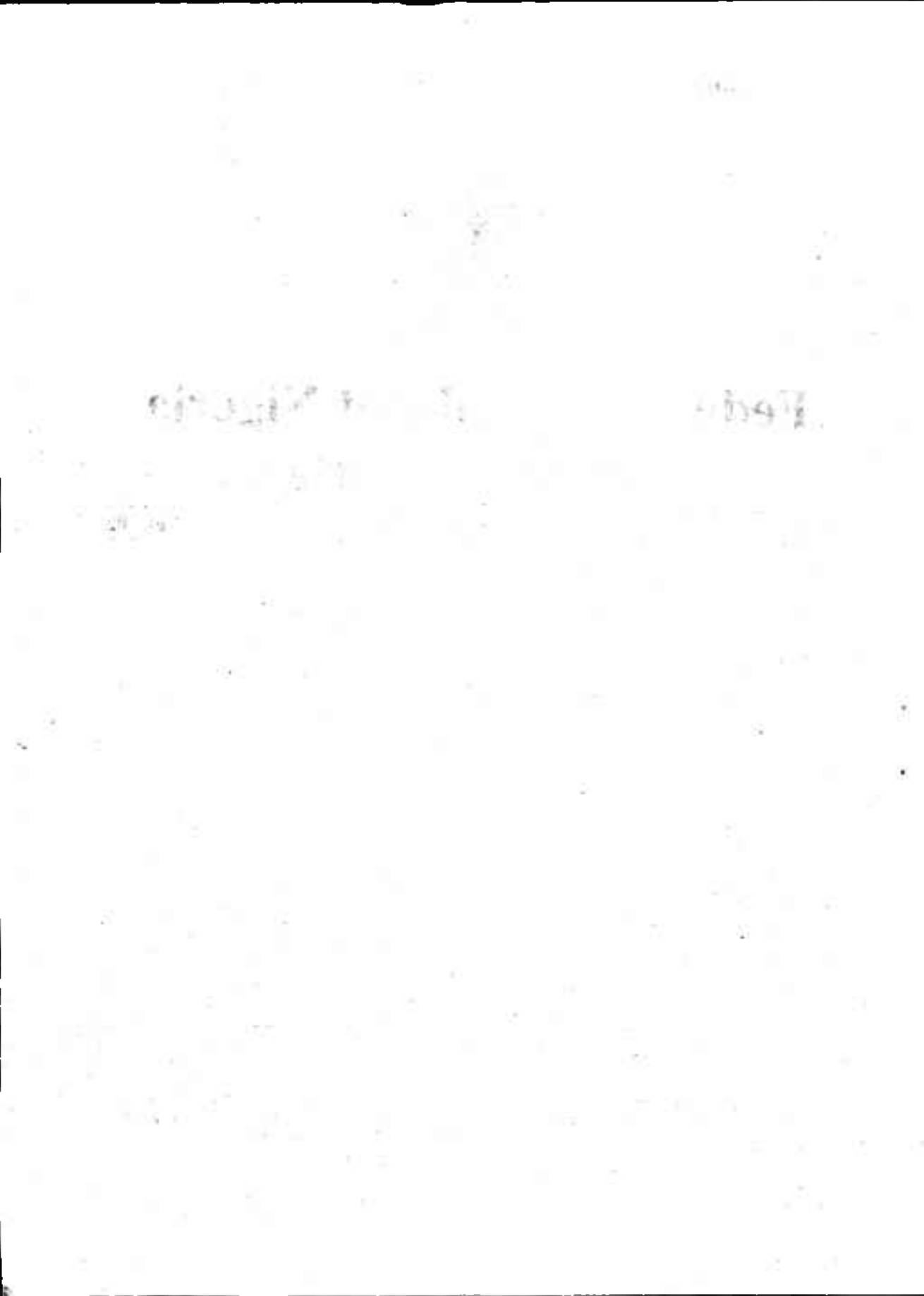
The following is published as supplement to this *Gazette* :

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ARRANGEMENT OF SECTIONS

*Section :*

1. Amendment of Cap. N78 LFN, 2004.
2. Amendment of Section 2.
3. Amendment of Section 3.
4. Amendment of Section 4.
5. Amendment of Section 5.
6. Substitution for Section 6.
7. Amendment of Section 8.
8. Amendment of Section 10.
9. Amendment of Section 11.
10. Deletion of Section 12.
11. Substitution for Section 13.
12. Deletion of Section 14.
13. Amendment of Section 15.
14. Amendment of Section 17.
15. Citation.

