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Jos 19th August, 2019

Vol. 2

Plateau State Notice No.1

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PLATEAU STATE INFORMATION AND
COMMUNICATION TECHNOLOGY
DEVELOPMENT
AGENCY LAW, 2018

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AGENCY LAW 2015
DEVELOPMENT
COMMUNICATION TECHNOLOGY
AND STATE REFORMATION

10th August 2015

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**PLATEAU STATE INFORMATION AND
COMMUNICATION TECHNOLOGY DEVELOPMENT
AGENCY LAW, 2018.**

ENACTED by the Plateau State House of Assembly as follows:

**PART I
PRELIMINARY**

**Citation and
Commencement.**

1. This Law may be cited as the Plateau State Information and Communication Technology Development Agency Law, 2017 and shall be deemed to have come into operation on the 25th day of September 2018.

Interpretation.

2. In this Law:
"agency" means the Plateau State Information Technology Development Agency established pursuant to Section 3;
"board" means the Governing Board of the Agency established pursuant to Section 6;
"computer" means any electronic device or computational machinery using programmed instructions which has one or more of the capabilities of storage, retrieval, memory, logic, arithmetic or communication and include all Input, Output, Processing, Storage, Software, or Communication facilities which are connected or related to such a Device in a System or Network or control function by the manipulation of signal, including

electronic, magnetic or optical, and shall include any Input, Output, Data Storage, Processing or Communication facilities directly related to or operating in conjunction with any such Device or System or Computer Network;

"computer network" means the interconnection of one or more Computers;

"computer system" means a device or collection of devices including input and output support devices and excluding calculation which are not programmable and capable of being used in conjunction with External Files, which contain Computer Programs, Electronic Instruction, Input Data and Output Data, that performs Logic Arithmetic, Data Storage and Retrieval, Communication Control and other functions;

"data" means a representation of information, knowledge, facts, concepts or instruction, which are being prepared or have been prepared in a formalized manner and is intended to be processed or is being processed or has been processed in a Computer System or Computer Network and may be in any form, including Computer Printout, Magnetic or Optical Storage Media, Punched Cards, Punched Tapes, or



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stored internally in the memory of Computer;

"deputy governor" means the Deputy Governor of the State;

"director-general" means the Director-General of the Agency established pursuant to Section 11;

"electronic form" with reference to information means any information generated, sent, received or stored in Media Magnetic, Optical, Computer Memory, Micro Film, Computer generated, Micro Fiche or Similar Device;

"electronic record" means Data, Record or Data generated, Image or Sound stored, received or sent in an electronic form or Micro Film or Computer generated Micro Fiche;

"government" means the Government of the State;

"governor" means the Governor of the State; and

"software" includes any Program Procedure or any associated documentation relating to the operation of a Computer System; and

"state" means Plateau State of Nigeria.

PART II

ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE AGENCY

- | | | | |
|--|----|-----|---|
| Establishment of Plateau State Information Technology | 3. | (1) | There is established a body known as the Plateau State Information and Communica- |
|--|----|-----|---|

Development Agency.

tion Technology Development Agency (referred to as "the Agency").

- (2) The Agency shall be a body corporate with perpetual succession, having its Common Seal and may sue or be sued in its corporate name.
- (3) The Agency shall acquire, hold or dispose of any property, movable or immovable for the purpose of carrying out its functions under this Law.
- (4) The Agency shall be directly under the Office of the Executive Governor.
- (5) The Agency shall be supervised by the Ministry in-charge of Science and Technology.

Functions of the Agency.

