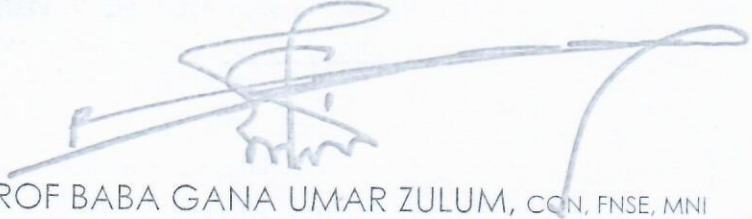
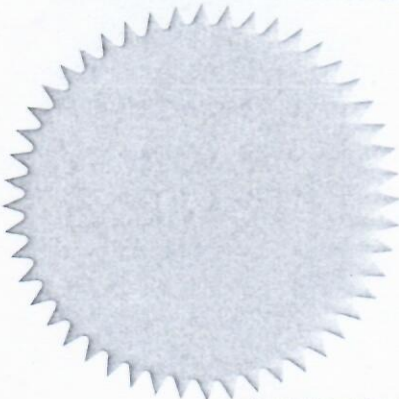


I ASSENT THIS... 6<sup>th</sup> ..... DAY OF September ..... 2023



ENGR PROF BABA GANA UMAR ZULUM, CON, FNSE, MNI  
GOVERNOR  
BORNO STATE OF NIGERIA



### BORNO STATE INVESTMENT PROMOTION AGENCY LAW, 2023

### A LAW TO PROVIDE FOR THE ESTABLISHMENT OF THE BORNO STATE INVESTMENT PROMOTION AGENCY LAW, 2023

#### PART I

ENACTED by the Borno State House of Assembly as follows:-

Citation and commencement

1.

This Law may be cited as the Borno State Investment Promotion Agency Law and shall come into force on the... 6<sup>th</sup> ..... day of Sept. .... 2023

Interpretation

2.

In this Law unless the context otherwise requires

**"Concession"** means the act of conceding or the right to conduct a business from within a larger concern;

**"Contractor"** means any person or body corporate who enters into a contract or has been granted a concession by any Borno State Government Ministry, Department, Agency, Corporation, Company or Body and undertakes to construct any infrastructure or facility or supply any equipment or provision of any service for any infrastructure, services or facility under this Law;

**"Construction"** means any form of engineering work whether civil, structural, mechanical or electrical and includes rehabilitation improvement, expansion, alteration and related works and activities, supply and installation of equipment or materials;

**"Governor"** means the Executive Governor of Borno State of the Federal Republic of Nigeria;

**"Director General"** means the Director General of the Agency appointed under Section 7 of this Law;

**"Infrastructure"** includes development projects, which, before the commencement of the Law, were financed, constructed, operated or



maintained by the Borno State Government and which, after the commencement of this Law, may be wholly or partly implemented by the Private Sector under an agreement pursuant to this LAW including Medical and Health facilities, roads and highways, power projects, renewable energy, water supply, irrigation, transportation systems, land adjustment projects, environmental remediation and cleanup projects, industrial estates or township development, housing estates, government building, tourism and hotel development projects, trade fair complexes, warehouses, solid waste management, information technology networks and database infrastructure, education infrastructure and development projects and public service provision as may be approved, from time to time, by the Executive Governor;

**"Investment"** means an asset or item financially acquired with the intent of generating income or appreciation or create wealth;

**"Appreciation"** refers to an increase in the value of an asset over time;

**"Investor"** means an individual (corporate or otherwise) who has the financial strength and or technical knowledge and who has identified or bids in a partnership based agreement with the Borno State Government of Nigeria to carry development projects or provisions of public service whether through a solicited or unsolicited proposal subject to the Laws of Borno State of Nigeria or and the Federal Republic of Nigeria;

**"Director"** means a Director in any of the departments of the Agency;

**"Private"** means not connected to government or any public institution. An individual or corporate non-governmental body established under any Law can be called private;

