

**A LAW**  
**TO PROVIDE FOR**  
**THE ESTABLISHMENT OF NASARAWA STATE RURAL WATER SUPPLY**  
**AND SANITATION AGENCY**

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

1. This Law may be cited as the Nasarawa State Rural Water Supply and Sanitation Agency Law 2001 and shall be deemed to have come into operation on the 12<sup>th</sup> day of December, 2001.      Citation & Commencement.
  
- 2(1) There is hereby established for the State a body to be known as the Nasarawa State Rural Water Supply and Sanitation Agency (hereinafter referred to as “The Agency”).      Establishment of the Agency
- (2) The Agency shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name;
- (3) The Agency shall have power to own, hold and dispose of property whether movable or immovable within and outside Nigeria.
- (4) The Governor may give to the Agency such directions as to the discharge by the agency of its functions under this Law that appears to him to be necessary to ensure conformity by the agency with the policy of the Government and the Agency shall give effect such to directions.
  
- 3(1) There shall be for the Agency a Board which shall comprise;      Composition of the Board of the Agency.
  - a) A part-time Chairman and three other part-time members who shall be appointed by the Governor.
  - b) Four ex-officio members comprising:
    - i. Permanent Secretary of Ministry of Water Resources and Rural Development
    - ii. Permanent Secretary of Ministry of Finance;
    - iii. Permanent Secretary of Ministry of Health;
    - iv. The General Manager of the Agency.
  
- (2) Two out of the persons appointed by virtue of subsection (1) (a) of this section, shall be women.

- |      |   |                                       |
|------|---|---------------------------------------|
| 4(1) | The tenure of a member shall be two years from the date of this appointment and shall be eligible for re-appointment for a further tenure of two years and on more.   | Tenure of membership of the Board.    |
| (2)  | Notwithstanding the provisions of sub-section (1) of this section (a) member may resign his appointment by a letter under his hand to the Governor, and on receipt of same by the Governor, such resignation takes effect.  |                                       |
| (3)  | The Governor may at any time for any good reason remove a member from office for physical and mental incapacity, consecutive absenteeism, financial or pecuniary interest in the Agency.  |                                       |
| (4)  | Members of the Board other than ex-office members shall be paid such allowances as may be spelt out in the Instrument appointment them.   |                                       |
| 5(1) | There shall be an Action Monitoring Committee (hereafter called the “Monitoring Committee”) at the State level.   | Action monitoring committee           |
| (2)  | Membership of the Monitoring Committee shall be drawn from the following agencies:- <ul style="list-style-type: none"> <li>a. Ministry for Water Resources and Rural Development as chairman;</li> <li>b. Ministry of Finance and Economic Planning;</li> <li>c. Ministry for Local Government and Chieftaincy Affairs;</li> <li>d. Nasarawa State Water Board;</li> <li>e. Nasarawa Urban Development Board; and</li> <li>f. Nasarawa Agricultural Development Programme.</li> </ul> |                                       |
| (3)  | The Director, Water Resources in the Ministry for Water Resources and Rural Development shall be the State Focal Person and Chairman of the Monitoring Committee.   | State Focal Person.                   |
| (4)  | The Monitoring Committee shall co-ordinate the activities of the Rural Water Supply and Sanitation Monitoring Programme (WSSMP).  | Function of the Monitoring Committee. |
| 6.   | The Agency is established primarily to co-ordinate Federal Government and UNICEF programmes relating to Water Supplies and Sanitation in the State, which shall include:- <ul style="list-style-type: none"> <li>(a) The establishment of working contact and rapport with all Local Governments in the State on issues of Water and Sanitation as they relate to Federal Government and UNICEF programmed;</li> </ul>  | Functions of the Agency               |