- 4. The Agency shall:
 - (a) ensure the implementation of the Plateau State Information and Communication Technology Policy in accordance with the set-up Implementation Strategies;
 - (b) implement and maintain appropriate infrastructure of

Information Technology and system application and development in the State in accordance with set Guidelines;

- (c) ensure the implementation of Electronic Governance, monitor the use of Electronic Data interchange and other forms of Electronic Communication Transactions as an alternative to power based methods in governance, Commerce, Education, the Private and Public Sectors, Labour and other fields of endeavor where the use of Electronic Communication may improve the exchange of Data and Information in line with set up Guidelines of the Ministry of Science and Technology;
- (d) ensure the implementation of Guidelines for networking of Public and Private Sectors in the State;
- (e) promote the use of Information Technology in the State;
- (f) facilitate appropriate Regulatory Policies that will encourage Private Sector investment in Information

- (g) Technology in the State; collaborate with any Local Government Council in the State, Company or any person in any activity which in the opinion of the Agency will facilitate the attainment of the objective of this Law;
- (h) determine critical areas in Information Technology requiring research and development through effective monitoring of activities in the State, Information Village./ICT Parks; and
- (j) implement the penetration of Internet Services in the State.

Rules of Proceedings.

- 5. In carrying out its functions, the Agency shall be governed by the Rules of Proceedings set out in its Policy.

**PART III
ESTABLISHMENT OF THE BOARD**

Establishment of the Board.

- 6. There is established for the Agency a Board to be known as the Governing Board.

Membership of the Board.

- 7. The Board Shall Comprise of:
 - (a) the Chairman;
 - (b) members from the following Ministries:

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"deputy governor" means the Deputy Governor of the State;

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- 7. The Board Shall Comprise of:
 - (a) the Chairman;
 - (b) members from the following Ministries:

- (i) Commissioner, Ministry of Finance or his representative;
- (ii) Commissioner, Ministry for Science and Technology or his representative; and
- (iii) a representative from the Planning Commission

Cessation of Membership.

8. The membership of the Board mentioned in Section 4 of this Law shall vacate Office on the happening of any of the following; if he:
- (a) resigns his appointment by notice in writing addressed to the Governor;
 - (b) has become incapable by reason of mental or physical infirmity of discharging his duties;
 - (c) is declared to be Bankrupt;
 - (d) has been convicted of an offence involving dishonesty, fraud, ineptitude; or
 - (e) has been removed from Office by the Governor for any cause.

Remuneration.

9. The members of the Board shall be paid such Remuneration, Allowances and other benefits as the Governor may, from time to time determine.

Chairman of the

10. The Board shall be chaired by the

Board Deputy Governor.

**PART IV
STAFF OF THE AGENCY**

Director-General. 11. (1) There shall be Appointed by the Governor, a Director General for the Agency.

(2) The Director- General shall be:

(a) the Chief Executive and Accounting Officer; and

(b) responsible to the Agency for the day-to-day execution of Policies.

Tenure of Office of the Director-General. 12. The Director-General shall hold Office in the first instance for a period of Four (4) years and shall be eligible for re-appointment for a further term of Four (4) years and no more.

Remuneration of the Director-General. 13. Subject to the provision of Section 11, the Director- General shall hold Office on such terms as to Emoluments, Allowances and benefits as may be specified in his Letter of Appointment.

Cessation of Office 14. Notwithstanding the provisions of

**of the Director-
General.**

Section 12 of this Law the Director-
General may:

- (a) resign his appointment by notice in writing under his hand addressed to the Governor; or
- (b) be removed by the Governor for inability to discharge the functions of his Office, whether arising from infirmity of the mind or body; or
- (c) for Misconduct or Corruption, or any other cause

**Other Staff of
the Agency.**

15. The Agency may appoint such Staff as it may deem necessary and expedient from time to time for the proper and efficient performance of the functions of the Agency and on such Terms and Conditions as may be determined by the Agency.

**Transfer and
Secondment.**

16. Notwithstanding the provisions of Section 15 of this Law, any Officer or Employee of the Agency may be appointed by the Agency by way of Transfer or Secondment from the private sector.

**Promotion,
Discipline etc.**

17. Subject to the provisions of Sections 15 and 16 of this Law, the Agency shall have power to promote and exercise disciplinary control over such Officers, Servants and Agents of the Agency and may deem necessary

following due process and in accordance with the Public Service Rules.

