



**THE SENATE
FEDERAL REPUBLIC OF NIGERIA
SENATE COMMITTEE ON CULTURE AND TOURISM**

REPORT

ON

A

BILL FOR

**AN ACT TO REPEAL THE NIGERIAN TOURISM
DEVELOPMENT CORPORATION (NTDC) ACT CAP N137
LFN 2004 AND ENACT THE NIGERIAN TOURISM
DEVELOPMENT AUTHORITY (NTDA) AND FOR OTHER
CONNECTED MATTERS THERETO, 2017 (SB.429)**

**REPORT OF THE SENATE COMMITTEE ON CULTURE AND TOURISM
ON A BILL FOR AN ACT TO REPEAL THE NIGERIAN TOURISM
DEVELOPMENT CORPORATION ACT CAP N137 LFN, 2004 AND
ENACT THE NIGERIAN TOURISM DEVELOPMENT AUTHORITY (NTDA)
AND FOR OTHER CONNECTED MATTERS THERETO, 2017 (SB.429)**

INTRODUCTION

The Senate of the Federal Republic of Nigeria at its sitting on Tuesday, July 11, 2017 read THE BILL FOR AN ACT TO REPEAL THE NIGERIAN TOURISM DEVELOPMENT CORPORATION ACT CAP N137 LFN, 2004 AND ENACT THE NIGERIAN TOURISM DEVELOPMENT AUTHORITY (NTDA) AND FOR OTHER CONNECTED MATTERS THERETO, 2017 (SB.429) for the second time and referred same to the Senate Committee on Culture and Tourism for further legislative actions.

BACKGROUND

Mr. President, Distinguished colleagues, I had the privilege to sponsor this Bill when I was the Chairman of the Committee on Culture and Tourism under whose purview the corporation falls.

The Bill was read the first time in this hallowed Chamber on Tuesday 9th March 2017.

Mr. President, Distinguished Colleagues, the major highlights of The Nigerian Tourism Development Corporation (NTDC) which was established through an Act of Parliament in 1992 is to promote

tourism in Nigeria and encourage the provision and improvement of tourism amenities and facilities in Nigeria, including the development of hotels and ancillary facilities.

The extant law while laudable and a major improvement before its enactment in 1992 has still not revolutionized the tourism sector to its full potentials. The Act since its enactment in 1992 has not gone through any form of review or amendment despite having passed through several years of socio - political and economic changes, it is characterized with so many inadequacies and short comings that are not in tandem with the present realities in the tourism sector and international best practices.

This bill seeks to repeal the Nigerian Tourism Development Corporation (NTDC) Act CAP N137 laws of the Federation of Nigeria, 2004 and enact the Nigerian Tourism Development Authority (NTDA) 2017 and other related matters.

Mr. President, my highly respected Colleagues, in 2016, the Hospitality/Tourism Industry contributed about 4.8% to Nigeria's GDP with its level of employment of about 1.6%. These figures can grow significantly if the tourist attractions are fully developed and utilized. With the high rate of individual accomplishment of our people virtually in all fields of human endeavor, like the artists, writers, engineers, scientists, sports men/women, financial experts etc., Nigeria as a tourism destination can be better harnessed back home with a framework for projecting our tourism amenities and facilities to the rest of the world.

METHODOLOGY

After the referral, the Committee held series of meetings and agreed on the following legislative framework:

- a) To consult widely on the justifications for the passage of the bill; by calling for memoranda and subject the Bill to public scrutiny.
- b) To conduct a public hearing in order to avail the general public the opportunity to make their input on the proposed legislation; and request for submissions of vital information from key stakeholders.
- c) To resort to any other matter, which would assist the Committee in the discharge of its assignment.

OBJECTIVE

The very essence of this Bill Mr. President, Distinguished colleagues is to reposition our tourism industry to benefit us economically and to encourage partnership with private investors who have interest in developing the nation's tourism sector.

With the latest objective in mind it will be expected that the enactment of this Bill shall position Nigeria to follow the cue of the other countries' tourism establishment such as;

- i. The cross countries analysis that revealed Gambia, South Africa and Japan having tourism development policy,

strategy and plan that guide the operations of their tourism bodies.

- ii. Nigeria adopting and domesticating the 2002 Cape Town declaration on responsible tourism. This will enhance best practices of responsible tourism principles and help to promote the tourism opportunities abundant in the country.
- iii. Taking a cue from Japan by setting fundamental targets to be realized by the tourism body in the short-term and long-term.

RECOMMENDATION

Arising from the presentations made by stakeholders and following from our observation/findings, the Senate Committee on Culture and Tourism, to which was referred this bill, having favorably considered same, recommends as follows:

“That the Senate do consider and pass the Establishment of the Nigeria Tourism Development Authority (NTDA) Act Cap. N137 LFN, 2004 (Repeal and Enactment) Bill, 2017 (SB429) as amended.

CONCLUSION

After careful scrutiny of the long title, clauses, sub-clauses, supplementary provision and the schedules as contained in the Bill,

the Committee unanimously resolved to make the various amendments contained in the Committee's recommendation column.

