



Ordinary

Bauchi State of Nigeria Gazette

Published by Authority

No. 16

BAUCHI - 27TH OCTOBER, 2017

Vol. 42

Bauchi State Notice No. 16

The following is published as Supplementary to this Gazette: -
BA.S.L.N. No. 16 of 2017. -A Law to Repeal the Bauchi State Environmental Protection
and Conservation Agency Law No. 03 of 1997 and to Enact the Bauchi State Environmental
Protection and Conservation Agency Law 2017 and for other connected purposes.

Printed by the Government Printer, Bauchi 05354882/1 503

Annual subscriptions: Nigeria, N10.00 Overseas, N12.00 Post free. Present issue 2,800 per copy. Applications for the purchase of Gazette and other
Government publications should be submitted to the Government Printer, Bauchi. Remittances should be in money or postal orders, crossed and made payable
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B.A.S.L.N. No. 14 of 2017

A Law to Repeal the Bauchi State Environmental Protection and Conservation Agency Law No. 03 of 1997 and to Enact the Bauchi State Environmental Protection and Conservation Agency Law 2017 and for other connected purposes.

Long Title:

Environmental Protection Agency Law.

Short Title:

Be it ENACTED by the Bauchi State House of Assembly as follows: –

Enactment:

1. This Law may be cited as the Environmental Protection Agency Law and shall be deemed to come into operation on the 27th day of October, 2017..

Citation and Commencement

2. In this law unless context otherwise requires: –

Interpretation

“Agency” means Bauchi State Environmental Protection and Conservation Agency Established under this Law.

“Chairman” means the Chairman of the Board of the Agency as appointed under this Law.

“Chief Judge” means the Chief Judge of Bauchi State.

“Mobile Court” means a Magistrate Mobile Court assigned to try cases of Environmental Sanitation, illegal felling of trees, and encroachment into forest reserves.

“Contaminant” means any solid, liquid or gaseous material that adversely affects any component of the environment.

“Commissioner” means Commissioner in charge of Environment.

“Disposal” means the depositing of any waste material unto any component of the environment.

“Environment” include water, air, land, plants, human beings, animals and the entire ecosystem.

“Governor” means the Governor of Bauchi State.

“Managing Director” means a Managing Director of the Agency as may be appointed in accordance with this Law.

“Plant” means planted or naturally grown trees.

“State” means Bauchi State of Nigeria.

ESTABLISHMENT, POWERS AND FUNCTION OF THE AGENCY

Establishment of the Agency

3. (1) There is hereby established in the State an Environmental Protection and Conservation Agency.
- (2) The Agency shall be a body corporate with perpetual succession and can sue and be sued in its corporate name.
- (3) The Agency shall be acquire and dispose off movable and immovable property.

Common Seal

4. (1) The Agency shall have a common seal.
- (2) The common seal of the Agency shall be authenticated by the signature of the Chairman of the Agency or some other member thereof authorized by the Agency to act on that behalf and the signature of the Secretary of the Agency.
- (3) Judicial notice shall be taken of the common seal of the Agency and any document purporting to be an instrument made by the Agency and to be sealed by the common seal (purported to be authenticated in accordance with this paragraph) of the agency shall be received in evidence and be deemed to be such instrument without further proof unless the contrary is shown.

Powers and Functions

5. (1) The Agency shall have the following powers and functions:-
 - (a) reintroduce and strengthen sanitary inspection of premises (House to House Sanitary Inspection) for detection and abatement of nuisance;
 - (b) promote a healthy environment by ensuring sanitary solid waste management;
 - (c) minimize waste generation and promote sorting at source, reuse, recycling and energy recovery;
 - (d) ensure safe and nuisance free disposal of urban and rural domestic, medical and

industrial wastes in order to adequately protect public health during and after collection, transportation, treatment and final disposal;