Pension. 18. (1) Service in the Agency shall be approved service under the Pension Law, accordingly, Officers and other persons employed in the Agency shall be entitled to Pensions, Gratuities and other benefits as are prescribed thereunder, however nothing in this Law shall prevent the appointment of a person in any Office on terms which preclude the grant of a Pension, Gratuity or other Retirement benefit in respect of that Office.

(2) For the purpose of the application of the provisions of the Pension Law, any power exercisable hereunder by an appropriate Authority of the State Government is hereby vested in, and shall be exercisable by the Agency and not by any other Person or Authority.

PART V

ESTABLISHMENT OF PLATEAU STATE INFORMATION TECHNOLOGY DEVELOPMENT FUND.

Establishment of Development Fund. 19 There is established and maintained for the Information Agency an Information Technology Development Fund, referred to as 'the Fund'), into which shall be paid and credited:

- (a) such Sums, Subventions, Budgetary Allocations and Grants as may be provided by the State;
- (b) any Loan granted to the Agency by the State, or Local Government or any Person or Institution, with the approval of the Governor;
- (c) such Sum as may be paid to the Agency by way of Grants-in-aid from National, Bi-lateral and Multi-lateral Organizations, Agencies and International development Partners;
- (d) Subsidies, Donations, Gifts, Fees, Subscriptions, Rents, Interests and Royalties due to the Agency;
- (e) any Sum derived from the sale of any property held by or on behalf of the Agency and allocations and other internally generated revenues from the services provided by the Agency;

- (f) any property which may be donated to the Agency;
- (g) donations from National and International Development Partners, Communities and Individuals; and
- (h) any other lawful source.

Expenditure.

20. The Agency may, from time to time apply the proceeds of the Fund established pursuant to Section 19 of this Law for:

- (a) the payment of Remuneration, Allowances and other benefits of the members of the Agency;
- (b) reimbursing members of the Agency or of any Committee set up by the Agency for such expenses as may be expressly authorized by the Agency;
- (c) the payment of Salaries, Fees or other Remunerations, Allowances and other benefits including Pensions payable to Staff and Employees of the Agency;
- (d) cost of the administration of the Agency;
- (e) the maintenance of any property vested in the Agency; and
- (f) in connection with all or any functions of the Agency under this Law.

Annual estimates. 21. (1) The Agency shall submit to the Commissioner of finance, through the Ministry of Science and Technology not later than July of each year an estimate of its Expenditure and Income during the next succeeding year.

(2) The Agency shall keep proper accounts in respect of each year and proper records in relation thereto and shall cause the accounts to be audited by an Auditor appointed by the Auditor-General of the State.

Bank accounts. 22. (1) The Agency shall operate such number of Bank Accounts as maybe approved by the Agency, and all monies of the Agency, shall be paid into any of such Accounts.

(2) No Charge or other Instruments for withdrawal of money from any of such Accounts shall be made unless it is signed by the Director-General and Director of Finance and Supplies.

Annual Report. 23. The Agency shall prepare and submit to the Governor through the Commissioner of finance, not later

than March in each year a Report, in such Form as he may direct, on the activities of the Agency during the immediate preceding year and shall include in such Report, a copy of the audited Accounts of the Agency for that year and the Auditor-General's Report thereon.

Power to accept Gifts.

24.

- (1) The Agency may accept any gift or Land, Money or other Property on such Terms and Conditions, if any, as may be specified by the person or Organization making the gift.
- (2) The Agency shall not accept any gift if the condition attached by the Person or Organization making the gift is inconsistent with the functions of the Agency.

Power to Borrow.

25.

The Agency may with the approval of the Governor, borrow by way of Loan or draft from any source, monies required by the Agency for discharging its function under this Law.

PART VI

INFORMATION TECHNOLOGY VILLAGE/PARKS

Establishment of Technology Village/Parks.

26.

- (1) Subject to the Provisions of this Law, the Chairman of the Board may by order designate

and facilitate the establishment of information Technology Village and Parks in the State.

