

A

BILL FOR

**A LAW TO PROVIDE FOR THE CONTROL OF NOMADIC CATTLE REARING IN DELTA STATE, TO ESTABLISH THE DELTA STATE ADVISORY COUNCIL ON GRAZING, TO REPEAL THE CONTROL OF MOVEMENT OF ANIMALS LAW 2000, AND FOR OTHER MATTERS RELATED THERETO**

*Sponsor: Hon. Reuben Rume Izeze (Ughelli South Constituency)*

BE IT ENACTED by the Delta State House of Assembly as follows:

1. This Bill may be cited as Delta State Nomadic Cattle Rearing Control Bill, 2016, and it shall come into force on the .....day of .....2016.

Commencement

2. In this Law, unless the context otherwise requires:-

Interpretation

**“Crops”** means cultivated plants or Agricultural product;

**“Cattle”** includes bull, cows, oxen, heifers and calves;

**“Commissioner”** means commissioner charged with responsibility for agriculture and natural resources;

**“Council”** means the Delta State Advisory Council on Grazing established under this Bill;

**“Farmland”** means anywhere within the state where any form of farming is being carried out;

**“Grazing Areas”** means a designated portion where cattle are confined for feeding purposes;

**“Local Government”** means the 25 Local Government Areas of Delta State;

**“Nomadic Cattle”** means any cattle moving from one place to another;

**“Owner”** means the actual owner, the rearers, keeper or herdsmen of the cattle;

**“House”** means the Delta State House of Assembly.

**“Poundmaster”** means a person duly authorized or appointed by the commissioner to exercise the power and perform the duty in relation to which the expression is used in this Bill;

**“Three Senatorial Districts”** means the three electoral senatorial Districts of Delta State of Nigeria;

**“State”** means Delta State of Nigeria.

## **PART I**

3. Notwithstanding any other Law for the time being in force in the State, there shall be no Grazing areas in the state, unless prescribed by the Advisory Council to be grazing areas.

Designation of grazing areas by the advisory council.

4. Any nomadic cattle rearer, owner and herdsmen who move cattle, bull, oxen heifers and calves into the state, must register same with the council and such cattle, bull oxen, heifers and calves must be marked with the owner’s name for easy identification.

Registration of cattle with the Advisory Council.

5. The nomadic cattle rearers, owners and herdsmen shall ensure that while within the grazing areas, the cattle are confined within the grazing areas as designated by the council and such place must be a fallow land that have no crops on it and when moving such cattle the herdsmen shall ensure that cattle are not moved into a place where crops are planted.

Control of the Nomadic cattle by reares.

Offence for non designated areas

6. Any person who permits cattle to graze in an area not designated as Grazing Area in the state shall be guilty of an offence and shall on conviction be liable to two years imprisonment or a fine of N500,000 (Five Hundred Thousand Naira) or both.

7. Any person who fails to register his cattle with the advisory council shall be guilty of an offence and shall on conviction be liable to Eighteen Months imprisonment or a fine of N 300,000 ( Three Hundred Thousand naira.)

8. (1) Any person who causes cattle to move in a place where crops are planted, or fail to control his cattle thereby resulting in the destruction of farm products shall be liable to pay for the farm.

(2) Any person who causes cattle to stray and attack any person or group of persons leading to crises between the host community and the owner shall be guilty of an offence and shall on conviction be liable to five years imprisonment or a fine of N1,000,000( One Million Naira) or both.

9.(a) As from the commencement of this bill, the commissioner shall appoint pound-masters in all the Local Government areas in the state whose functions shall include the impounding of cattle found grazing in areas outside the designated areas of grazing.

(b) A poundmaster shall be a civil servant within salary grade level 06- 08 in the civil service.

(c) A poundmaster appointed under this law shall have power to dispose of any cattle found in ares outside the designated areas of grazing, on behalf of the local government council.

(d) A poundmaster shall take periodic statistics of strayed animals and shall submit same to the advisory council.

Offence for non registration of cattle

Offence for destruction of farm and causing body harm

Appointment of poundmasters

Impounding of cattle found grazing in an areas not Designated Grazing Areas.

Release of impounded cattle

10. Cattle found grazing in an area not designated as a grazing area in the state shall be impounded by the poundmaster or any other person duly authorized by the commissioner in that behalf.

11.(1) The poundmaster or any person authorized shall release the cattle impounded under this law to the owner upon payment of fees and expense to be prescribed by the council.

(2) The fees and expenses shall be paid into the account of the State Government .

12. Any cattle impounded under this bill, which is not claimed within one week of the impounding –

Sale of the  
impounded cattle

(a) shall be sold in accordance with the auction law and

(b) the proceeds of the sale shall be deposited in the government revenue account.

13.(1) the commissioner may make regulations for all or any of the following areas-

Power to make  
regulations

(a) regulating the movement of cattle at certain hours of the day;

(b) for the reporting cases of cattle found grazing outside the grazing areas in the state;

(c) for the appointment of poundmasters to carry out the provisions of this law and conferring on them all necessary powers;

(d) prescribing the fees to be paid for any cattle impounded or for any license or other things issued or done under any regulation under this bill.

(2) Any regulation made under this section may apply to the whole of the state or any part thereof.

## PART II

Advisory council

14.(1) there is hereby established for the state, a council to be known as the “ **Advisory Council on Nomadic Grazing**” which shall consist of:-

(a) A chairman who shall be a person of impeccable character and of considerable experience in community relations and agricultural matters to be appointed by the Governor upon confirmation by the House;

(b) Chairmen of all the local Government councils in the state;

(c) the secretary to the council, shall be a person not below the rank of Assistance Director from the Ministry of Agriculture;

(d) Divisional police officers in all the Local Government Areas of the state;

(e) the Head/ Leader of the herdsmen in the state.

(f) Traditional rulers of host communities where grazing activities are being carried out across the state.

(2) A member of the council appointed by the Government shall hold office for a period of four years in the first instance and may be re-appointed for another term of four years and no more.

(3) Any member, not being a member of the public service of the state, may at any time, resign his office by letter addressed to the council and as from the date of receipt of the letter by the Governor, he shall be deemed to have resigned.

(4) The Governor shall have power to remove the chairman and or any member from the council.

15. The functions of the council shall be to :-

(a) provide policy advice to the Governor with respect to grazing activities across the state;

Function of  
the council

- (b) undertake periodic review and appraisal of grazing activities;
- (c) serve as a liaison between the herdsmen and host communities.
- (d) promote harmonious relationship between the herdsmen and host communities.
- (e) Any other function as may be assigned by the commissioner in charge of Agriculture and Natural Resources, from time to time.

16. (a) The council shall sit as often as may be required to exercise its functions under this bill and shall sit at least once in every quarter of the years.

Proceedings

(b) The council shall have power to regulate its proceedings.

(c) There may be paid to the members of the council such remuneration and allowances as applicable to other councils in the state

17. Proceedings under this bill shall be instituted at the magistrate court having jurisdiction in the area where the act or omission occurred.

Special power regarding proceeding for offence.

18. Control of movement of animals Law, 2000 is hereby repealed.

Repeal