- (e) create awareness on the effect of unsanitary excreta and sewage management on the quality of the environment and public health;
- (f) promote the adoption, construction, use and maintenance of culturally acceptable sanitary excreta and sewage management system;
- (g) prevent the contamination of environmental media (soil, water, food, etc.);
- (h) promote environmental aesthetics;
- (i) create, maintain and enforce adequate standards of sanitation in all markets and abattoirs;
- (j) recruit, train and retrain adequate numbers of environmental health officers and veterinary practitioners to cover the entire state;
- (k) establish and strengthen pest and vector control unit at the Local Government Headquarters of the State;
- (l) control pest and vectors in households, offices, food premises, industries, agricultural farms and the environment in general;
- (m) establish surveillance mechanisms for monitoring toxic effects of pesticides on the ecosystem and public health;
- (n) establish and strengthen surveillance mechanisms for monitoring pests and vectors in the environment;
- (o) promote conditions at schools as well as the practices of school staff and children that will prevent sanitation related diseases;
- (p) bring about positive changes in hygiene behavior of school children and parents through their children, in the community;
- (q) encourage the provision of safe recreational facilities in schools;
- (r) encourage school compliance with stipulated sanitary standards for schools;
- (s) protect school children from hazards and unsanitary surroundings;
- (t) protect existing trees, in the state;
- (u) prosecute owners of roaming animals that destroy seedlings or trees;

- (d) Generally investigate and ascertain all violation of this law and any relevant rules and regulations under this Law and the terms and conditions upon which any permit is granted by the agency and take or cause to be taken appropriate, legal and penal remedies to prevent, remove, or rehabilitate any aspect of the environment and sanitation that has been violated or degraded;
- (e) At all reasonable times enter upon or have access to any public or private property or premises for the purpose of inspecting and investigating for ascertaining any violations or potential violations of the environment and sanitation Law and regulations;
- (g) Establish and maintain close liaison and linkages with major research and scientific institutions, professional associations, experts and consultants as well as governmental and non - governmental organizations in the field environment;
- (h) Honor, adopt and execute all existing bilateral and multilateral agreements, memorandum of understanding, cultural obligations including entering into mutually beneficial joint venture with international agencies, non - governmental organization, private voluntary organizations and individuals;
 - (i) Research, collect and collate information and research findings in various environmental disciplines;
 - (j) Store information, develop libraries and archives and to develop and maintain a data base on environment;
- (k) Stimulate public interest on environment by dissemination of information, organization of lectures and seminars, public awareness campaigns and generally encourage, sponsor environmental education programmes in schools, mass media and other formal and informal sectors.
- (l) Sponsor and conduct training programmes for industrial, commercial and public institutions and to recruit and train sanitary, engineering manager and environmental extension workers for the purpose of effective mobilization of the public towards environmental education and awareness;
- (m) Without prejudice to provision of paragraph (c) relating to enforcement powers under this Law to prosecute or cause to be prosecuted any violation of this Law or any regulations under this Law or any other enactment;

- (n) Establish zonal offices throughout the state and to constitute joint consultative committees with the Federal and Local Governments for the purpose of operating, administering and enforcing the provision of this Law and regulations and enactments relating to the environment generally;
- (o) Without prejudice to the provisions of the existing Law relating to solid waste management, the agency shall establish operational mechanisms for refuse collection, transportation and disposal in conjunction with Federal and/or Local Governments or any other agencies as may be necessary;
- (p) Advise the Governor on local, national and international environmental policies and priorities on scientific and technological activities and development relating to the environment;
- (q) Without prejudice to the provisions of any Federal, State or Local Governments enactment, the agency shall also be responsible for the issuance of Environmental Impact Assessment (E.I.A.) certificate for all major projects including road construction, dam, irrigation projects, housing and industrial estates, recreational projects public buildings to ensure that they conform to environmental standards as may be set out from time to time by the agency;
- (r) Without prejudice to the provisions of any other Law or enactment, the agency shall have power to impose taxes, ban or place embargo on producers or retailers of goods and services that directly or indirectly contribute to refuse generation in and or degeneration of the environment.