Mr. President, Distinguished Colleagues, on behalf of the Members of the Senate Committee on Culture and Tourism, I wish to sincerely thank you for this opportunity given to us to serve in this regard.

I So Move.

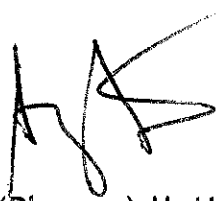
Sen. (Pharm.) Matthew A. Urhohide
Committee Chairman

Abbas Mohammed
Committee Clerk

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I So Move.

A stylized handwritten signature in black ink, consisting of a large 'M' followed by a series of loops and a final upward stroke.

Sen. (Pharm.) Matthew A. Urhoghide
Committee Chairman

A handwritten signature in black ink, appearing to be 'Abbas' followed by a flourish.

Abbas Mohammed
Committee Clerk



**THE SENATE
FEDERAL REPUBLIC OF NIGERIA**

COMMITTEE ON CULTURE AND TOURISM

REPORT ON

A BILL FOR AN ACT TO REPEAL THE NIGERIAN TOURISM DEVELOPMENT CORPORATION (NTDC) ACT CAP N137 LFN 2004 AND ENACT THE NIGERIAN TOURISM DEVELOPMENT AUTHORITY (NTDA) AND OTHER CONNECTED MATTERS THERETO, 2017 (SB.429)

October 2017.

PROVISIONS OF ORIGINAL BILL	COMMITTEE RECOMMENDATION	REMARKS
TITLE OF THE BILL A BILL FOR AN ACT TO REPEAL THE NIGERIAN TOURISM DEVELOPMENT CORPORATION ACT CAP. N137 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NIGERIAN TOURISM DEVELOPMENT AUTHORITY 2017 AND FOR OTHER RELATED MATTERS.	RETAINED	
ENACTED by the National Assembly of the Federal Republic of Nigeria as follow:	RETAINED	
PART I - ESTABLISHMENT OF THE NIGERIAN TOURISM AUTHORITY	PART I - ESTABLISHMENT OF THE NIGERIAN TOURISM DEVELOPMENT AUTHORITY	
Establishment of the Nigerian Tourism Authority 1. There is hereby established, an Authority to be known as the Nigerian Tourism Authority (in this Act referred to as "The Authority"). (a) The Authority shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name; (b) The supplementary provision contained in the First Schedule to this Act shall, where applicable have effect with respect to the proceedings of the Authority and the other matters mentioned therein. (Schedule 1)	Establishment of the Nigerian Tourism Development Authority 1. There is hereby established, an Authority to be known as the Nigerian Tourism Development Authority (in this Act referred to as "The Authority"). (a) RETAINED (b) RETAINED	

Membership 2. There is established a Governing Board of the Authority which shall consist of the following: (a) A Chairman who shall be appointed by the President and shall be a person of proven integrity and experience in the field of travel and tourism; (b) Director General; (c) A representative of the Federation of Tourism Association of Nigerian (FTAN); (d) A representative each of the Federal Ministries/Agencies charged with the responsibility for matters relating to: (i) Foreign Affairs; (ii) Immigration; (iii) Transport; (iv) Environment; (v) Customs; (vi) Culture and Tourism; (vii) Nigerian Investment Promotion Council (NIPC); (viii) Representative of Nigerian Police; (ix) Finance.	Membership of the Governing Board (2) RETAINED (a) A part time Chairman who shall be appointed by the President and shall be a person of proven integrity and experience in the field of hospitality, travel and tourism; (b) RETAINED (c) Two representatives of the Federation of Tourism Association of Nigerian (FTAN); (d) One member representing public interest who must be a private tourism practitioner. (e) A representative each of the Federal Ministries/Agencies charged with the responsibility for matters relating to: (i) Foreign Affairs; (ii) Immigration; (iii) Industry, Trade and Investment; (iv) Environment; (v) Customs; (vi) Culture and Tourism; (vii) Nigerian Investment Promotion Council (NIPC); (viii) Representative of Nigerian Police; (ix) National Institute of Hospitality and Tourism Development Studies (NIHOTOUR); (x) Standard Organization of Nigeria (SON).	INSERTION RENUMBERED
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Tenure of Office 3. Subject to the provision of this Act, a person appointed to be a member of the Board of the Authority and not being an ex-officio member shall hold office for a period of three years from the date of his appointment and may be re-appointed for a further term of two years and no more.	Tenure of Office 3. Subject to the provision of this Act, a person appointed to be a member of the Board of the Authority and not being an ex-officio member shall hold office for a period of three years from the date of his appointment and may be re-appointed for a further term of three years and no more.	
4. Any member of the Board of the Authority not being an ex-officio member may resign his appointment by a letter addressed to the Minister through the Chairman.	4. RETAINED	
5. A member of the Board of the Authority not being an ex-officio member shall be paid such remuneration and allowances as the President may, from time to time, direct.	5. RETAINED	
6. Notwithstanding the provision of section 5, the President may on the recommendation of the Minister remove the Chairman or any member of the Board of the Authority from office for inability to discharge the functions of his office arising from: (a) Infirmary of mind or body; (b) Bankruptcy; (c) Gross Misconduct; (d) Any other cause by which his continued membership will not be in the interest of the Authority.	6. RETAINED (a) RETAINED (b) RETAINED (c) RETAINED (d) RETAINED	