- (2) Upon Application made in that behalf by the Commissioner of Science and Technology through the Board charged with the responsibility for matters relating to Commerce, the Governor may by Order, designate the Parks as Free Zones and may specify in the Order, such Incentives or Tax Holidays that Enterprises engaged in the Parks may enjoy.

PART VII LEGAL PROVISION

**Execution of
Contractual
Documents.**

27

- (1) Any Contract or Document which if entered into or executed by a person not being a Body Corporate and not required to be under Seal may be entered into or executed on behalf of the Agency by the Director-General or by any person generally or specifically authorized by the Agency for that purpose.
- (2) Any Document purporting to be a Document duly executed or issued under the Seal of the

Service of Notice. 28.

Agency or on behalf of the Agency shall unless the contrary is proved, be deemed to be so executed or issued, as the case may be.

Any Notice, Summons or other Documents required or authorized be served on the Agency under the provisions of this Law or any other Law may be served by delivering it to the Director-General or by sending it by registered post addressed to the Director-General at the Head Office of the Agency.

Limitation of Actions against the Agency. 29.

(1) Subject to the provisions of this Law, the provisions of the Public Officers Protection Law shall apply in relation to any Suit instituted against any Member, Officer or Employee of the Agency.

(2) No Suit against the Chairman or a Member of the Agency or any Employee of the Agency for any act done in pursuance or execution of this Law or any other Law or Enactment shall lie or be instituted in any Court unless it is commenced:
(a) within Three (3)

Months after the act,
neglect or default
complained of; or

- (b) in the case of a
continuation of
damage or injury,
within Six (6) Months
next after the ceasing
thereof.

- (3) No Suit shall be commenced
against the Chairman or a
Member of the Agency or any
other Officer or Employee of
the Agency before the
expiration of a period of One
Month after written Notice of
the Intention to Commence
the Suit shall have been served
on the Agency by the
intending Plaintiff or his
Agent.

- (4) The Notice referred to in sub-
section (3) of this Section shall
clearly and explicitly state the:
 - (a) cause of action;
 - (b) particulars of claim;
 - (c) name and place of
abode of the intending
plaintiff; and
 - (d) relief which he claims.

Legal 30. (1) In a Suit by or against the

Representation.

Agency, the Agency may be represented in Court at any stage of the proceedings by a Law Officer from the Ministry of Justice or by a Private Legal Practitioner with the written authorization of the Attorney-General.

- (2) In this Section "suit" includes any Action or any Civil Proceeding commenced by Writ of Summons or by such other Manner as may be prescribed by Rules of Court, but does not include Criminal Proceedings.

Restriction of Execution against the Agency.

31. (1) In any Action or Suit against the Agency, no execution or attachment shall be carried out against the Agency unless Three (3) Months Notice of the Intention to execute or attach has been given to the Agency.

- (2) 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.

PART VIII

MISCELLANEOUS PROVISION

- Indemnity of Officers.** 32. A Member of the Board, the Director-General, 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 a Member, Director-General, Officer or other Employee of the Agency to comply with the directives or cause them to be complied with.
- Validation of certain Acts** 33. No act done or proceeding taken in this Law shall be questioned on the ground of :
- (a) the existence of any vacancy in or any defect in the constitution of the Agency; and
 - (b) defect or irregularity not affecting the merits of the case.
- Immunity** 34. No Member of the Board or Staff of the Agency may be personally liable for any act of omission or commission in the discharge of his duties if done in good faith.
- Secrecy.** 35. (1) A Member of the Board, or any 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 a Member of the Board or as the Director-General 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; or

(c) not disclose any information referred to under paragraph (b) of this sub-section, except as required by Law.

(2) Any person who contravenes the provisions of sub-section (1) of this Section commits an offence and shall on conviction be liable to a Fine of not less than N300,000.00 but not exceeding N1,000,000.00 or

Imprisonment for a term not less than Two (2) years but not exceeding Five (5) years or to both such Fine and Imprisonment.