**"PPP"** means Public-Private Partnership;

**"Partnership"** means a joint mutually agreed contractual agreement between an investor or a consortium of investors with the Borno State Government through any of its Ministries, Departments, Agencies, Corporations or Companies for the purpose of infrastructural development, services provision or any other form or forms of development project for or with the Borno State of Nigeria;

**"Collaboration"** means the process of two or more people or organizations working together to complete a task or achieve a goal. Public-Private Partnership to develop a project is collaboration;

**"State Executive Council"** means the Borno State Executive Council;

**"Unsolicited Proposal"** means expression of interest by a body (individual or corporate) which was not invited by any Ministry, Department, Agency or any other organ of Borno State Government;

**"MDA"** means Ministries, Departments and Agencies.

## PART II

### ESTABLISHMENT OF THE BORNO STATE INVESTMENT PROMOTION AGENCY

- Establishment of the Agency* 3
- (1) It is hereby established a body to be known as the **BORNO STATE INVESTMENT PROMOTION AGENCY** (hereinafter in this Law referred to as "The Agency")
  - (2) The Agency:
    - (a) Shall be a body corporate with perpetual succession and a common seal;
    - (b) May sue and be sued in its corporate name; and
    - (c) May require, hold or dispose of any property, moveable or immovable for carrying out any of its functions under this Law
  - (3) The headquarters of the Agency shall be located in Maiduguri, the capital of Borno State of the Federal Republic of Nigeria
  - (4) The composition of the Management of the Agency shall be as may be constituted by the Executive Governor from time to time

## PART III

### FUNCTIONS OF THE AGENCY

- Functions of the Agency* 4
- (1) The Agency shall:
    - (a) Develop, promote, facilitate and coordinate investment in the state through Greenfield, Public-Private Partnership, Privatization, Commercialization, Concessions of State-owned assets, Build and Transfer and shall accordingly;
    - (b) Serve, Coordinate and monitor all Investment Promotion and Public-Private Partnership (PPP) transactions and activities in Borno State;
    - (c) Identify specific projects and invite interested investors for participation in those projects;
    - (d) Initiate, organize, and participate in promotional activities such as exhibitions, conferences and seminars for stimulation of investments in the state;
    - (e) Assist new and existing investors by promoting support services;
    - (f) Regulate, monitor and evaluate compliance with the terms and conditions of such transactions;
    - (g) Monitor the implementation, execution and delivery of investment projects as contained in agreements between the Government and Investors;
    - (h) Formulate and assist the Government in creating an attractive and competitive environment in the state that will stimulate the local economy;



- (i) Conduct risk and benefit assessment that will assist the Government in decision making regarding implementation of projects and programmes pursuant to the State Investment Promotion Strategy;
- (j) Establish a framework for identification and proactive engagement with the Federal Government and its Agencies regarding the Investment Promotion drive of the State Government;
- (k) Assist the State in building capacity for Investment project identification, evaluation, planning, executive and management;
- (l) Plan and organize targeted and well-researched Investment promotion activities including tours and roadshows aimed at promoting specific Investment projects in areas where the State has demonstrable comparative and competitive advantages;
- (m) Focus on the State Government approved strategy based on resources available, to identify and document land for agricultural, housing, commercial, industrial and other uses so that it can be speedily made available to qualified investors in a manner that protects the rights of all stakeholders (land owners, occupiers and communities) and such that provides for optimal land use for investment, job creation and social responsibility.
- (n) Establish and coordinate a One Stop Investment Facility {OSIF} which shall have Desk Officers from relevant MDAs that relates to Investments in the State;
- (o) Source for finance, on behalf of the Government, for Investments from multilateral and bilateral development partners as well as private investors – both domestic and foreign – and to act as the State's lead Negotiator for all PPP models including Build, Operate and Transfer, Concessions, Privatization and Commercialization transactions, etc even where such projects are identified and/or managed by other MDAs;
- (p) Convey, assign, surrender and yield up, accept the surrender of, charge, mortgage, demise, reassign, transfer or otherwise dispose of, or deal with any moveable or immovable property vested in the Agency;
- (q) Perform such other functions as the Executive Governor may direct from time to time or deemed necessary to achieve its primary objective under this Law;
- (r) Report progress and inadequate identified from time to time to the Executive Governor with appropriate recommendations within a reasonable period;
- (s) Keep record of all enterprises to which this Law applies;
- (t) Keep copies of concession or partnership agreements to be retained in the Agency and relevant MDAs for reference, compliance and safe keeping purposes;



