

**A LAW
FOR THE
ESTABLISHMENT OF NASARAWA STATE
EMERGENCY MANAGEMENT AGENCY**

BE IT ENACTED by the Nasarawa State House of Assembly and by the authority of same as follows:

Enactment

1. This Law may be cited as the Nasarawa State Emergency Management Law and shall come into operation on the 20th day of May, 2009.

Citation and commencement

2. There shall be established a body to be known as the Nasarawa State Emergency Management Agency, (in this Law referred to as the ‘Agency’) which shall be an independent department of the State Government.

Establishment of the Agency

3. The Agency shall have a Governing Board, which shall include the following members:

Constitution of the Governing Board

- (a) The Deputy Governor of the State, who shall be the Chairman;
- (b) The Commissioner in Charge of Social Development;
- (c) The Commissioner for Health.
- (d) The Commissioner for Works and Transport.
- (e) The Commissioner for Water Resources and Rural Development.
- (f) The Commissioner for Agriculture and Natural Resources.
- (g) The Commissioner of Justice
- (h) The Secretary to the State Government.
- (i) One representative from the following ministries/ departments:
 - a. Town Planning & Urban Development.
 - b. Environmental Protection Agency.
 - c. Nigeria Police Force.
 - d. Nigeria Security and Civil Defense Corps.
 - e. Fire Service.
 - f. Federal Road Safety Corps.
 - g. Nigeria Meteorological Agency.

- h. The Nigeria Red Cross Society or such voluntary organizations as the Governor may determine from time to time.
4. Where the Agency desires to obtain the expertise advice of any person on any particular matter, the Agency may co-opt him as a member for such a period as it thinks fit, but such a person shall not be entitled to vote at any meeting of the Agency and shall not count towards a quorum.
- 5 At any meeting of the Agency, the Chairman and Eight (8) other members shall form a quorum. *Quorum for the Agency*
6. (1) The Agency shall be responsible for the following:- *Functions of the Agency*
- a. The formulation of general policies and guidelines relating to the management of emergencies in the State.
 - b. Carrying out education, sensitization and awareness activities on disaster prevention measures and control;
 - c. The procurement and receipt of emergency relief supplies and aid from local as well as foreign sources and from international organizations and non-governmental Agencies for distribution to victims of natural or other disasters in the State and beyond.
 - d. The receipt of financial and technical aid from international organizations and non-governmental agencies for disaster management in the State.
 - e. To Coordinate and promote research activities relating to disaster management in the State.
 - f. To respond to any disaster within the State, and may seek assistance from the National Emergency Management Agency, when damage and need assessment overwhelms the capacity of the State.

- g. Collect data from relevant agencies on disaster and risk areas in the State, to enhance forecasting, planning and field operations of disaster management, and the maintenance of such data base.
- h. The determination of the priority of emergency operations in the State; and monitor the State of preparedness of all organizations or agencies, which may contribute to disaster management in the State.
- i. The Coordination of activities of voluntary organizations engaged in emergency and disaster management operations in the State.
- j. To liaise with Local Government Emergency Management Authorities on emergency issues, and to assess and monitor where necessary, the distribution of relief materials.
- k. To liaise with the National Emergency Management Agency on issues of emergencies affecting the State.
- l. To coordinate and facilitate where practicable, the provision of necessary resources for search and rescue and other types of disaster curtailment activities in response to distress calls in the State.
- m. To promote capacity building and training on disaster management in the State.
- n. Any such function, which in the opinion of the Agency is required for the purpose of achieving its objectives under this Law.

7 (1) There shall be and Executive Secretary for the Agency *Secretary of the Agency* to be appointed by the Governor who shall be a seasoned administrator with Ten (10) years working experience and shall be responsible for the day to day turning of the Agency.

(2) The Executive Secretary of the Agency shall enjoy the remuneration and salary payable in accordance with Civil Service regulations while members of the Agency shall enjoy allowances.

8. The Office of the Head of Civil Service in the State shall *Staff of the Agency* provide the Agency with the staff required to carryout its functions under this Law.

9. The terms and conditions of service of the employees of the Agency shall be as applicable in the State Civil Service, and as may from time to time be approved by the Board.

10 (1). The Agency shall maintain a fund from which *Finances and Records* shall be defrayed all expenditure incurred by it.

(2) There shall be paid and credited to the fund established:

a. Any allocation to the Agency from the State's Allocation of the Federation Account.

b. 2% of all federally derived revenue accruing to the State shall be paid to the Agency for disaster management in the State.

c. Such money as may from time to time be granted or received from:

i. The Organized Private Sector.