Board Committee 7. The Board shall have the following standing Committees: (a) The Appointment and Establishment Committee; (b) The Finance and General Purposes Committee;	Board Committees 7. RETAINED (a) RETAINED (b) RETAINED	
8. The functions of the standing Committees shall be as determined by the Board.	8. RETAINED	
9. Membership of all standing Committees shall be as determined by the Board.	9. RETAINED	
10. Proceedings of standing Committees shall be conducted in accordance with the provisions contained in the schedule to this Act.	10. RETAINED	
11. The Board may, subject to such conditions as it may deem fit, delegate any or all of the powers conferred on it by this Act to any Committee or Committees of its members or the Director General to: (a) Inquire into and report to the Board on any matter affecting the Authority; (b) Deal with matters of an urgent nature as approved by the Board, subject to such conditions as the board may in writing specify; (c) Appoint staff of the Authority to advice on matters relating to appointments and discipline and other relevant tourism issues of the authority.	11. RETAINED (a) RETAINED (b) RETAINED (c) RETAINED	

13.-(a) The Board may, from time to time, co-opt any person or Person(s) to carry out any of the functions of the Authority under this Act. (b) Any person co-opted under subsection (a) of this section may take part in the proceedings of the Board but shall not be deemed to be a member of the Board for the purpose of voting or forming of quorum.	12. RETAINED (c) RETAINED	RENUMBERED
14. The functions of the Authority shall be: (a) To develop and promote Nigeria as a travel and tourism destination by encouraging people living in Nigeria to take their holidays therein and people from abroad to visit Nigeria; (b) To encourage the provision and improvement of tourism amenities and facilities in Nigeria including the development of hotels and ancillary facilities; (c) To regulate and supervise tourism enterprises for quality assurance, consumer protection and public health and safety purposes by the accreditation and certification of all such enterprises thereby establishing standards, guidelines and codes of practice; (d) To oversee the administration of the Tourism Development Fund and ensure that the Fund is used for the required purposes; (e) To ensure collaboration with other public, private and international agencies; (f) To implement all government policies related to tourism;	13. RETAINED (a) RETAINED (b) RETAINED (c) To regulate with the states and supervise tourism enterprises for quality assurance, consumer protection and public health and safety purposes by the accreditation and certification of all such enterprises thereby establishing standards, guidelines and codes of practice in tourism in partnership with relevant bodies; (d) To oversee the administration of the Tourism Development Fund to ensure that the Fund is utilized for the required purposes; (e) RETAINED (f) RETAINED	RENUMBERED

(g) To advise the Minister on policy issues relating to tourism generally;	(g) RETAINED	
15. In addition to the specific powers conferred on the Authority by or under the subsequent provisions of this Act, the Authority shall have power- (a) To provide advisory and information services; (b) To undertake research in the field of tourism; (c) To render consultancy services in the field of tourism; (d) To render technical advice to the states and local government in the field of tourism; (e) To encourage investors to invest in the tourism sector; and (f) To recommend to the appropriate authority requisite building designs for the construction, renovation or operation of hospitality and tourism facilities, establishments or businesses.	14. In addition to the specific powers conferred on the Authority by or under the subsequent provisions of this Act, the Authority shall have power- (a) To provide advisory and information services; (b) To undertake research in the field of tourism; (c) To render consultancy services in the field of tourism; (d) To render technical advice to the states and local governments in the field of tourism; (e) To encourage investors to invest in the tourism sector; and (f) To provide statistics in all spheres of tourism.	RENUMBERED
16. The Authority shall in particular have power to- (a) Carry on any undertaking which appears to the Authority to be necessary for the promotion and development of the tourism industry; (b) Assist in the promotion and marketing of- (i) Tourist Attractions and Festivals; (ii) historic sites; (iii) museums; (iv) parks; (v) game reserves; (vi) beaches; (vii) natural beauty spots; (viii) Holiday resorts; (ix) Souvenir industries; (c) Advice appropriate authorities on ways of improving tourism facilities.	15. RETAINED (a) RETAINED (b) RETAINED (c) RETAINED	RENUMBERED

(d) Publicize tourism; and (e) Do all such things incidental to the foregoing functions which in its opinion are calculated to facilitate the carrying on of the duties of the Authority under this Act.	(d) RETAINED (e) RETAINED	
Establishment of a Tour Operating Company 17. The Authority shall set up a tour operating company to operate tour services within and outside Nigeria. (a) The company shall also have offices to operate in all the zones; (b) The Authority shall operate the company on a commercial basis, that is it shall ensure that the revenue accruing to the Company from services provided by it are not less than sufficient to meet the total cost of providing these services, taking one year with another.	RETAINED 16. RETAINED	RENUMBERED
	Establishment of Conventions and Visitors Bureau (CVB): 17. The Authority shall establish and manage the Conventions and Visitors Bureau (CVB). The Bureau is to be in charge of destination marketing and to promote Nigeria as a top destination for meetings, exhibitions and events in partnership with relevant bodies as well as be involved with international biddings for Nigeria to host events.	INSERTION RENUMBERED
Power of Minister to give directions 18. Subject to this Act, the Minister may give to the Authority directions of a general character or relating generally to particular matters (but not to any particular individual person or to any particular case) with regard to the exercise by the Authority of its functions and it shall be the duty of the Authority to comply with the directions.	RETAINED 18. RETAINED	