- (u) Ensure efficient execution of concession agreements or contracts entered into by the Borno State Government;
  - (v) Ensure compliance with the provisions of this Law and all other Laws; and
  - (w) Perform such other duties as may be directed by the Executive Governor, from time to time, or as are necessary or expedient to ensure the efficient performance of the functions of the Agency.
- (2) The Executive Governor of Borno State shall have final approval of any process emanating from the Agency

#### **POWERS OF THE AGENCY**

Powers of the Agency

5.

Unless otherwise specified in other provisions of this Law, the Agency shall have powers to:

- (a) Procure, within its budgetary provisions, any property or service it may require for the effective discharge of its functions under the Law and to dispose of any such property or terminate any such services;
- (b) Request the Head of any MDA of Government to avail it with any document, explanation and any relevant information it may require for the purpose of execution of its functions under this Law;
- (c) Grant default provisional approvals to investors for application for registration, certification, waivers, licences or permits where the relevant Agency or official fail to communicate approval or rejection of an application by an investor within 3 months of the application and submission of relevant documents or requirements qualifying the investor for the grant of such approval;
- (d) For the purpose of determining the commencement of application timeline applicable above, the applicant's acknowledgment copy of the application, including electronic submission of documents, shall serve as proof of the date of submission;
- (e) An Investor whose application is deemed granted under this section, shall immediately apply to the Agency for the issuance of any document or certificate in evidence of the grant within 14 days of receipt of the default provisional approval;
- (f) The failure of the appropriate officer to act on any application within the timeline stipulated, without Lawful excuse, shall amount to misconduct and be subject to appropriate disciplinary proceedings in accordance with applicable Laws and regulations;
- (g) Shall have power to make rules to regulate its proceedings;

- (h) Conclude arrangements with any person or organization for the effective implementation of any programme or project, and to enter into such arrangements as it may deem necessary to facilitate its functions under the Law;
- (i) Not to accept any gift if the conditions attached are inconsistent with the objectives and functions of the Agency;
- (j) Insure its properties against all forms of risk; and
- (k) Do such other things as may be reasonable incidental, supplemental or relevant to its function under this Law.

#### PART IV

#### REMUNERATION OF STAFF

The Executive Governor shall:

- (a) Approve such emoluments, allowances and benefits as may be paid to the Director General, Directors, Staff and other workers of the Agency;
- (b) Determine the terms and conditions of service of the employees of the Agency; and
- (c) Do such other things which in its opinion are necessary to ensure the efficient performances of the functions of the Agency under this LAW.

#### PART V

#### STAFF OF THE AGENCY

There shall be for the Agency, a Director General who shall:

- (a) Be appointed by the Executive Governor of the State;
- (b) Be the Chief Executive Officer of the Agency; and
- (c) Be responsible for the execution of the policy and day to day administration of the Agency.

- 8. (1) The Director General shall hold office
  - (a) For a term of 4 years in the first instance and may be reappointed for a further term of 4 years only;
  - (b) On such terms and conditions as may be specified in his letter of appointment; and
  - (c) The Director General shall possess a minimum qualification of a First Degree in relevant field with at least 15 years experience in Public-Private Partnership or Investment Promotion transactions and shall also be of proven integrity.
- (2) The Director General may:
  - (a) Be removed from office if he resigns his appointment by a notice in writing under his hand, addressed to the Executive Governor; or
  - (b) Be removed by the Executive Governor for inability to discharge the

Remuneration 6.