*Establishment of a
Board for the
Agency*

6. There is hereby established for the Agency a Board with composition as follows:-

- (a) Chairman who shall be the Commissioner responsible

for Environment to be appointed by the Governor;

- (h) Representative of Ministry of Environment;
- (c) Representative of the Ministry of Works and Housing;
- (d) Representative of the Ministry of Health;
- (e) Representative of the Ministry of Commerce and Industry;
- (f) Representative of Ministry of Land and Regional Planning;
- (g) Representative of Ministry of Water Resources;
- (h) Representative of Ministry for Local Government;
- (i) Representative of Ministry of Justice;
- (j) Representative of Non – Governmental Organisations;
- (k) Four other persons of unquestionable character to be appointed by the Governor, two of which shall be women.
- (l) The Director – General of the Agency who shall serve as the Secretary of the Board.

7. The Chairman and members of the Board other than ex-officio members shall hold office at the instance and pleasure of the Governor for an initial period of the three years and shall be eligible for re-appointment of another term of three years only. *Tenure of Members*
8. (1) The Agency shall hold regular meetings which shall be presided over by the Chairman and in his absence, the members present shall choose one of their members to be the Chairman of that meeting. *Proceedings of the Agency*
 (2) The governing Board shall hold at least one meeting each quarter and such other meetings as the Governor may direct.
9. The Governing Board shall have the following powers:- *Powers of the Board*
 - (a) Be responsible for formation of policy and the general management of the agency and shall advise the governor on all policy matters. In the exercise of these powers, the board shall not be engaged in the day to day management of the agency.
 - (b) Exercise on behalf of the agency the powers conferred on the agency by section 5 of this Law and any other enactment in that behalf.

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*State Committee
on Environment*

10.

- (c) Delegate as case may be all or any of its powers not exclusively to be exercised by the board itself to committees of the board, Chairman or the Director – General as the Board may think fit.
- (d) Advise the Governor on the appointment of State committee on Environment and Technical Sub-Committee;
- (e) Make rules and regulations for the purpose of exercising any of its respective functions or regulating its own proceedings.
- (f) There shall be established a State Committee on Environment which shall comprise the following members:
 - (a) Director – General of the Agency to serve as Chairman;
 - (b) Head of Department (HOD) Water and Sanitation from all Local Governments;
 - (c) Representative of Manufacturers Association of Nigeria;
 - (d) Representative of the National Association of Chambers of Commerce, Industry, Mines and Agriculture;
 - (e) Representative of Ministry of Women Affairs;
 - (f) Representative of Environmental Non – Governmental Organisations;
 - (g) Representative of the Federal Environmental Protection Agency;
 - (h) Representative of the Ministry of Environment;
 - (i) Representative of Council of Ulama;
 - (j) Four eminent persons to be appointed by the Governor;
 - (k) Representative of the Emirate Councils;
 - (l) The Secretary/Legal Adviser of the Agency shall be the Secretary of the Committee.

- (2) The Committee shall have the following functions:- *Functions*
- (a) Assist and advise the Governing Board on the formulation and implementation of environmental policy matters;
 - (b) Consultation with the management of the Agency to compile and submit to the governing Board for onward transmission and advise to the Governor an Annual Report on the State of the Environment which shall reach the Board and the Governor not later than the 31st Day of December each year;
 - (c) Assist and advise the agency on technical environmental matters.
11. (1) There is hereby established a Local Government Committee on Environment which shall consist of the following members:- *Local Government Committee on Environment*
- (a) Head of Department, Water Sanitation in the Local Government;
 - (b) All District Heads in the Local Government;
 - (c) Chairman of all self – help group in the Local Government;
 - (d) Chairman of Traders Associations in the Local Government;
 - (e) Four religious leaders in the Local Government;
 - (f) Deputy Head of Department Water and Sanitation of the Local Government as Secretary.
- (2) The Committee shall have the following functions:-
- (a) Assist and advise the State Committee on the formulation and implementation of environmental policy matters;
 - (b) Consultation with other stakeholders on environment for advice and suggestions on the way forward to make the environment cleaner and safer;
 - (c) Assist the sanitary and engineering managers, inspectors on their duties and ensure compliance with any regulations on the environment.