- (b) Assisting Local Governments in the provision of adequate safe water supply and sanitation facilities and the rehabilitation and improvement of existing sources of water under Government and UNICEF programmes;
- (c) Supporting the Local Government to take inventory of existing water supply and sanitation coverage, use and maintenance status;
- (d) The establishment of an award scheme to recognize and promote Local Government achievements in hygienic education, water and sanitation coverage;
- (e) The enforcement of minimum standards and regulation of same for all water Supply and sanitation works in the State as set by the Ministry for Water Resource and Rural Development;
- (f) The establishment and maintenance of a core capacity for drilling works in all Local Government Areas and the provision therefore of a bench-mark cost and minimum quality standard for boreholes, hand pumps to be followed and maintained by private contractors under the direction of Ministry for Water Resources and Rural Development;
- (g) The co-ordination of activities of the Environmental Sanitation Agency in the areas of safe water, sanitation, hygiene, education community mobilization;
- (h) Monitoring the State of repairs of all water supply works and community based sanitation facilities and the reporting of poor performing Local Governments to the State Government under the direction of Ministry of Water Resources and Rural Development;
- (i) Organizing and training for hand pump maintenance within the State and recommending to Local Government, such expert contractors to be used for such works;
- (j) Ensuring that guinea worm and other sanitation/water-borne diseases are eradicated through hygienic education and campaigns;
- (k) Ensuring the participation of women in the State Agency's projects;
- (l) Liaising with the Federal Ministry of Water Resources and Rural Development for national guidelines and reporting up-date on water supply and sanitation coverage to the Ministry's monitory Units on quarterly basis;
- (m) The compilation and maintenance of a state wide inventory of water sources including condition, type of pump or source under the direction of the Ministry.
- (n) The training on a continuous basis of Local Government dug-well and manual-rig teams, sanitation artisans; community based hygiene education facilitators and hand pump mechanics;
- (o) Supporting the Local Government that wish to have their own dug well and manual-rig teams to procure and maintain such equipment;
- (p) Assisting Local Government to plan and implement their water supply sanitation and hygiene education programmes devising schemes which will

allow community participation in terms of capacity for operation and maintenance;

- (q) Assisting Local Government with diagnostic surveys to establish local conditions and attitudes related to water use, sanitation and hygiene practices;
- (r) The construction of low cost technology Latrines such as SANPLAT VENTILATED IMPROVED PITLATRINES and demonstrated toilet units in strategic places in the Local Government Areas;
- (s) The development of alternative water supply sources and improvement on the existing native water supply sources for communities under the direction of the Ministry; and
- (t) Acquisition of Land in accordance with Law to carry out its functions.

7(1) There shall be established in each Local Government in the State a Water Sanitation Unit (hereinafter called the “Unit”).

Establishment of Local Government Unit.

(2) The Officers of the Unit shall include:-

- (a) The Local Government Head of Works as Chairman;
- (b) Three other members at least one of whom shall be a woman to be appointed by the Local Government Chairman;
- (c) The Head of Public Health in the Local Government as members; and
- (d) A senior personnel officer in the Local Government as secretary.

8. The Unit shall be responsible for:-

- (a) The establishment of contact and rapport with the Agency and all communities in the area;
- (b) The development of annual plan of action and budget for the Local Government;
- (c) Encouraging and supporting communities to mobilize, organise and establish water and sanitation committee and ensuring the maximum involvement of women;
- (d) The compilation of an inventory and maintenance and monitoring of water and sanitation facilities in all communities and monitoring thereof of their operations under the direction of the Agency;
- (e) The identification and training of hand pump mechanics, caretakers, latrine artisans and hygiene facilitators;
- (f) The maintenance of records for plans and requests concerning water and sanitation hygiene education and other sanitary activities in all communities in the Local Government;

Functions of the Unit.