Directives by Governor.

36. The Governor may give to the Agency such directives of general or specific nature with respect to the performance of its functions and procedure as the Governor may consider necessary and it shall be the duty of the Agency to comply with such directives.

Powers to make Regulations.

37. (1) The Board may, with the approval of the Governor, make Regulations for carrying into effect the provisions of this Law and for the due administration of its provisions and may in particular, make Regulations:
- (a) setting standards to be complied with under this Law;
 - (b) providing methods of ensuring compliance with standards set;
 - (c) providing appropriate sanctions for non-compliance with standards set;
 - (d) prescribing the forms for returns and other information required

- (c) under this Law or any other Law;
- (e) prescribing the procedure for obtaining any information required under this Law or any other Law; and
- (f) for other incidental matters.

(2) The Board may subject to the approval of the Governor, review, modify or amend any Regulations made pursuant to the provisions of this Law.

(3) The Board shall within the Six (6) Months of its being appointed make regulations as provided for under sub-section (1) of this Section.

(4) Subject to the provisions of this Law, the Agency may make Regulations relating to the Conditions of Service of its Staff.

(5) Without prejudice to the generality of the forgoing, such Regulations may provide for:

- (a) the Appointment, Promotion, Termination, Dismissal and

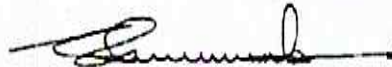
Discipline of Staff or
Employees of the
Agency; and

(b) appeals by Staff or
Employees against,
Dismissal or other
disciplinary measures.

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

Longbap, Ponven Wuyep
Ag. Clerk,
Plateau State House of Assembly.

I assent this 25th day of September, 2018



Rt. Hon. Simon Bako Lalong
Governor,
Plateau State of Nigeria.

Repassed by two-thirds majority

This _____ day of _____ 2018

Rt. Hon. Peter Ajang Azi
Speaker,
Plateau State House of Assembly

Governor of
Plateau State,
Government Office,
Rayfield , Jos.

**FORWARDING OF PLATEAU STATE INFORMATION AND
COMMUNICATION TECHNOLOGY DEVELOPMENT AGENCY
LAW, 2018 FOR ASSENT**

Following the presentation by you of the Plateau State Information and Communication Technology Development Agency Law, 2018, the House, after a careful consideration of same passed the Law as follows:

SCHEDULE TO THE LAW

SHORT TITLE OF THE LAW	LONG TITLE OF THE LAW	SUMMARY OF THE CONTENTS OF THE LAW	DATE PASSED
Plateau State Information and Communication Technology Development Agency Law, 2018	A Law to Establish the Plateau State Information and Communication Technology Development Agency and for Other Matters Connected .	The Law seeks to establish Information and Communication Technology Development Agency for Plateau State.	3/4/18

2. In accordance with Section 100 (3) of the 1999 Constitution (As Amended), I forward to you the Law as passed for your Assent.

**Rt. Hon. Peter Ajang Azi
Speaker**

Department of
 Transportation
 Office of the
 Secretary

REGULATIONS OF THE BOARD OF
 TRANSPORTATION

Following the Commission on the Board of Transportation
 Commission on the Board of Transportation

REGULATIONS OF THE BOARD

DATE	SECTION OR TITLE OF THE REGULATION	APPROVED BY THE BOARD	APPROVED BY THE BOARD
1911	Section 101	Section 101	Section 101
1912	Section 102	Section 102	Section 102
1913	Section 103	Section 103	Section 103
1914	Section 104	Section 104	Section 104
1915	Section 105	Section 105	Section 105
1916	Section 106	Section 106	Section 106
1917	Section 107	Section 107	Section 107
1918	Section 108	Section 108	Section 108
1919	Section 109	Section 109	Section 109
1920	Section 110	Section 110	Section 110

In accordance with Section 101 of the Constitution of
 the State of New York

Secretary of the Board