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*Technical Sub -
Committee*

12. The State Committee on Environment may set up a Technical Sub-Committee or such Technical Sub-Committee as may be desirable to deal with, advise and report on any technical or scientific matter referred to it by the State Committee on Environment.

PART III - PRINCIPAL OFFICERS OF THE AGENCY

*Principal
Officers of the
Agency*

13. The principal officers of the Agency shall be:-
- (a) The Director - General who shall be the Chief Executive of the Agency;
 - (b) Director of Monitoring, Enforcement and Compliance;
 - (c) Director of Environmental Conservation/Management;
 - (d) Director of Planning, Research Evaluation and Inspection;
 - (e) Director of Finance and Supplies;
 - (f) Director of Personnel Management;
 - (g) Secretary/Legal Adviser;

*Director -
General*

14. (1) The Governor may upon recommendation of the Commissioner appoint a Director - General and Chief Executive to the Agency who shall be a person having a recognized qualification in environment related field and must be so qualified for at least 10 years, 5 of which must be in environmental management field.
- (2) The Director - General shall be responsible for the day - to - day execution of policy, general management of the business of the Agency and shall carry out other functions as may be directed by the Governing Board from time - to - time.
- (3) Notwithstanding the provisions of sub - section (1) of this section, the Director - General shall be appointed for a term of four years and shall be eligible for re-appointment for a like term only.

*Director of
Monitoring
Enforcement and
Compliance*

15. The Director of Monitoring, Enforcement and Compliance shall be responsible to the Director - General for the Monitoring, Enforcement and Compliance Environmental Health with the provisions of this Law, regulations and any other enactment.

16. The Director of Environmental Engineering Services shall be responsible to the Director General for all environmental and conservation functions of the Agency. *Director of Environmental Engineering services*
17. The Director of Planning, Research and Evaluation shall be responsible to the Director – General for all environmental planning, research and evaluation in accordance with the provisions of this Law. *Director of Planning, Research & Evaluation*
18. The Director Personnel Management shall be responsible to the Director – General on Personnel establishment functions of the Agency. *Director of Personnel Management*
19. The Director of Finance shall be responsible to the Director – General for the administration of the finances and supplies to the Agency. *Director of Finance*
20. The Chief Internal Auditor shall be responsible to the Director – General for ensuring day – to – day compliance with the provisions of section 26 relating to the funds, finance and expenditure of the Agency. *Chief Internal Auditor*
21. The Secretary to be appointed by the Governor shall be responsible for the correspondence, keeping of the records of the Agency, handling legal issues affecting the Agency and performing such other duties as the Board or Director – General may from time – to – time direct. *Secretary/Legal Adviser*

PART IV – APPOINTMENT OF OTHER STAFF

22. (1) Senior staff on grade level 07 – 12 shall be appointed, promoted and disciplined by the Senior Staff Appointment, Promotion and Disciplinary Committee while the appointment and promotion of staff on grade level 13 and above shall be subject to approval of the Governor on the recommendation of the Governing Board. *Appointment of other staff*
- (2) The power to appoint, promote and discipline staff on grade level 01 – 06 shall vest in the Director – General but this function may be exercised on his behalf by the Director Personnel of the Agency to be assisted by an appropriate Committee.
23. The Agency in accordance with its needs may recruit and accept transfers of the technical and professional staff from any arm of the public and private sector so *Transfer of Staff*

long as such staff meets the Agency's professional requirements for the function for which they are engaged or transferred.