Appointment of Director General 19. There shall be appointed for the Authority, a Director General who shall have such professional qualification and experience in tourism and allied matters appropriate for a person required to perform the functions of that office under this Act: (a) The Director General shall: (i) be appointed by the President on the recommendation of the Minister; (ii) hold office for a term of four (4) years in the first instance and may be re-appointed for a further term of four years and no more; (iii) hold office on such terms and conditions as to emolument, conditions of service as may be specified in his letter of appointment and on such other terms and conditions as may be determined from time to time by the Minister with the approval of the President; (iv) be the Chief Executive and Chief Accounting Officer of the Authority for the purpose of controlling and disbursing funds accruing to the Authority and as established pursuant to Section 22 of this Act; (v) be responsible for the execution of the policies of the Authority; (vi) be responsible for the day to day administration of the affairs of the Authority and is answerable to the Board for the performance of the functions of that office; (vii) perform any other function determined by the Board.	RETAINED 19. RETAINED (a) RETAINED (i) RETAINED (ii) RETAINED (iii) RETAINED (iv) RETAINED (v) RETAINED (vi) RETAINED (vii) RETAINED	

(b) The Director General may delegate a function to an officer of the Authority but shall not be relieved of the ultimate responsibility for the performance of the delegated function.	(b) RETAINED	
Appointment of Secretary to the Board 20. (1) There shall be appointed a Secretary to the Board who shall: (a) be the head of legal services and legal adviser of the Authority; (b) be a legal Practitioner of not less than 12 years post call experience. (2) The secretary to the Authority shall- (a) Keep the records and conduct the correspondence of the Board; and (b) Perform such other duties as the Board or the Director-General may, from time to time, direct.	RETAINED 20. RETAINED (a) RETAINED; (b) be a legal Practitioner of not less than 10 years post call experience. (2) RETAINED (a) RETAINED (b) RETAINED	
Appointment of Employees 21. The Authority shall, subject to the provisions of this Act have powers- (a) To appoint such other employees of the Authority who shall be professionally and technically qualified for the purpose of their appointment; (b) To pay its employees' remuneration and allowances not less than that payable to persons of equivalent grades in the Public Service of the Federation;	RETAINED 21. RETAINED (a) RETAINED (b) RETAINED	

(c) To set up a superannuating scheme (whether contributory or not) in respect of such of its employees as it may determine; and (d) To determine the conditions of service of such employees.	(c) RETAINED (d) The conditions of service of the employees should be determined by federal civil service commission.	
FINANCIAL PROVISIONS	RETAINED	
Funds of the Authority 22. The funds of the Authority include: - (a) Funds appropriated by the National Assembly; (b) Fees from income-generating activities; (c) Donations, Loans, Bonds and Grants; (d) Funds approved by the Board; (e) Any other funds that are allocated by the Minister of Finance; (f) Funds from the Tourism Development Fund; (g) Funds from the Tourism Development Levy.	RETAINED 22. RETAINED (a) RETAINED (b) RETAINED (c) RETAINED (d) RETAINED (e) RETAINED (f) RETAINED (g) RETAINED	
Annual Budget 23. The Authority shall, not later than three months before the end of each financial year, cause to be prepared and submitted to the Minister, an annual budget in respect of the ensuing financial year.	RETAINED 23. RETAINED	

Accounts and Audit 24. (a) The Authority shall prepare and submit to the appropriate authority, not later than 30th June each year, a report on the activities of the Authority during the immediate preceding year and shall include in the report a copy of the audited account of the Authority for that year, and the Auditors report therein; (b) The Authority shall cause to be kept proper account of the Authority in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six months after the end of each financial year by external auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General for the Federation.	RETAINED 24.(a) RETAINED (b) RETAINED	
Powers to borrow 25. The Authority may, with the consent of the Board or Minister, borrow on such terms and conditions as the Authority may determine such sums of money as it may require in the exercise of its functions under this Act.	RETAINED 25. RETAINED	
TOURISM DEVELOPMENT FUND	RETAINED	
Establishment of the Tourism Development Fund 26. There is hereby established by this Act a Tourism Development Fund.	RETAINED 26. There is hereby established by this Act a Tourism Development Fund, which shall be warehoused in the central bank of Nigeria (CBN).	

such sums as may be received by the Authority from other sources;	(d)3% of funds from Tourism Development Levy.	INSERTED
(d) Monies earned by the operation of any project, enterprise financed from the Fund or investment and other sums collected or received by the Authority for services rendered;	(e) RETAINED	RENUMBERED
(e) Other monies that the Minister of Finance in consultation with the Minister may determine with the approval of the President.	(f) RETAINED	RENUMBERED
MANAGEMENT OF THE FUND	RETAINED	
Tourism Development Fund Management Board	RETAINED	
29. (1) There shall be established a Board to manage the Tourism Development Fund.	29.(1) RETAINED	
(2) The Fund shall be administered by the Board and as advised by the members particularly as it concerns control, investment and administration of the Fund, including the proceeds of securities issued on Fund Assets for the benefit and development of the tourism and hospitality industry.	(2) RETAINED	

