



JIGAWA STATE OF NIGERIA

INVESTMENT PROMOTION AGENCY LAW.

LAW NO. 12, 2016

**A LAW TO PROVIDE FOR THE ESTABLISHMENT OF
JIGAWA STATE INVESTMENT PROMOTION AGENCY TO
PROMOTE AND ENCOURAGE INVESTMENT IN THE STATE
AND FOR RELATED MATTERS**

ENACTED by the Jigawa State House of Assembly:

PART 1

Establishment, Composition and function of the Council

Establishment of the Agency.

1

(1) There is hereby established for the state a body to be known as Jigawa State Investment Promotion Agency

(2) The Agency shall be a body corporate, with a perpetual succession and a common seal and with power to sue and be sued in its corporate name and to acquire and dispose of property (whether moveable or immoveable) for the purposes of its functions under this Law.

Establishment and Composition of the Governing Council of the Agency.

2

(1) There shall be a Governing Council for the Agency which shall consist of the following members-

(a) The Deputy Governor who shall be the Chairman;

(b) A Vice Chairman who shall be appointed from a private sector, and shall be a person of good character with sound knowledge of the Nigerian business and investment environment in addition he shall have a track record of success;

(c) Commissioners in charge of the following Ministries or their representatives -

i. Agriculture and Natural Resources;

ii. Commerce;

iii. Finance;

iv. Justice;

v. Local Government;

vi. Information;

vii. Land Housing and Urban Development;

(d) A representative of the State Council of Chiefs;

(e) Two other persons representing the academia and private sector companies or organisations to be

chosen from various professional backgrounds;

(f) A representative of Civil Society Organisations in the state;

(g) A representative of Business women associations in the state;

(h) The Director General of the Agency who shall also serve as the secretary of the Council.

(2) The members of the Governing Council shall be appointed by the Governor.

(3) The Council may co-opt any person it deem fit for the purpose of discharging its functions under this law.

Functions and powers of the Agency

3 The Agency shall -

a. Advise and assist the Government on the implementation of all projects and programmes in the investment promotion roadmap of the State;

b. Advise and assist the government in creating an attractive and competitive climate for business that will lead to robust economic activities in the State;

c. Identify and advise the Government on the programmes and projects that will exploit the natural resources base of the State and create employment for the citizens of the state;

d. Source on behalf of the Government, finance for investment from multilateral and bilateral development partners as well as private investors – both domestic and foreign – through public/private partnership and other financial arrangements;

e. Assist the State in building capacity for investment project identification, evaluation, planning, execution and management;

f. Develop appropriate institutional and regulatory frameworks for investment promotion and facilitation in the State;

g. Advise and assist in the establishment of a framework for monitoring and evaluating the progress of the State's strategic economic investment programmes and projects for effective implementation;

h. Establish a framework for identifying and

proactively engaging the Federal Government and its agencies in investment promotion drive of the State;

- i. Articulate clear private sector growth strategies for providing needed support and appropriate incentives to grow the local and private sector and enlarge the economic base of the State;
- j. Advise and assist the Government in developing and maintaining a comprehensive and reliable database on investment opportunities for effective planning especially in areas where the State has demonstrable comparative and competitive advantages;
- k. Develop a database of reputable and potential investors both within and outside Nigeria with a view to reaching out to them when opportunities arise;
- l. Conclude arrangements with any person or authority for the effective implementation of any programme or project and to enter into such other contracts as it may deem necessary to facilitate its functions under this law;
- m. Publish and periodically revise data and information on the investment status of the State in order to assist prospective investors both domestic and foreign and also to evaluate State's potentials as an investment destination;
- n. Plan and organise targeted and well-researched investment promotion activities including tours and road shows aimed at promoting specific investment projects in areas where the State has demonstrable comparative and competitive advantages;
- o. Procure within its budgetary limit, any property or service it may require for the effective discharge of its function under this law and to dispose of any such property or terminate any such service;
- p. Request the head of any ministry, department or agency of the Government to furnish it with any document, explanation or other information it may require for the due execution of its functions under this law;
- q. Regulate its own proceedings;
- r. Do such other things as are necessary and incidental, supplemental or conducive to its function under this law.