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**NATIONAL SUGAR DEVELOPMENT COUNCIL  
(AMENDMENT) ACT, 2015**

**ACT No. 11**

AN ACT TO AMEND THE NATIONAL SUGAR DEVELOPMENT COUNCIL ACT,  
CAP. N78 LAWS OF THE FEDERATION OF NIGERIA, 2004, BY GIVING  
ADDITIONAL POWERS TO THE COUNCIL TO ENABLE IT DISCHARGE ITS  
FUNCTIONS MORE EFFICIENTLY ; AND FOR RELATED MATTERS.

[26th Day of May, 2015]

Commence-  
ment.

ENACTED by the National Assembly of the Federal Republic of Nigeria :

1. The National Sugar Development Council Act Cap. N78 Laws of the Federation of Nigeria, 2004 (in this Act referred to as "the Principal Act") is amended as set in this Act.

Amendment  
of Cap. N78  
LFN. 2004.

2. Section 2 of the Principal Act is amended in—

Amendment  
of Section 2.

(a) sub-section (1), by deleting in lines 1 and 2, the words, "on the recommendation of the Minister" ;

(b) sub-section (1) (f), by substituting for the words, "and technology" the words, "responsible for Industry" ;

(c) sub-section (1) (g), by substituting for the existing paragraph (g), a new paragraph "(g)"—

"(g) one representative each of Federal Ministry of—

(i) Agriculture and Rural Development ; and

(ii) Water Resources."

(d) in sub-section (1) (h), by substituting for the word "of" after the word "Ministry", the words "responsible for".

3. Section 3 of the Principal Act is amended by—

Amendment  
of Section 3.

(a) substituting for the existing paragraphs (a), (c), (d), (e), (f), (g), (i) and (j) "new paragraphs "(a)", "(c)", "(d)", "(e)", "(f)", "(g)" and "(j)"—

"(a) to draw policy guidelines and action programmes on sugar development and implement approved policies on the development of the sugar sub-sector including the extant Nigerian Sugar Master Plan (NSMP)" ;

"(c) to facilitate the availability of fund for sugar out-growers for land preparation and farm inputs in liaison with Federal, State and Local Government institutions and bodies"

“(d) to collaborate with and support the activities of Sugarcane and Sugar Research Development and Training Institutions and Centers towards the development of improved sugar technologies, sugarcane varieties and capacity development for the industry” ;

“(e) to advise on adoption of machinery, monitor and enforce sugar backward integration programmes and other processes for rapid sugar development” ;

“(f) to determine and recommend at appropriate intervals, raw and refined sugar import and export quota for operators who have signed on to an auditable Backward Integration Programme (BIP) with timelines with the targets set out in NSMP” ; and

“(g) set benchmark and regulate sugar imports and exports based on local sugar production and consumption projection and grant approvals for the establishment of new sugar industries, including refineries” ; and

(b) inserting a new paragraph “(f)” —

“(f) request and receive annual base line data and returns from relevant agencies and companies for planning purposes and determine and effect appropriate sanctions for non-compliance with set regulations and standard for the sugar industry”.

Amendment  
of Section 4.

4. Section 4 of the Principal Act is amended by substituting for the existing sub-sections (1) and (2), new sub-sections “(1)” and “(2)” —

“(1) The Chairman and members of the Council other than ex-official members shall hold office for a term of four years, subject to renewal by the President, Commander-in-Chief, for one further term of four years and no more.

(2) Without prejudice to sub-section (1) of this section, the Minister may appoint from among the members any person to act as the Chairman during the absence, temporary incapacitation by illness of the Chairman and the person so appointed shall, while the appointment subsists, have the same powers as exercised by the Chairman.”

Amendment  
of Section 5.

5. Section 5 (1) of the Principal Act is amended by substituting for the words, “on the recommendation of the Minister” the word, “President”.