(3) The monies for the Fund shall be paid into a bank account opened by the Board with the approval of the Accountant General of the Federation. (4) In furtherance of subsection (2), the Board shall: (a) Arrange for the effective and efficient collection of monies assigned to the Fund; (b) Identify other sources of funding; (c) Co-ordinate and ensure total and timely accountability of the fund; (d) Prepare and publish procedures for disbursement of the Fund; (e) Formulate general financial strategies and policies for the growth of the Fund; (f) Evaluate, approve, review and monitor the execution of projects and programs approved for funding by the Authority; (g) Determine the certification necessary to ensure that work is completed according to specification; (h) Review the annual programmes and projects submitted by the public and private sector agencies for funding; (i) To provide financial investments by whichever instrument deemed desirable and beneficial in tourism, travel and hospitality development projects by tourism operators in the six geo-political zones and Federal Capital Territory as the Board may approve; (j) To disburse approved funds and provide a framework for which registered and accredited tourism enterprises can access investment and financial incentives for the development of tourism and hospitality facilities; (k) To manage and disburse resources from the Fund for the development of national standards in training and human resource skills and capacity building in hospitality and tourism; (l) Subject to any general or special direction, the Board may invest the Fund and maintain general financial reserves.	(3) The monies for the Fund shall be domiciled with Central bank of Nigeria in accordance with TSA policy. (4) RETAINED (a) RETAINED (b) RETAINED (c) RETAINED (d) RETAINED (e) RETAINED (f) RETAINED (g) RETAINED (h) RETAINED (i) RETAINED (j) RETAINED (k) RETAINED (l) RETAINED	
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Tourism Development Levy 30. (1) There shall be established a Tourism Development Levy which shall be used to promote tourism and shall support the fund where and if necessary Sources of the levy. (2) The Sources of the levy shall include but not limited to: (i) A tourism visa fee as prescribed by the Authority per inbound international traveler; (ii) A tourism development contribution levy of One (1) per cent per room rate or flat rate or any rate as may be prescribed by the authority; (iii) Tourism departure levy, for the promotion of domestic tourism, which shall be paid by all travelers leaving the country at a rate to be prescribed from time to time by the Authority; (iv) Levy on corporate Nigeria comprising an approved minimum percentage of interest rate on banks, telecommunications and other corporate entities. (3) Such other levies or fees as the Authority may prescribe from time to time for the promotion and Development of the tourism industry in Nigeria.	RETAINED (30) (1) RETAINED (2) RETAINED (i) A tourism visa fee as may be approved from time to time; (ii) RETAINED (iii) 20% of Tourism departure levy, for the promotion of domestic tourism, which shall be paid by all travelers leaving the country at a rate to be prescribed from time to time by the Authority; (iv) RETAINED (3) RETAINED	

Joint Venture Partnership 31. The Authority may enter into joint-venture partnerships with States and other stakeholders for the development of tourism sites and hospitality establishments.	RETAINED (31) RETAINED	
Accreditation and Alliance of Tourism Enterprises 32. The Authority shall accredit all hospitality and tourism establishment in all the States of the Federation.	RETAINED 32. The Authority shall accredit all hospitality and tourism establishments in all the States of the Federation.	
33. The Authority shall create an alliance of Tourism Enterprises in all the States of the Federation after accreditation for the purposes of standardization, quality assurance, consumer protection and public health and safety.	33. The Authority shall create an alliance of Tourism Enterprises after accreditation for the purposes of standardization, quality assurance, consumer protection and public health and safety.	
34. The Authority shall accredit and renew all Hospitality and Tourism Enterprises under its Alliance from the beginning of the Second quarter of the year to the end of the Third quarter of every year being 1st April to 30th September.	(34) RETAINED.	

35. The Authority shall control the classification and grading of all tourism enterprises under the Alliance.	(35) RETAINED	
36. Membership of the Alliance by Accreditation and Certification shall confer privileges and benefits as determined by the Authority from time to time including but not limited to: (a) International status and recognition by the World Tourism Organization (WTO) of which the Authority is a country member thereof; (b) eligibility for specific fiscal relief categories and tax exemptions; (c) eligibility for Custom duty exemptions by the Ministry of Finance to encourage infrastructural improvements and development of tourism facilities; (d) eligibility for financial incentives, subsidy grants and concessionary interest loans from the Tourism Development Fund; (e) Promotion of member establishments by the Authority.	(36) RETAINED (a) RETAINED (b) RETAINED (c) RETAINED (d) RETAINED (e) RETAINED	
Establishment of Hotel Inspectorate Division 37. There is hereby established, a division of the Authority to be known as the Hotel Inspectorate Division. (1) It shall be the duty of the Division- (a) To monitor the accreditation, classification, and grading of Hospitality and other tourism establishments according to the prescribed standard as determined by the Authority;	Establishment of Hospitality, Travel and Tourism Division. 37. There is hereby established, a division of the Authority to be known as the Travel and Tourism Division. (1) RETAINED (a) To monitor the accreditation, classification, and grading of Hospitality, Travel and other tourism establishments according to the prescribed standard as determined by the Authority;	