- (g) Mobilizing and supporting community linkages with other developmental agencies especially agricultural agencies etc;
- (h) Encouraging and supporting teachers in primary and post primary schools to teach and promote hygiene education to pupils, students and members of the community;
- (i) Ensuring the eradication of guinea worm and other water-borne diseases in the Local Government Area;
- (j) Liaising with the Agency for progress reports and policy guidelines and standards under the direction of Ministry for Water Resource and Rural Development;
- (k) Working with Parents-Teachers Association to promote the improvement or construction of water and sanitation facilities in schools;
- (l) Training of Water and Sanitation Committee members to plan and implement the activities of the committee;
- (m) The promotion of environmentally friendly activities and awareness by assisting communities to organize, establish and manage self-help gardens using waste or run-off water from water facilities and maintaining village waste disposal pits;
- (n) The promotion of good hygiene practices in the utilization and maintenance of water and Sanitation facilities;
- (o) The provision of participatory techniques, tools and training and the co-ordination of the activities of village based hygiene facilitators;
- (p) The effective utilization of State training facilities for the provision of water supply and maintenance of the facilities; and
- (q) Mobilizing and inculcating in the community the need for Hygienic water sources, sewage and refuse disposal system.

9(1) There shall be for each Community in the Local Government Area a Water Supply and Sanitation Committee (hereinafter called the Committee’).

Committee.

(2) The Committee shall comprise:-

- (a) The Community Leader as Chairman;
- (b) A religious leader to be appointed by the Community, as a member and
- (c) Three other persons at least one of whom must be a woman, as members.

10. The Committee shall:-

- (a) Co-operate with the unit on water and sanitation programmes for the Community;

Functions of  
the Committee.

- (b) Undertake all the necessary and relevant community sanitation education;
  - (c) Encourage development of skills to promote community participation with the activities involvement of women;
  - (d) Adapt training and materials to social and culture situation of the Community;
  - (e) Assisting in acquiring land where there is need upon which to execute this projects;
  - (f) Participate in the planning, design and management of safe water and sanitary facilities;
  - (g) Encourage the teaching of hygiene practices to children at the Community level;
  - (h) Ensure the provision of latrines in the Community;
  - (i) Ensure the practice of hygienic food and water in the home;
  - (j) Ensure the immunization of children in the Community;
  - (k) Ensure the eradication of water borne diseases in the Community;
  - (l) Mobilize the Community to take active part in the construction of water and sanitation facilities and
  - (m) Mobilize the Community to contribute at least 5 percent of the capital cost in cash or kind all maintenance cost for safe water supply.
11. The Funds of the Agency shall include funds contributions from:-
- (a) UNICEF;
  - (b) The Federal Government of Nigeria;
  - (c) The State Governments
  - (d) The Local Governments;
  - (e) Communities;
  - (f) Other donor agencies and
  - (g) Revenue that may accrue from the activities of the Agency.
12. The UNICEF will contribute to the development rural water supply and sanitation in the State financially or material from time to time.
13. The Agency shall maintain with such bank as the exigency may dictate subject to the approval of the Government.
14. Before the end of each fiscal year or at such time as may be required the Board shall present for consideration estimates of revenue and expenditure for the following financial year and the said estimates shall be presented to the Governor for approval.

Funds of the Agency.

Contribution to Agency.

Bank Accounts

Financial estimates of the Board.

- |   |  |
|---|--|
| <p>15(1) The Agency shall in November of year prepare statements of revenue, assets and liabilities of the Agency of that year and the next, and such statements shall be laid before the State Executive Council through Ministry for Water Resources and Rural Development for approval.</p> <p>(2) A withdrawal shall not be made from the Agency’s account(s) unless such is authorized and signed by the General Manager and the Accountant of the Agency.</p> <p>(3) The Board may approve an alternative signatory in case of continued absence or infirmity of the General Manager.</p>   | <p>Statement of revenue and expenditure.</p> |
| <p>16(1) The Agency shall keep proper books of accounts and accounts of records relating thereto and shall prepare in respect of each financial year a statement of accounts in such form as Governor may direct.</p> <p>(2) The Agency may with the approval of the Governor write-off bad debts.</p> <p>(3) The Accounts of the Agency shall be audited by auditors from the list of auditors to be provided by the Auditor General of the State, and their fees shall be paid as provided in a guide by the Auditor General.</p> <p>(4) Notwithstanding the provision of this section the Auditor-General’s power to make periodic checks on the Accounts the Agency shall not be precluded.</p> | <p>Accounts and audits.</p>                  |
| <p>17(1) As soon as may be possible after the end of each financial year, the Agency shall forward to the Governor a full report on the exercise and the performance by the Agency of its functions during the year together with a certified copy of the audited accounts of the Agency.</p> <p>(2) The Governor shall cause a copy of any report made to him under this section to be laid before the Executive Council of the State.</p> <p>(3) The Financial Year of the agency shall be prescribed or determined by the State Government.</p>  |  |
| <p>18(1) The Agency may, with the prior consent of the Governor through Ministry for Water Resources and Rural Development borrow such monies as may be required to carry out its functions under this Law.</p> <p>(2) The Agency may demand and accept such securities for loans granted by it to Local Governments or communities and charge such rates of interest as it may deem reasonable.</p>  | <p>Borrowing powers.</p>                     |