Tenure of Office

- 4 The members of the Governing Council other than ex-officio shall hold office for a period of four years and may be eligible for re-appointment for another period and no more.

Meetings of the Governing Council.

- 5 The Governing Council shall meet at least every quarter of a year to review the progress of the various programmes and projects on the roadmap and to consider any special issue as may be directed by the Governor.

Functions and Powers of the Governing Council.

6. The Governing Council shall –
- (a) Create an attractive business and investment climate to scale up economic activities;
 - (b) Identify programs and projects that will exploit the natural resource base of the State and create employment for the large population of youths;
 - (c) Source finance for investment from multilateral and bilateral development partners as well as private investors (both domestic and foreign) by way of public private partnership and other financial arrangements;
 - (d) Establish a framework for identifying and proactively engaging Federal Government Agencies with mandates that are relevant to economic management and investment promotion;
 - (e) Develop an appropriate institutional and regulatory framework for investment promotion and facilitation;
 - (f) Articulate a clear private sector growth strategy, which provides support and appropriate incentives to grow the local private sector and enlarge the economic base of the State;
 - (g) Develop a comprehensive and reliable database on the State economy especially in areas where the State has demonstrable comparative and competitive advantages;
 - (h) Request the head of any Ministry, Department or Agency of the Government to furnish it with any document, explanation or other information it may require for the due execution of its functions under this law;
 - (i) Regulate its own proceedings;
 - (j) Insure its property against all forms of risk;

- (k) Do such other things as are reasonably incidental, supplemental or conducive to its functions under this law.

PART II

Remuneration and Vacation of Membership of the Council.

*Tenure of Office
and
Remuneration*

7. Members of the Governing Council who are not ex-officio members shall be paid such remuneration and allowances as the Governor may from time to time approve.

*Vacation of
Membership.*

8. The office of a member of the Council shall become vacant where-
- (a) His term of appointment expires; or
 - (b) He resigns by writing under his hand addressed to the Governor;
 - (c) He is adjudged bankrupt;
 - (d) He becomes insane or unfit due to serious illness;
 - (e) His appointment is revoked by the Governor;
 - (f) He is convicted of a criminal offence by a court of law;
 - (g) He is frequently absent from meetings without the leave of the Council or a reasonable excuse; or
 - (h) He dies.

*Establishment of
Committees*

9. (1) The Council may subject to such conditions as it may decide, appoint standing or ad-hoc committees to perform any of its functions and shall have the power to terminate any committee at any time it deems fit;
- (2) The Council shall have power to determine amongst other things the membership and terms of reference of a committee constituted under this section and shall regulate its proceedings;
- (3) The Council may refer any matter within its competence to a committee and shall regulate the proceedings of such committee;
- (4) A committee appointed under this section may include persons who are not members of the Council provided that at least two-third of the committee shall compose of members of the Council.

PART III

Secretariat and Staff of the Agency

Location and Designation of the Agency Secretariat

- 10**
- (1) The Secretariat of the Agency shall be located within the State and shall be designated as Jigawa State Investment Promotion Agency.
 - (2) The Agency shall be a one-stop resource and co-ordination centre for all State investment promotion activities;
 - (3) The brand name of the Secretariat shall be – “*InvestJigawa.*”

Appointment and Qualifications of Director-General to the Agency.

- 11**
- (1) There shall be appointed for the Agency a Director-General who shall be appointed by the Governor.
 - (2) The Director-General shall be the Chief Executive of the Agency.
 - (3) The Director-General may be appointed by the Governor from either the public or private sector.
 - (4) The Director-General shall have a minimum qualification of first degree in relevant field with minimum of 15 years cognate experience in investment promotion, economic planning or other related activities the last five of which must have been in managerial capacity;
 - (5) The remuneration, allowances and other conditions of service of the Director-General shall be as contained in the instrument appointing him.