(b) To collect fees and impose such sanctions as may be prescribed or reviewed from time to time by the Authority.	(b) RETAINED	
Appointment of Inspectors 38. The Authority may if deems it fit, appoint from time to time, persons to be known as inspectors for the purposes of this Act. (1) Inspectors appointed under this Act shall, for the purpose of the execution of this Act, have powers to do the following: (a) To enter, inspect and examine by day or by night any premises being used as a hotel or allied hospitality establishment who is an accredited member of the Alliance; (b) By notice require the proprietor of such or allied hospitality establishment to furnish in such form as he may direct any information on such matters as may be specified by him on notice; (c) To make such examination and inquiry as may be necessary to ascertain whether any regulations made under this Act are being complied with. (2) If an Inspector is of the opinion that a hotel, or allied hospitality establishment who is an Alliance member is not up to the prescribed standard, he shall serve an improvement notice on the persons under whose control the hotel or allied establishment lies, requiring the person to take measures to rectify any defects or meet the prescribed standards within such a period as he shall therein specify.	Assignment of Compliance Officers 38. The Authority may if deems it fit, assign from time to time, persons to be known as compliance officers for the purposes of this Act. (1) Compliance officers assigned under this Act shall, for the purpose of the execution of this Act, have powers to do the following: (a) RETAINED (b) RETAINED (c) RETAINED (2) If a Compliance Officer is of the opinion that a hotel, or allied hospitality establishment who is an Alliance member is not up to the prescribed standard, he shall serve an improvement notice on the persons under whose control the hotel or allied establishment lies, requiring the person to take measures to rectify any defects or meet the prescribed standards within such a period as he shall therein specify.	

(3) Where a person fails to comply with an improvement notice issued under subsection (2), the Inspector shall serve a notice of non-compliance on the hotel or allied hospitality establishment until such time as the prescribed standards are met. (4) A person who is aggrieved by a notice issued by an inspector under subsection (3) may, within thirty days from the date of such notice, appeal to the Authority who may after considering the appeal by order in writing confirm, revoke or vary the notice. (5) A person who is aggrieved with a decision of the Authority made under subsection (4) may within thirty days from the date of the decision, appeal to the Board. (6) The decision of the Board on the appeal lodged under subsection (5) will be final and binding on the Person.	(3) Where a person fails to comply with an improvement notice issued under subsection (2), the compliance officer shall serve a notice of non-compliance on the hotel or allied hospitality establishment until such time as the prescribed standards are met. (4) A person who is aggrieved by a notice issued by a compliance officer under subsection (3) may, within thirty days from the date of such notice, appeal to the Authority who may after considering the appeal by order in writing confirm, revoke or vary the notice. (5) RETAINED (6) Without prejudice to the right of aggrieved persons to seek redress in a court of law, the decision of the Board on the appeal lodged under subsection (5) will be final and binding on the Person.	
39. (1) it is an offence for a person to- (a) contravene section 41(1)(b); (b) Refuse access to a hotel or allied hospitality establishment to an inspector or a person assisting the inspector; (c) Obstruct the inspector in the exercise of his powers under this Act or any regulation made there under, or induces or attempts to induce any other person to do so; (d) Prevent or attempt to prevent any other person from assisting the officer; (e) In any other way, hinder, impede or oppose the inspector in the exercise of his powers under this Act or any regulation made there under;	(39) RETAINED (a) DELETED (b) Refuse access to a hotel or allied hospitality establishment to a compliance officer or a person assisting the compliance officer; (c) Obstruct the compliance officer in the exercise of his powers under this Act or any regulation made there under, or induces or attempts to induce any other person to do so; (d) RETAINED (e) In any other way, hinder, impede or oppose the compliance officer in the exercise of his powers under this Act or any regulation made there under;	