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| <i>Discipline of Staff</i> | 24. | The discipline of staff of the Agency shall be in accordance with the Conditions of Service of the State Civil Service Commission. |
| <i>Conditions Service</i> | 25. | Subject to the provisions of this Law, the Conditions of Service of staff of the Agency including rates of remuneration, scale or salaries, contract appointments, superannuation arrangements and other Conditions of Service shall be determine by the Agency in accordance with government guidelines. |
| <i>Power to Co-opt</i> | 26. | The Agency may co-opt any person or person in order to carry out its functions. |

PART V – FINANCIAL PROVISIONS

- | | | |
|---|-----|---|
| <i>Funds of the Agency</i> | 27. | <p>(1) The Agency shall establish and maintain funds from which there shall be defrayed all expenditure incurred by the Agency.</p> <p>(2) There shall be paid or credited to the funds:-</p> <ul style="list-style-type: none"> (a) such monies that may be appointed from time – to – time to the Agency by the Government of Bauchi State; (b) all monies that may accrue to the Agency by way of loans, endowments, grants or gift; (c) money raised in any other manner for the purposes for the Agency; (d) interest accrued on monies invested by the Agency. (e) charges or fees levied or payable to the Agency; (f) such other funds or sums of money or property which in any manner become payable to or be invested in respect of any matter primary or incidental to functions of the Agency. |
| <i>Application of the funds of the Agency</i> | 28. | <p>(1) The Agency may from time – to – time apply the funds at its disposal for:-</p> <ul style="list-style-type: none"> (a) The pursuance of all or any of its functions under the provisions of this Law; |

- (b) The cost of its administration;
 - (c) The remuneration, honoraria of the Governing Board of the Agency or any class of members in respect of their duties under the provisions of this Law;
 - (d) The payments of salaries, allowances, gratuities or pensions of staff of the Agency;
 - (e) The payment of any taxes, duties or other charges payable by it under any arrangement, enactment or this Law;
 - (f) Any other purpose necessary or incidental to the carrying out of its functions.
- (2) The Agency may with the approval of the Governing Board from time – to – time make grants from funds at its disposal to any institution, society or scheme whatsoever which in the opinion of the Agency is likely to enhance the objectives of the Agency.
29. The Agency may from time – to – time with approval of the Governor borrow whether by way of mortgage or otherwise, such sums of money for and in connection with the exercise of its functions under this law as the governing board may deem necessary. *Power to Borrow*
30. (1) The Agency shall keep books of accounts and other financial year records in respect of its expenditure. *Accounts*
- (2) The Agency shall prepare annual statement of accounts for each financial year for consideration by the Governing Board subject to approval by the Governor.
31. (1) The Agency shall cause the annual statement of accounts referred to under section 26 (2) to be audited not later than 3 months after the end of each financial year by the Director of Audit of the State or by any other person authorized by him. *Audit of Accounts*
- (2) As soon as the Annual Statement of Accounts has been audited, the Agency shall forward to the Governor a copy together with a copy of the report made by the Auditors.
32. The Agency shall prepare its budgetary proposal and estimates of income and expenditure for the next succeeding year for the *Estimates*

approval of the Governing Board for onward transmission to the Governor for final approval and inclusion into the main budget of the State.

PART VI – OFFENCES, PENALTIES AND ENFORCEMENT POWERS

*Offences,
penalties &
enforcement
powers*

33. It shall be an offence, under this Law to:-
- (i) Obstruct, hinders or resist any authorized officer of the Agency to carry out or execute his lawful duties;
 - (ii) Without lawful excuse, refuse or willfully fails to comply with any enquiries or directives made by any officer of the Agency in accordance with this Law;
 - (iii) Give false information in pretense to comply with any lawful directives request or order under this Law.
 - (iv) It is an offence for a person being in – charge of a building, factory, company or any private or public institution to allows any nuisance or pollution to occur there from.
 - (v) Impersonate an officer or duties of the Agency's staff;
 - (vi) Keep, allows or suffer to be kept any dirty water in any part of his place of abode or business;
 - (vii) Obstructs traffic or easy flow of water on the highway, street or side thereof;
 - (viii) Pollute any water, well, stream or pond used for supplying water to man or beast;
 - (ix) Attempt, aids, abets, procures or counsel, carries out any action which is tantamount to degradation of any environment;
 - (x) Omit or commit any act that is inimical to free conduct, compliance and obedience to any provision of this Law.