Staff of the Agency 7.



functions of his office (whether arising from infirmity of mind or body or any other cause); or for misconduct or corruption.

- (3) The Agency may recommend the appointment of other staff as it may deem necessary and expedient to act as the Director General where a substantive Director General has not yet been appointed.
- (4) For the purpose of Pensions, officers and employees of the Agency shall be entitled to pensions, gratuities and other retirement benefits as are prescribed under the Pension Law, 2007
- (5) Without prejudice to the provisions of subsection (1) of this Section, nothing in this Law shall prevent the appointment of a person to any office on terms and conditions, which preclude the grant of pension, gratuity or other retirement benefits in respect of that office.
- (6) The Agency may directly employ such number of employees as it may deem necessary for the efficient discharge of the functions of the Agency under this LAW or may request for the posting of employees from the State Public Service and accept secondment or transfer from the Federal Public Service where such employees meet the Agency's professional and technical standards.
- (7) The Agency shall have power to make, with the approval of the Board, staff Regulations governing the conditions of service of the Agency's employees until such regulations are made, the regulations and conditions of service applicable to employees in the State Public Service shall apply subject to such modifications as the Agency may deem fit.
- (8) It may hereby declared that Service in the Agency shall be Pensionable service for the purpose of the State Pension Law and accordingly the staff of the Agency shall be entitled to pension and other retirement benefits as prescribed under the State Pension Law; and
- (9) The Agency may engage the services of a consultant on such matters it lacks technical capacity or discretion to make.

#### PART VI FINANCIAL PROVISIONS

*Financial  
Provisions*

9. The Agency shall establish and maintain a fund to which shall be paid:
  - (a) Grants from the State Government if any;
  - (b) All subvention and budgetary allocations from the Borno State Government;
  - (c) Gifts, loans, grant-in-aid from National, bilateral and multilateral organizations and Agencies;
  - (d) Rents, fees and other internally generated revenue;
  - (e) Revenues from the services provided by the Agency; and
  - (f) All other sums accruing to the Agency, from time to time.



## PART VII

### EXPENDITURE OF THE AGENCY

*Expenditure  
of the Agency*

10

Subject to its approved budgetary provisions, the Agency may, from time to time, apply the proceeds of the fund established under this Law

- (a) To the cost of administration of the Agency;
- (b) To the payment of the salaries, fees or other remuneration or allowances, gratuities and pensions, and other benefits payable to the staff and other employees of the Agency;
- (c) For the development and maintenance of any property vested in or owned by the Agency; and
- (d) For maintaining general financial reserves subject to general or specific directives that may be given in that behalf by the Executive Governor in accordance with the provisions of the Law; and for and in connection with all or any of its functions under this Law.

11.

The Agency shall observe and implement all the established budgetary traditions and Laws of the State.

12.

The Agency shall keep proper accounts in respect of each year and proper records in relations to those accounts and shall cause its accounts to be audited at the end of each financial year by auditors appointed from the lists and in accordance with the guidelines supplied by the Auditor General of Borno State.

## PART VIII

### PRIVATE SECTOR PARTICIPATION IN BORNO STATE PPP

*Private Sector  
Participation*

13.

- (1) As from the commencement of this LAW, any Borno State Government Ministry, Department, Agency, Corporation, Local Government or body involved in the financing, design, construction, operation, development and or maintenance of infrastructure or socio-economic development project, by whatever name called, may enter into a contract with, or partner with, or grant concession to any suitably qualified private firm or consortium in the private sector for the financing, construction, operation and or maintenance of any infrastructure that is financially viable or any development facility of the Borno State Government shall be in accordance with the provisions of this Law;
- (2) Except otherwise directed by the Executive Governor, this Law applies to Investment and development projects relating to any infrastructure of any Borno State Government Ministry, Department, Agency, Company, Corporation, Local Government or Organization;