(f) Fail to provide the inspector any information required under this Act or Regulation made there under; (g) Make a statement, which he knows to be false- (i) in purported compliance with the requirement to furnish any information imposed by or under any of the relevant statutory provisions or; (ii) for the purpose of obtaining a document under any of the relevant statutory provisions for himself or another person. (h) With intent to deceive, forge or use a document issued or authorized to be issued under any of the relevant statutory provisions or required for the purpose there under make, or have in his possession a document so closely resembling any such document as to be calculated to deceive; or (i) Falsely pretend to be an inspector; (j) Refuse to renew accreditation within the prescribed time. (2) A person guilty of an offence under section 41(1) shall be liable on conviction to- (a) A fine not exceeding N200,000; (b) imprisonment for a term not more than two years; (c) Both fine and imprisonment for a term not more than two years; (d) Further fine of N5,000 for each day during which the offence continues. (3) Any Establishment which refuses to comply with the standard improvement notice served, and /or refuses to renew accreditation within the prescribed time or refuses to comply with any other provision of this Act, will after the expiration of the prescribed due process lose his	(f) Fail to provide the compliance officer any information required under this Act or Regulation made there under; (g) RETAINED (i) RETAINED (ii) RETAINED (h) RETAINED (i) Falsely pretend to be a compliance officer; (j) RETAINED (2) A person guilty of an offence under section 39(a) shall be liable on conviction to- (a) RETAINED (b) RETAINED (c) RETAINED (d) RETAINED (3) RETAINED	
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membership of the alliance and a public disclaimer will be made. (4) Any establishment which contravenes the provisions of subsection (3) of this Section and the contravention is perceived to be against public interest and safety or to be as a security threat to the public, will be sealed by the Corporation and the Corporation may call in the assistance of any law enforcement agent and it shall be the duty of such law enforcement agent to assist the Corporation in enforcing the provisions of this Act. (5) The Corporation shall have power to impose such other sanctions as may be prescribed from time to time.	(4) Any establishment which contravenes the provisions of subsection (3) of this Section and the contravention is perceived to be against public interest and safety or to be as a security threat to the public, will be sealed by the Authority and the Authority may call in the assistance of any law enforcement agent and it shall be the duty of such law enforcement agent to assist the Authority in enforcing the provisions of this Act. (5) The Authority shall have power to impose such other sanctions as may be prescribed from time to time.	
Regulations 40. The Minister may with the approval of the President, make regulations generally for the purpose of giving effect to the provisions of this Act.	RETAINED 40. RETAINED	
Repeal 41. The Nigerian Tourism Development Corporation Act CAP. N137 Laws of the Federation of Nigeria, 2004 is hereby repealed. (1) The transitional and savings provisions in the second schedule to this Act shall have effect in relation to the employees, assets and liabilities of the Corporation dissolved under this section and other matters mentioned therein notwithstanding anything to the contrary in this act or any other enactment.	RETAINED 41. RETAINED (1) RETAINED	

Interpretation 42. In this Act, unless the context otherwise requires- "a person" includes hotels, travel agencies, tour operators and all other hospitality and tourism establishments who are accredited; "Company" means the Tour Operating Company established by Section 21; "Authority" means the Nigerian Tourism Authority established by Section 3 of this Act; "Division" means the Hotel Inspectorate Division established by Section 42 of this Act; "Director General" means the person appointed as Director General by virtue of Section 23 of this Act; "Tourism Development Fund" means the fund created under section 30 of this Act; "Inspector" means the person appointed as inspector under Section 43 of this Act; "President" means the President of the Federal Republic of Nigeria; "Senate" means the Senate of the National Assembly; "Minister" means the Honorable Minister for Tourism, Culture and National Orientation.	RETAINED 42. RETAINED "Company" means the Tour Operating Company established by Section 17 "Authority" means the Nigerian Tourism Development Authority established by Section 3 of this Act; "Division" means Hospitality, Travel and Tourism Division established by Section 43 of this Act; Director General" means the person appointed as Director General by virtue of Section 19 of this Act; Tourism Development Fund" means the fund created under section 26 of this Act; "Compliance officer" means the person appointed as Compliance officer under Section 39 of this Act; "Minister" means the Honorable Minister in charge of Information, Culture and Tourism.	

Citation	RETAINED	
43. This Bill may be cited as the Nigerian Tourism Corporation Act Cap N137 Laws of the Federation of Nigeria 2004 (Repeal and Enactment) Bill, 2017.	43. This Bill may be cited as the Nigerian Tourism Development Authority (Repeal and Enactment) Bill, 2017.	
SCHEDULE	RETAINED	
FIRST SCHEDULE	RETAINED	
Proceedings of the Board	RETAINED	
1. The Board shall meet at least four times in each year at such times and places as may be determined by the Chairman.	1. RETAINED	
2. If not less than five members make a written request to the Chairman for an extraordinary meeting to be convened, the Chairman shall summon a meeting to be held within fifteen days from the date on which he received the request.	2. RETAINED	
3. The Chairman shall preside at meetings of the Board and if he is absent from a meeting the members present shall elect one of their member to preside at the meeting.	3. RETAINED	
4. At a meeting of the Board six members shall form a quorum and questions shall be decided by a majority of those present and voting; but in the case of an equality of votes, the Chairman or other person presiding shall have a second or casting vote.	4. RETAINED	