Penalties

34. (1) Any person who contravenes or fail to comply with the provisions of this Law, any rule or order made there under commit an offence and shall be liable on conviction to a fine not exceeding N50,000.00 or to a six months imprisonment or both.

- (2) Any person who fails to comply with the provision of this Law of which no specific penalty is provided commits an offence and shall be liable on conviction to a fine of twenty thousand Naira.
35. (1) Any officer of the Agency duly authorized in writing by the Director – General of the Agency shall have power to enter any place or premises in which manufacturing, industrial or other business activity is taking place for the purpose of enforcing the provisions of this Law; *Power of authorized officer*
- (2) The officer so authorized shall in particular have power to:-
- (a) Enter and search and if need be seize any item or substance occasioning or reasonably suspected to occasion an offence under this Law, and issue written receipt for the seized item;
 - (b) Perform tests on any sample of the item so seized;
 - (c) Arrest or cause to be arrested any person reasonably believed to have committed an offence under this Law;
 - (d) Enter any land, inland water, building, vehicle, tent, vessel, floating craft or any other structure whatsoever which he has reason to believe or suspect that there exists pollution or environmental degradation of any kind;
 - (e) Examine appliances, devices or other instruments used for the interest of protecting the environment;
 - (f) Require to be produced and examined and take copies of any licence, permit, certificate or any other document required under this Law;
 - (g) Enter and inspect any premises or land where industries or business activity is being carried out to ascertain environmental pollution levels and where necessary, collect samples, wastes or pollutants for further investigations;
 - (h) Apply enforcement measures to combat environmental pollution and degradations;

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- (i) Serve an abatement notice on owners or occupants of the premises or any author of a nuisance.

*Obstruction of
authorized
officer*

36. Any person whom:-

- (a) Willfully obstructs any authorized officer in the exercise of any powers conferred on him by this Law; or
- (b) Fails to comply with any lawful enquiry or requirements made by any authorized officer in accordance with the provision of this Law commits an offence and shall on conviction be liable: -
- (i) in the case of a natural person, to a fine not exceeding N10,000 (Ten thousand Naira) or to imprisonment for a term not exceeding 2 years or to both such fine and imprisonment; and
- (ii) in any other case, to a fine not exceeding N100,000 (One Hundred Thousand Naira).

*Authorized
officer to
produce letter of
authorization*

37. An authorized officer shall on demand, declare his office and produce to any person against whom he is taking action, his letter of authority duly signed by the Permanent Secretary of the agency.

*Prevention of
industrial
pollution*

38. (1) Industry: -

- (a) Which emits obnoxious gas which is injurious to the health of the people; or
- (b) Which generates a lot of noise; shall not be sited in or near a residential area.

(2) any industry that discharge toxic matter in the form of liquids, or discharges any industrial effluent liquid waste or other industrial waste shall make adequate arrangements for the disposal of the toxic matter or industrial waste, including, where necessary, the provision of treatment plants which shall treat any such liquid matter before it is finally discharged into the ground.

Provide that the arrangements made for the disposal of the toxic or other industrial waste shall in all material particular conform to the standards and guidelines set by the Agency pursuant to this Law.