Substitution  
for  
Section 6.

6. Substitute for section 6 of the Principal Act a new section “6” —

“Fund of the Council. “6—(1) The Council shall establish and maintain a Fund which shall be paid into a dedicated account domiciled in the Bank of Industry (BOI) and managed by the Council under Management Fund Agreement (MFA) with the bank towards the promotion of the objectives for which the Council is established.

(2) There shall be paid and credited to the account established pursuant to sub-section (1) of this Section—

(a) at least ten percent surcharge of CIF value of raw and refined sugar imports;

(b) consequent to the attainment of sugar self-sufficiency, surcharge of ₦100/50kg bag of Refined sugar and ₦5.00/litre of Ethanol produced by all operating sugar companies and mini-plants (above 500tcd)."

(c) insert a new paragraph (e) in Section 2—

"(e) funds appropriated by the National Assembly for specified purposes through the National Budget."

7. Section 8 of the Principal Act is amended in sub-section (2) by substituting for the word, "Minister" the word, "Secretary".

Amendment  
of Section 8.

8. Section 10 of the Principal Act is amended by inserting immediately after the word, "Minister" the words, "who shall forward same to the National Assembly."

Amendment  
of  
Section 10.

9. Section 11 (2) of the Principal Act is amended by substituting for the word, "Minister" the word, "Secretary".

Amendment  
of  
Section 11.

10. Section 12 of the Principal Act is deleted.

Deletion of  
Section 12.

11. Substitute for Section 13 of the Principal Act a new Section "13"—

Substitution  
for  
Section 13.

"Service of  
documents0.

"13 Any summons, notice or other document required or authorized to be served upon the Council under the provisions of this Act or any other enactment or law may be served by delivering the same to the Chairman or the Executive Secretary of the Council, or by sending it by registered post addressed to the Executive Secretary at the principal office of the Council."

12. Section 14 of the Principal Act is hereby deleted.

Deletion of  
Section 14.

13. Section 15 of the Principal Act is amended by substituting for the word, "Minister" the word, "Secretary".

Amendment  
of  
Section 15.

Amendment  
of  
Section 17.

14. Section 17 of the Principal Act is amended by inserting in alphabetical order the following new definitions—

“*Minister*” means the Minister charged with the responsibility for sugar development;

“*President*” means the President and Commander-in-Chief of the Armed Forces of Nigeria.”

Citation.

15. This Act may be cited as the National Sugar Development Council (Amendment) Act, 2015.

I certify, in accordance with Section 2 (1) of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria, 2004 that this is a true copy of the Bill passed by both Houses of the National Assembly.

SALISU ABUBAKAR MAIKASUWA, OON, mni  
*Clerk to the National Assembly*  
25th Day of May, 2015.

#### EXPLANATORY MEMORANDUM

This Act amends the National Sugar Development Council Act, Cap. N78 Laws of the Federation of Nigeria, 2004 by giving additional powers to the Council so as to enable it discharge its functions more efficiently.



# SCHEDULE TO NATIONAL SUGAR DEVELOPMENT COUNCIL (AMENDMENT) BILL, 2015

(1) <i>Short Title of the Bill</i>	(2) <i>Long Title of the Bill</i>	(3) <i>Summary of the Contents of the Bill</i>	(4) <i>Date Passed by the Senate</i>	(5) <i>Date Passed by the House of Representatives</i>
National Sugar Development Council (Amendment) Bill, 2015.	An Act to amend The National Sugar Development Council Act, Cap. N78, Laws of the Federation of Nigeria, 2004 by giving additional powers to the Council to enable it discharge its functions more efficiently ; and for related matters.	This Bill amends the National Sugar Development Council Act, Cap. N78, Laws of the Federation of Nigeria, 2004 by giving additional powers to the Council so as to enable it discharge its functions more efficiently.	10th July, 2014.	23rd April, 2015.

Federation of Nigeria, 2004.

I ASSENT



SALISU ABUBAKAR MAIKASUWA, CON, mni  
Clerk to the National Assembly  
25th Day of May, 2015

DR. GOODLUCK EBBELE JONATHAN, GCVR  
President of the Federal Republic of Nigeria  
26th Day of May, 2015