19(1) All projects initiated by the Agency shall when completed, be handed over to be maintained by trained village teams.	Completed Projects.
(2) It shall be the duty of benefiting communities to provide labour and security on project sites during construction and after due hand over by the Agency.	
20(1) There shall be a General Manager for the Agency appointed by the Governor.	Appointment of the
(2) An appointee to the office of the General Manager shall be a qualified engineer or professional of such related discipline with not less than ten years working experience especially in water and sanitation services.	General Manager.
(3) The tenure of office, remuneration and allowances of the General Manager shall be spelt out in the instrument of his appointment.	
21. There shall be a Secretary to the Board to be appointed by the Board subject to the approval of the Governor through the Ministry.	Secretary
22(1) The Board shall hold such meetings at such times and place as the Chairman may determine.	Meeting of the Board.
(2) The Chairman shall preside at every meeting of the Board and his absence the members present shall elect one them to preside.	
(3) The Quorum of the Board shall be five members.	
23. Where the Agency desires the counsel of any expert in carrying out its functions, it shall co-opted such a person for the purpose of same such a co-opted person shall be treated as a member for the meetings with all rights and privileges and no more save that a person shall not be entitled to vote question.	
24. The Board may make standing orders for the proper conduct of its business and the regulation of its proceedings or those of any of its committees.	
25. The Board may appoint or constitute a standing or ad-hoc committee, as case may be, to perform any of its functions on its has been confirmed by the Board.	Committees of Board.
26(1) The Common Seal of the Agency shall not be used or affixed to a document unless in pursuance of a resolution duly passed at a meeting of the Board.	Authentication of documents.
(2) The Seal of the Agency may be authenticated by the signatures of the Chairman and the General Manager;	



- (3) Any contract or instrument which would not be required to be under seal if entered or executed by a person, may be entered into or executed on behalf of the Agency by any person generally or specifically authorized in that behalf by the Board;
- (4) Any document purported to be a document duly executed under the seal of the Agency shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

27. In any action or proceedings against the Agency, it shall be represented by legal officer or a legal practitioner.

Legal proceedings

28. No action, suit or proceeding shall lie against the agency, member or any of its staff for any act or omission committed or omitted in the course of carrying out any of the functions of this agency or incidental to such same was committed or omitted in good faith.

29. All communications to the Agency shall be addressed to the Secretary and delivered to the Head Office.

Service of notice.

30. Service in the Agency shall be pensionable within the meaning of the Pension Law

31. in this Law

Interpretation

“Agency” means the Nasarawa State Rural Water Supply and Sanitation Agency established pursuant to section 2 of this law;

“Board” means the Board of the Agency; established under S. 3 of this Law;

“Governor” means the Governor of the State or any person for the time being acting in that behalf,

“Member” means a person appointed under section 3 of this Law and includes Chairman and Ex-officio member;

“Ministry” means the Nasarawa State Ministry for Water Resources and Rural Development;

“State” means the Nasarawa State of Nigeria;

“**UNICEF**” means the United Nations Children’s Fund.

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.

HAJIYA AISHA AHMED esq  
*Clerk of the House*  
**Nasarawa State House of Assembly**

I ASSENTED THIS 11<sup>TH</sup> DAY OF MARCH, 2000

*ALHAJI ABDULLAHI ADAMU*  
**Executive Governor**  
**Nasarawa State of Nigeria**