- (3) It shall be an offence for any industry: –
- (a) To discharge any toxic matter or other industrial waste other than in conformity with the provision of sub – section (2) of this section; or
 - (b) To discharge any waste liquids into streams, river, creeks or lakes or unto streets, roads, highways or land.
- (4) Nothing in this Law shall authorize any person or body of person corporate or incorporate to construct or use any public or other sewer or any gutter or drain for the purpose of conveying any foul water or other obnoxious liquid into any natural or artificial stream, water course, canal, pond or lake until the water or other liquid had been so treated as not to affect the purity and quality of the water in the stream, water course, canal, pond or lake.
- (5) Any person or body of persons whether corporate or incorporate, who discharges any waste into the environment of the state in contravention of the standards and guidelines set by the Agency under this Law commits an offence.
39. Except such as approved by the Federal or State Environmental Protection and Conservation Agency for the purpose, the use of any chemical substances or explosives by any person or body or persons whether corporate or incorporate for fishing or farming purposes shall be an offence. *Use of chemical and explosives for fishing and farming*
40. Anybody who commits an offences under Section 35 and 36 of this Law, shall in the case of a natural person, be liable on conviction to a fine not exceeding N10,000.00 (Ten Thousand Naira) or to imprisonment for a term not exceeding 2 years or both, and in all other cases be liable to a fine not exceeding N250,000.00 (Two Hundred and Fifty Thousand Naira). *Punishment for offences under Section 35 and 36*
41. The Agency may initiate proceedings in the court for the sealing up of any premises including industrial and business, when the Agency is satisfied that any environmental standards set by the Federal Environmental Protection Agency or set in pursuance of this Law, or if any person or corporate body has neglected to comply with the specification of a letter from the Agency requesting that an environmental pollution be abated or mitigated. *Sealing up of premises*

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*Registration of
Environmental
Institutions*

42. The Agency shall from the commencement of this Law register all environmental institutions and companies operating or intending to operate in the State and shall collect registration fees as specified in Schedule I to this Law.

Regulation

43. The Governing Body of the Agency may make regulations in respect of all or any of the provisions of this Law and may alter, vary or withdraw any regulation of the Agency as it may deem fit.

Standing Orders

44. The Governing Board of the Agency may make standing orders to prescribe its own procedure and conduct of its meetings and in that regard may amend, vary or revoke any of such standing orders.

*Mobile Courts
to try
Environmental
Offences*

45. (1) For the purpose of this Law and immediately after its commencement, the Chief Judge of the State shall constitute a Mobile Court at each of the three senatorial districts in the state to try any offender for the violation of the provision of this Law.
- (2) The Mobile Court shall have power to try cases and determine any other matters arising from the operation of the following enactments: –
- (a) This Law;
 - (b) Bauchi State Public Health Law; or any other regulation made thereunder;
 - (c) Any other Law relating to environmental protection and conservation in the State.
- (3) The Mobile Court may make such orders as it may deem fit to make.
- (4) In addition, the Mobile Court may sit at such places within its jurisdiction as the Chief Judge may direct and may exercise such other powers as may be conferred upon it under any other enactment.
- (5) The provisions of the Criminal Procedure Code Law and such other relevant enactments shall apply in relation to the trial of cases and other matters brought before the Mobile Court.
- (6) The Mobile Court shall be manned a Legal Practitioner of not less than 7 years post call experience.

- (7) All expenses for the running of the Mobile Court and other staff allowances shall be defrayed out of the consolidated revenue funds of the state as the Governor may determine on the recommendation of the Chief Judge.
46. The Governor may issue such directives and guidelines to the Agency in the discharge of its general duties and functions under this Law especially the management of its funds and the Agency shall comply with such directives. *Governor's General Directives and Guidelines*
47. No member of the Agency shall be sued in his personal capacity for any act done or omitted to be done in the lawful performance of his duties under this Law. *Non - Liability*
48. In any suit instituted by or against the Agency, it shall be represented in Mobile Court by a State Counsel or any legal practitioner duly delegated by the Attorney - General of the Bauchi State. *Representation in Mobile Court*
49. (1) The Bauchi State Environmental Protection and Conservation Agency Edict 1997 is repealed. *Repeal and Saving*
- (2) All assets and liabilities which immediately before the commencement of this Law were vested in the defunct Bauchi State Environmental Protection and Conservation Agency shall on the commencement of this Law, be transferred to the Agency and shall by virtue of this Law without any further assurance vest in the Agency.
- (3) Any proceedings or cause of action pending or existing immediately before the commencement of this law of or against the defunct Agency may on the commencement of this Law be continued or commenced as the case may be by or against the Agency instead of the defunct Agency, to the same extent that the proceedings or cause of action ought to have been continued or commenced by or against the defunct Agency if this Law had not been made.