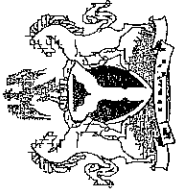
5. Subject to this Act, the Board may make standing orders regulating the proceedings of the Authority or of any Committee thereof. 6. Any summons, notice or other document required or authorized to be served on the Authority may, except where there is express provision to the contrary, be served- (a) By delivering it to the Director General; or (b) By sending it by registered post addressed to the Director General as the principal officer of the Authority. 7. The fixing of the seal of the Authority shall be authenticated by the signature of the chairman or the Director General, and the Secretary. 8. Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Authority by any person generally or specially authorized to act for that purpose by the Authority. 9. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Authority shall be received in evidence and, unless the contrary is proved, be presumed without further proof to have been so signed or sealed. 10. Any member of the Board or a Committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or Committees shall forthwith disclose his interest to the Board or Committee and shall not vote on any question relating to the contract or arrangement.	5. RETAINED 6. RETAINED (a) RETAINED (b) RETAINED 7. RETAINED 8. RETAINED 9. RETAINED 10. RETAINED	
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Committees	RETAINED	
11. Subject to its standing orders, the Board may appoint such Committees as it thinks fit but the decision of any Committee appointed under this paragraph shall be of no effect until confirmed by the Board.	11. RETAINED	
12. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.	12. RETAINED	
13. The quorum of any Committee of the Board shall be six.	13. RETAINED	
14. The Chairman shall preside at meetings of the Board and if he is absent from a meeting, the members present shall elect one of their members to preside at that meeting.	14. RETAINED	
15. The validity of a proceeding of the Board or a Committee there of shall not be adversely affected-	16. RETAINED	
(a) by a vacancy in the membership of the Board;	(a) RETAINED	
(b) by a defect in the appointment of member of the Board or Committee; or	(b) RETAINED	
(c) by reason that a person not entitled to do so took part in the proceeding.	(c) RETAINED	

SECOND SCHEDULE	RETAINED	
Transitional and Savings Provisions 1. By virtue of this Act there shall on the commencement of this Act, be vested in the Authority all assets, funds resources and other movable or immovable property which immediately before the commencement of this Act were vested in the Nigeria Tourism Development Corporation (in this schedule referred to as "The dissolved Corporation"). 2. Subject to provision of paragraph 1 of this Schedule- (a) the rights, interests, obligations and liabilities of the dissolved Corporation existing immediately before the commencement of this Act under any contract or instrument, or at law or in equity apart from any contract or instrument, shall by virtue of this Act be deemed to have been assigned to and vested in the Authority; (b) Any such contract or instrument as is mentioned in subparagraph (a) of this paragraph, shall be of the same force and effect against or in favor of the Authority, and shall be enforceable as fully and effectively as if instead of the dissolved Corporation the Authority had been named therein or had been a party thereto; and (c) The Authority shall be subject to all the obligations and liabilities to which the dissolved Corporation was subject immediately before the commencement of this Act and all person shall, as from the commencement of this Act have the same rights, powers and remedies against the Authority as they had against the dissolved Corporation immediately before the day. 3. Any proceeding pending or cause of action existing immediately before the commencement of this Act by or	RETAINED 1. RETAINED 2. RETAINED (a) RETAINED (b) RETAINED (c) RETAINED 3. RETAINED	

against the dissolved Corporation in respect of any rights, interest, obligation or liability of the dissolved Corporation may be continued, or as the case may require, commenced and the determination of a court of law, tribunal or other authority or person may be enforced, by or against the Authority to the same extent that such cause of action or determination might have been continued or commenced or enforced by or against the dissolved Corporation if this Act has not been made. 4. Notwithstanding the dissolution of the Nigerian Tourism Development Corporation by section 40 of this Act, any person who immediately before the commencement of this Act held office under the dissolved Corporation shall, on the commencement of this Act be deemed to have been transferred to the Authority on terms and conditions not less favorable than those obtaining immediately before the commencement of this Act and service under the dissolved Corporation shall be deemed to be service under the Authority for pensions purpose. 5. For the purposes of paragraph 4 of this Schedule, the terms and conditions comprised in any transferred appointment shall not be construed as being less favorable merely because they are not in all respects identical or superior to the terms and conditions enjoyed by any person concerned immediately before the commencement of this Act if the first mentioned terms and conditions taken as a whole offer substantially equivalent or greater benefits. 6. Within the twelve months after the making of this Act, the Minister, if he thinks fit, may by order published in the gazette make additional transitional or saving provisions for the carrying out of the objectives of this schedule.	4. RETAINED 5. RETAINED 6. RETAINED	

Explanatory Memorandum This Bill seeks to repeal the Nigerian Tourism Development Corporation Act CAP. N137 Laws of the Federation of Nigeria and enact the Nigerian Tourism Development Authority, to develop and promote Nigeria as a travel and tourism destination by encouraging people living in Nigeria to take their holiday herein and from abroad to visit Nigeria.	RETAINED RETAINED	



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

COMMITTEE ON CULTURE AND TOURISM

REPORT ON NIGERIAN TOURISM DEVELOPMENT CORPORATION ACT CAP N137 LFN, 2004
(REPEAL AND ENACTMENT) BILL, 2017 (SB.429)

SIGNATURE PAGE

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| 1. Senator (Pharm.) Matthew A. Urhoghide | - | Chairman..... |
| 2. Senator Abubakar Ahmadu Moallahyidi | - | Vice Chairman..... |
| 3. Senator Fatimat Olufunke Raji-Rasaki | - | Member..... |
| 4. Senator Omoworare C. Babajide | - | Member..... |
| 5. Senator David Umaru | - | Member..... |
| 6. Senator Rose Okoji Oko | - | Member..... |
| 7. Senator Binta Masi Garba | - | Member..... |
| 8. Senator Samuel Anyanwu | - | Member..... |
| 9. Senator Ovie Omo Agege | - | Member..... |