- (3) Every Borno State Ministry, Department, Agency, Company, Corporation, Local Government or Organization shall prioritize its infrastructure and socio-economic development projects and such priority projects may be qualified for concession or any kind of partnership under this section;
- (4) The projects mentioned in Subsection (1) of this section shall be submitted to the Executive Governor for approval on the recommendation of the Agency based on the submission of the relevant sector, Ministry, Department, Agency, Company or Corporation prior to entering into any contract under this Law;
- (5) In entering into any contract or partnership or granting any concession under this Law, the Borno State Government Ministry, Department, Agency or Corporation, Company, Local Government Council or Organization shall ensure that the project's private promoter possesses the financial capacity, relevant expertise and experience in undertaking such infrastructure and or socio-economic project development, management or maintenance;
- (6) The Agency established under this Law shall publish, in the Borno State Government Gazette, one Local newspaper and at least two national newspapers having wide circulation in Nigeria, and such other means of circulation, the list of projects eligible for contract or partnership for the financing, construction, operation, maintenance, or development of any infrastructure and socio-economic development under this Law;
- (7) The Agency shall carry out projects fully within the specified sectors which shall include not limited to the following:-
  - (a) Infrastructural Sector: Housing, Real Estate, Transport, Water, Power, Renewable Energy etc;
  - (b) Commence and Economic Sector: Investment, Trading, Industrial Development;
  - (c) Agricultural Sector: Farming, Irrigation and Cultivation of all types, provision of machineries and tractors, Agro allied processing, land issue;
  - (d) Service Sector: Tourism, Hotel and Hospitality Industry;
  - (e) Environmental Sector: Conservation, Sanitation, Waste Management etc;
  - (f) Health Sector: Medical, Pharmaceutical, Hospital and Health Services Equipment and Management; and
  - (g) Education Sector: All schools – Basic, Secondary, Tertiary Education and Teaching Hospitals including training of all types, management and associated services



**PART IX**  
**COMPETITIVE PUBLIC BIDDING FOR PROJECT AND CONTRACTS**

*Bidding s*

14. (1) No Borno State Government Ministry, Department, Agency, Corporation, Company, Local Government Council or Organization shall give any guarantee, letter of guarantee or comfort or undertaking in respect of any concession, partnership and contractual agreement made pursuant to this LAW, except with the approval of the Executive Governor.
- (2) In accordance with the Borno State Public Procurement Law, 2019, on approval by the relevant authority for any project or contract for financing, design bidding for project construction, operation or maintenance of any infrastructure or development project under this Law, the Borno State Government Ministry, Department, Agency, Corporation, Company, Local Government Council or Organization concerned shall, by publication in two newspapers having wide circulation in Nigeria, and such other means of circulation, invite open competitive public bid for such projects or contracts.

**PART X**  
**GUARANTEES ON CONCESSION AGREEMENTS**

*Guarantees On  
Concession  
Agreements*

- 15 (1) With respect to projects under this Law, the partnership shall be established with the bidder who, having satisfied the prequalification criteria, submits the most technically and economically comprehensive bid that is the bid that offers the best value for money against the criteria set out in advance by the producing authority and favourable/moderate financial consideration within the rules and regulations of the Borno State Public Procurement Law, 2019
- (2) Where there is a consortium participating in a bid under this Section, there shall be proof by the consortium that all its members shall be bound jointly and severally under the contract and the withdrawal of any member of the consortium before or during the implementation of the project may be a ground for review or possible cancellation of the agreement or partnership
- (3) The Agency shall subject to the approval of the Executive Governor authorize certain partners or concessioners to charge and collect on behalf of the State Government, user fees from members of the public.
- (4) The user fees charged and collected in subsection (3) above shall not be increased by partners or concessioners except as directed by the Agency.
- (5) The user fees charged and collected under this Section shall be paid into the appropriate account as contained in the Law establishing such Ministry, Department, Agencies, Corporation, Company, Local Government Council or Organization immediately after collection without delay.