Tenure of Office and Condition of Service of the Director-General

- 12**
- (1) Subject to the provisions of this law, the Director-General shall hold office for a term of four years and may be re-appointed for one further term of four years and no more;
 - (2) Where a person appointed as a Director-General is from the State civil service, such person shall be entitled to return to the main stream civil service at the expiration of his tenure;

Functions of the Director-General

- 13**
- The Director-General shall-
- (a) Prepare a three year rolling strategy and a 12 month plan and budget based on the functions of the Council for review and approval by the

Council;

- (b) Regularly monitor the progress of the strategy and prepare reports for the Governing Council to review and subsequent advice to the Governor;
- (c) Liaise with all ministries departments and agencies of Government for the purpose of continually collecting, compiling and collating information with a view to developing an economic database and investment information repository for the State;
- (d) Provide information and technical input to the Governing Council for the purpose of defining appropriate policy direction and high-level reform priorities;
- (e) Develop a prioritized comprehensive reform strategy, which identifies roles and responsibilities for reform, time bound targeted action plans, outputs and supporting budget for effective economic management and investment promotion;
- (f) Prepare policy and strategy papers on key investment issues as may be directed by the Governing Council or the Governor;
- (g) Carry out activities aimed at building the institutional capacities of Ministries, Departments and Agencies of Government and other relevant stakeholders in the area of investment promotion;
- (h) Work with the relevant Government Agencies to periodically review broad sector policies to ensure consistency with economic management and investment promotion initiatives in the State;
- (i) Coordinate the implementation of the various recommendations of the State Executive Council on investment issues;
- (j) Provide support in the development of feasibility studies on investable projects in medium and small enterprises supported sectors;
- (k) Coordinate all activities of the Agency including the execution of its work plan and annual budget and ensure the maintenance of accurate accounting record;
- (l) Issue notices of meetings of the Governing Council;
- (m) Summons meetings of the Governing Council whenever a business requiring its attention

warrants same on the request of the Chairman or two third of members

- (n) Take minutes of meetings of the Governing Council;
- (o) Undertake any other task relating to investment promotion as may be directed by the Governing Council or the Governor.

Departments of the Agency 14

(1) The Agency shall have the following Departments:

- (a) Marketing;
- (b) Investor Relations;
- (c) Advocacy and Strategy;
- (d) Finance and Administration;

(2) The functions and scope of the Departments shall be determined by the Council.

(3) The council may create additional departments, units or sections or merge existing departments, units or sections of the agency where necessary in the discharge of its functions under this law.

Secretary/Legal Adviser 15

(1) There shall be appointed for the Agency a Secretary/Legal Adviser who shall be a qualified legal practitioner with at least Eight years post call experience.

(2) The Secretary/Legal Adviser shall-

- a. Advise the Agency on all legal matters;
- b. Keep records of proceedings of the Agency;
- c. Take minutes of meetings of the Agency;
- d. Draft legal documents of the Agency;
- e. Undertake any other task that may be assigned to him by the Agency or Director General.

Staff of the Agency 16

(1) The Agency may directly employ such number of employees as it may deem necessary for the efficient discharge of its functions under this Law or may request on secondment or transfer employees from the Federal or State Public Service where such employees meet the Agency's professional and technical standards;

(2) The remuneration of such employees shall be determined by the Governing Council with the approval of the Governor;

- (3) The Agency shall have power to make with the approval of the Governor, Staff Regulations governing the conditions of service of the Agency employees and until such regulations are made, the regulations and conditions of service applicable to employees in the State public civil service shall apply subject to such modifications as the Governing Council may in its discretion make;
- (4) An employee seconded under sub section 1 of this section may choose to transfer his service to the Agency subject to the approval of the Agency and where such transfer is approved, any previous service such employee may have rendered in the Federal or State Public Service shall be counted as service to the Agency for the purpose of computing his pension benefits.

*Pension and
Gratuity*

- 17**
- (1) The staff of the Agency shall be entitled to pension and gratuities and other retirement benefits as prescribed under the State Pension law;
 - (2) Nothing in this Law shall prevent the Agency from the appointment of a person to any office on contract basis or on terms which preclude the grant of a pension or gratuity in respect of that office where such services are not available within the state service.

PART IV *Financial Provisions*

*Funds of the
Agency*

- 18**
- (1) The Agency shall establish and maintain a fund which shall be utilized for the discharge of its functions under this Law;
 - (2) There shall be paid and credited into the fund established pursuant to subsection 1 of this section:
 - (a) All subventions and budgetary allocations from the State Government;
 - (b) Such monies as may be payable to the Agency for services rendered in the course of any matter incidental to the discharge of its functions under this Law; and
 - (c) Monies raised in any other manner in

pursuance of this Law.