SCHEDULE I (SECTION 42)
REGISTRATION OF ENVIRONMENTAL INSTITUTIONS

Category "A" (N100,000 – N200,000 Per Annum)

- (i) Rubber/tyre manufacturing companies;
- (ii) Detergent and soap manufacturing companies;
- (iii) Big textiles manufacturing companies;
- (iv) Cement and asbestos Manufacturing Companies;
- (v) Petroleum prospecting, exploring and producing companies;
- (vi) Fertilizer/ammonia/urea manufacturing companies;
- (vii) Petroleum products manufacturing companies.

Category 'B' (N100,000 – N200,000 Per Annum)

- (i) Soft drinks manufacturing companies;
- (ii) Gas producing companies;
- (iii) Aluminum producing companies;
- (iv) Food processing/Food canning companies;
- (v) Dairy products producing companies;
- (vi) Pharmaceutical manufacturing companies;
- (vii) Other major manufacturing companies not in "A"
- (viii) Asphalt and Bitumen producing companies;
- (ix) Leather manufacturing and Tanning companies

Category "C" (N25,000 – N75,000 Per Annum)

- (i) Iron/Steel and other metal fabricating companies;
- (ii) Hotels with 100 rooms and above;
- (iii) Vegetable/Palm Oil producing companies;
- (iv) Fish marketing, Preserving and Processing companies;
- (v) Pulp/Paper producing companies;

Category "D" (N25,000 – N50,000 Per Annum)

- (i) Cables, electrical and electronic companies;
- (ii) Mobile, Terrazzo manufacturing companies;
- (iii) Marble, Terrazzo manufacturing companies;
- (iv) Hotels with 71 – 100 rooms;
- (v) Banks corporate headquarters;
- (vi) shoes manufacturing companies;
- (vii) Packaging companies;
- (viii) Printing and Publishing Companies;

Category "E" (N20,000 – N30,000 Per Annum)

- (i) Vegetable/Palm oil marketing companies;
- (ii) Chemical marketing companies;
- (iii) Hotels with 41 to 70 rooms;
- (iv) First Class Hospitals and Clinics;

Category "F" (N10,000 – N15,000 Per Annum)

- (i) Bank Branches;
- (ii) Mechanized Dry Cleaning/Laundries;
- (iii) Hospitals/Clinics with more than 25 beds;
- (iv) Motor Dealers;
- (v) Wood finishing and allied companies;
- (vi) Hotels with 20 to 40 rooms;
- (vii) Hospitals/Clinics with 10 to 25 beds;
- (viii) Machine Tools Marketing or Servicing and Assembling Companies;
- (ix) Mechanical workshops;
- (x) Restaurants with a sitting capacity for not less than 30 persons;
- (xi) Abattoirs and leverages;
- (xii) Candle and other wax producing companies;

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- (xiii) Dyes and Inks and ball – pen manufacturing companies;
- (xiv) Animal feed mills;
- (xv) Petrol Stations;
- (xvi) Bakeries;
- (xvii) Hotels with less than 20 rooms;

Category "G" (N5,000 Per Annum)

- (i) Sewage Treatment Companies;
- (ii) Laboratories (Medical or Photographic, where Chemicals and Water are used in considerable quantity);
- (iii) Poultry farms with 2,000 or more birds;
- (iv) * Bank Rural Branches

Assented to this 27th day of October, 2017

(MOHAMMED ABDULLAHI ABUBAKAR Esq.)
GOVERNOR BAUCHI STATE