## PART XI

### CIRCUMSTANCES WHERE COMPETITIVE BIDDING FOR CONTRACTS MAY NOT BE NECESSARY

*Competitive  
Bidding*

16

Notwithstanding the provisions of Section 14(2) of this LAW, and if after advertisement in accordance with the Borno State Public Procurement Law, 2019:-

- (a) Only once contractor, interested party applied or submits a bid or proposal, or only one contractor, interested party meets the prequalification requirements, the Ministry, Department, Agency, Corporation, Company, Local Government Council or any other Organization may undertake direct negotiation without competitive bidding for any contract to be entered into pursuant to this Law.

## PART XII

### UNSOLICITED PROPOSALS, DURATION OF CONCESSIONS, ESTABLISHMENT OF SPECIAL ACCOUNTS

*Unsolicited  
Proposals,  
Duration of  
Concessions,  
Establishment of  
Special Accounts*

17.

(1)

The Agency shall have the right to reject or consider unsolicited proposals or call for expression of interest from the public on project(s) in unsolicited proposal(s), submitted by a prospective investor, and provided such prospective investor, where such proposal is viewed to be in the interest of Borno State and provided such prospective investor is given the opportunity to partake in the expression of interest.

(2)

The duration of any concession or partnership shall be as may be specified in the agreement or contract governing the concession or partnership benchmarked against international and national standards and best practices.

(3)

There shall be a designated Bank Account for the Agency and a separate Bank account for all Partnership Collaborations into which shall be credited monies accruing to the government and from which shall be defrayed monies to be paid in respect of the relevant Public Private Partnership (PPP) projects.

## PART XIII

### RIGHT TO ENTER INTO AND INSPECT PREMISES OR FACILITY

*Right to  
Inspection*

18

(1)

The Agency and the relevant Borno State Government's Ministries, Departments, Agencies, Corporations, Companies, Local Government Councils or Organizations shall have the power at any reasonable hour or operational hours to enter upon and inspect any land or asset comprised in any partnership, concession granted or contract executed pursuant to this LAW or the construction or erection of any infrastructure or socio-economic development project and it shall be the duty of the project promoter, the contractor or anyone acting on its behalf to permit and give free access to enter and inspect.



**PART XIV  
ARBITRARY VARIATION OF AGREEMENT**

*Variation  
Agreement*

19. (1) The Agency in conjunction with the Office of the Auditor General of Borno State shall have the right at any time during the award or the execution of any project to demand for and examine the books of account and financial statement of the private partners to ascertain the private partner's financial capability and to ensure non-diversion of project funds;
- (2) No agreement reached in respect of this Law shall be arbitrarily suspended, stopped, cancelled, altered or changed except in accordance with the provisions of this Law; and
- (3) Subject to the provisions of this Law, the relevant Borno State Government Ministry, Department, Agency, Corporation, Local Government Council or Organization shall act as the contracting party on behalf of the State Government and carry out its obligations to inspect and supervise the performance of the contractor or partner in accordance with the agreement.

**PART XV  
RIGHT OF WAY**

*Right of Way*

- 20 Every contractor or investor to whom any concession has been granted under this Law shall have a right of way or easement in respect of any land or property near to or bordering the project site or facility as may be reasonably necessary for the proper implementation of the project under this Law.

**PART XVI  
LEGAL PROCEEDINGS**

**LIMITATION OF SUIT AGAINST THE AGENCY ETC CAP 370 LAWS OF THE  
FEDERAL REPUBLIC OF NIGERIA, 1990**

*Legal  
Proceedings*

21. Subject to the provision of this Law, the provisions of the Public Officers Protection Law of Nigeria shall apply in-relation to any suit instituted against any member or officer or employee of the Agency.

**PART XVII  
SERVICE OF DOCUMENTS**

*Service of  
Documents*

22. A notice, summons or other document required or authorized to be served on the Agency under the provisions of this Law or any other Law or enactment may be served by delivering it to the Director General or by sending it by registered post addressed to the Director General at the principal office of the Agency.