- ii. International Donor Organizations, Non-Governmental Organizations and public spirited individuals.

(3) The Agency shall keep and maintain proper books of Accounts, and be guided by the financial regulations applicable in the State.

11 The Members of the Agency shall hold office for a period of four years from the date of their appointment.

Tenure of the State Agency

12. (1) There shall be established for each Local Government, an Emergency Management Authority (hereinafter referred to as “the Authority”)

Establishment of Local Authorities

- (2) The Authority shall consist of the following members:
- a. The Deputy Chairman of the Local Government as Chairman;
 - b. The Secretary to the Local Government;
 - c. One representative of Department of Works;
 - d. One representative of Department of Health.
 - e. One representative of Department of Social Services;
 - f. Chairman of Local Government Traditional Council.
 - g. The Head of Social Welfare Unit
 - h. The Head of Information Unit.
 - i. The Divisional Police Officer.
 - j. One representative from the State Emergency Management Agency.

(3) Members of the Authority shall hold office for a period of three years and may be re appointed for another term and no more.

13. (1) The function of the Local Government Authority shall be as follows:

*Functions of
Local
Authorities*

- (a) To notify the State Agency of any emergency.
- (b) To carryout emergency relief operations and emergency management activities within the Local Government/Development Areas as may from time to time be directed by the Agency.
- (c) To keep a data base of emergencies occurring within its locality.

(2) It shall be the duty of the Authority to place at the disposal of the Agency, all necessary assistance that will enhance emergency management preparedness and response, when required by the Agency.

(3) The Executive Secretary of the Local authority shall enjoy the remuneration and salary payable in accordance with the directives of the Governor while members of the Authority shall enjoy allowances.

(4). Members of the Authority shall hold office for two years from the date of their appointments.

14. (1) Subject to such directives as may be given by the Governor, the Agency or any Authority established under this Law may determine its own quorum, and may subject as aforesaid, otherwise regulate its own proceedings.

*Proceedings of the
Agency/Authority*

15. (1) The Secretary shall convene at the instance of the Chairman meetings of the Agency and Authority.
- (2) At any meeting of the Agency/Authority, the Chairman shall preside and in his absence, the members present shall select one of their members to preside.

(3) At any meeting of the Local Authority, the Chairman and Six (6) other members shall form a quorum.

Quorum for Local Authority

16. (1) Subject to the provisions of this Law the Agency/Authority may make standing orders not inconsistent with the provisions of this Law governing its procedure and in particular with regard to the holding of meetings, the procedure thereof and keeping of minutes thereof, the custody, production and inspection of such minutes and the opening, keeping, closing and auditing of accounts.

Supplementary provisions

- (2) The Validity of any proceedings of the Agency or of any Authority shall not be affected by:
- a. Any vacancy in its membership; or
 - b. Any defect in the appointments of a member(s) or
 - c. The fact that a person not entitled to do so took part in the proceedings of the Agency or of the Authority as the case may be.

17. In this Law, unless the context otherwise requires:

Interpretation

“Agency” Means the Nasarawa State Emergency Management Agency.

“Board” means the Nasarawa State Emergency Management Governing Board.

“Chairman” means the Chairman of the Agency/Authority;

“ Emergency “ Includes Natural or other disasters arising from flood, drought, famine, thunder, rainstorm, hurricanes, earth quakes, volcanoes, accidents, fires, communal crisis, or other disturbance, war, explosion, epidemic or any other occurrence that may be regarded as a disaster by the Agency;

“Local Authorities” Means Local Government Emergency Management Authority.

‘Local Government Means Local Government/Development Areas in the State.

“State” Means Nasarawa State of Nigeria.

This printed impression has been carefully compared by me with the Bill, which has been passed by the Nasarawa State House of Assembly and is found by me to be true and correct copy of the Bill.

SULEIMAN ABDULLAHI MUHAMMAD
Ag. Clerk of the House
Nasarawa State House of Assembly

I ASSENTED THIS 20TH DAY OF MAY, 2009

ALHAJI ALIYU AKWE DOMA, OON, OOM
Executive Governor
Nasarawa State of Nigeria

EXPLANATORY NOTE

(This note does not form part of this Law and has no legal effect)

The purpose of this Law is to establish an independent body to be charged with overseeing issues relating to emergency and disaster management in Nasarawa State.