*Application of
Funds*

- 19** The funds of the Agency shall be utilized for the following purposes-
- (a) Allowance of Agency Governing Council members, salaries and other emolument of Agency staff and remuneration and fees of agents and consultants to the Agency;
 - (b) The development and maintenance of any property vested in or owned by the Agency;
 - (c) All other expenses incurred by the Agency in the discharge of its functions under this Law or any other enactment.

*Annual
Estimate and
Audit of the
Agency*

- 20**
- (1) The Agency shall cause to be prepared and submitted to the Governor not later than three (3) months before the end of each financial year, estimates of the Agency's income and expenditure for the next financial year;
 - (2) The Agency shall have an internal auditor, who shall be seconded from the office of the Auditor-General of the State;
 - (3) The Agency shall also appoint reputable External Auditors from a list of approved Auditors provided by the Auditor-General of the State who shall audit the accounts of the agency at the end of each financial year;
 - (4) The Agency shall forward a report of the external audit to the Office of the Auditor-General of the State not later than two weeks after the submission of the report by the External Auditor.

*Submission of
Report and
Estimates*

- 21**
- (1) The Agency shall prepare and submit to the Governor, quarterly reports of its activities containing summaries of its deliberations and recommendations for the Governor's considerations, approval or further directives;
 - (2) The Agency shall also cause to be prepared and submitted to the Governor not later than three (3) months before the end of each financial year, estimates of the Agency's income and expenditure for the next financial year.

such enactment or law, duties or authorities, shall lie or be instituted in any court unless it is commenced within 12 months next after the act, neglect or default complained of, or in the case of continuous of damage or injury, within 12 months next after the ceasing thereof.

- (4) No suit shall be commenced against the agency before the expiration of the period of 1 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 the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the reliefs which he claims.

Saving

- 26 (1) All assets and liabilities including monies standing to the credit of InvestJigawa or any of its Council before the coming into operation of this law shall without further assurances rest in the Agency
- (2) All contracts and agreements if any relating to dealing and activities entered into or carried out by the said InvestJigawa or any of its Council prior to the coming into of this law shall be deemed to have been entered or carried out under the provisions of this law and by the agency.
- (3) All appointments of officers of InvestJigawa or any of its council made by any authority previous to the commencement of this law shall be deemed to have been validly made and all existing rights of arrears if any, to pension and gratuities shall by virtue of this section be preserved.

Interpretation

- 27 In this Law:
- “**Agency**” means the Jigawa State Investment Promotion Agency”
- “**Chairman**” means chairman of the Governing Council of the Agency;
- “**Council**” means the Governing Council of the Agency;
- “**Director General**” means Director General of the Agency;

“Government” means the Government of Jigawa State;

“Governor” means the Governor of Jigawa State;

“State” means Jigawa State of Nigeria.

*Short Title and
Commencement*

28 This Law may be cited as “Jigawa State Investment Promotion Agency Law” and shall come into operation on the 20th day of June 2016

MADE AT DUTSE THIS 20th DAY OF June 2016

BA Abubakar

MUHAMMAD BADARU ABUBAKAR, MON, mni
GOVERNOR
JIGAWA STATE OF NIGERIA

FIRST SCHEDULE

This printed impression has been carefully compared with the Bill which has been passed by 'The Jigawa State House of Assembly and found to be a true and printed copy of the said Bill.

S.4 Legislation (Administrative Procedure) Cap 83, 1998



CLERK OF THE HOUSE

SECOND SCHEDULE

S6(1) Legislation(Administrative Procedures) Cap 83,1998

The Bill on.....is assented to by me
this *20th* day of *June*2016



GOVERNOR

THIRD SCHEDULE

S6(1) Legislation(Administrative Procedures) Cap 83,1998

I hereby withhold my assent this day of2016

For the Bill on

GOVERNOR

THIRD SCHEDULE

S6(1) Legislation(Administrative Procedures) Cap 83,1998

Passed again by two-third majority of the Jigawa State House of Assembly

Thisday of2016

SPEAKER