**PART XVIII**  
**RESTRICTION ON EXECUTION AGAINST PROPERTY OF THE AGENCY**

- Restriction*      23.      In any action or suit against the Agency, no execution or attachment or processes in the nature thereof shall be issued against the Agency unless not less than three months notice of the intention to execute or attach has been given to the Agency.

**PART XIX**  
**INDEMNITY OF OFFICERS**

- Indemnity*      24.      Any sum of money which by the judgment of any court has been awarded against the Agency shall, subject to any direction given by the court, where no notice of appeal against the judgment has been given, be paid from the fund of the Agency or as directed by the Executive Governor.
25.      The Director General or any Officer or employee of the Agency shall be indemnified out of the assets of the Agency against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as Director General, officer or other employee of the Agency.

**PART XX**  
**EXECUTIVE GOVERNOR'S DIRECTIVES AND MISCELLANEOUS PROVISION**

- Directives*      26.      The Executive Governor may give to the Agency such directives of a general nature or relating generally to matters of policy with regards to the exercise of its or his functions under this Law as he may consider necessary and it shall be the duty of the Agency to comply with the directives or cause them to be complied with.
- (1)      The Director General or any other officer or employee shall:
- (a)      Not, for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty as the Director General, officer or employee of the Agency;
- (b)      Treat as-confidential, any information which has come to his knowledge in the exercise of his powers or is obtained by him in the performance of his duties under this Law; and
- (c)      Not disclose any information referred to under paragraph (b) of this subsection (c), except as required by Law.
- (2)      Any person who contravenes the provisions of subsection (1) of this section commits an offence and shall on conviction be liable to a fine of not less than N500,000 or imprisonment for a term not exceeding 2 years.



## SCHEDULE

- i. The Agency shall meet for the conduct of its business at such places and on such days as the Director General may direct.
- ii. Where the Agency seeks the advice of any person on a particular matter, it may invite that person to attend for such periods as it things fit, but a person who is invited by virtue of this paragraph shall not have a final say on the decision of the meeting.
- iii. The Agency may appoint Sectoral and Technical Committees to carry out on its behalf such of its functions as it may determine and report on any matter with which it is concerned.
- iv. A Committee appointed under paragraph (iii) of this Schedule shall be presided over by a member of the Agency and consist of such number of persons (not necessarily all members of the Agency) as may be determined.
- v. A decision of any of the Sectoral Committee and the Technical Committee of the agency shall be of no effect until it is confirmed by the Agency.

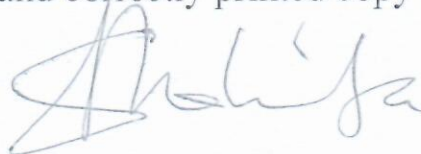
## MISCELLANEOUS PROVISION

- (i) The fixing of the seal of the Agency shall be authenticated by the signature of the Director General or and such other person authorized by the Agency to act for that purpose.
- (ii) A contract or an instrument which, if made or executed by any person not being a body Corporate, would not be required to be under seal may be made or executed on behalf of the Agency by the Director General or any person generally or specifically authorized to act for that purpose by the Agency.
- (iii) A document purporting to be a contract, an instrument or other document singed or sealed on behalf of the Agency shall be received in evidence and, unless the contrary is proved, be presumed to have been properly signed or sealed.
- (iv) An employee or staff of the Agency or a Committee set up by the Agency who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Agency or any Committee thereof.
  - (a) Shall forthwith disclose his interest, to the Agency or Committee; and shall not vote on any question relating to the contract or agreement.



## EXPLANATORY NOTE

This printed impression has been carefully compared by me with the Bill which has been passed by the Borno State House of Assembly and found by me to be a true and correctly printed copy of the Law.

A handwritten signature in blue ink, appearing to read 'Shettima Makinta', written in a cursive style.

**SHETTIMA MAKINTA**  
AG. CLERK OF THE BORNO STATE  
HOUSE OF ASSEMBLY