

"AN ACT TO ESTABLISH THE NATIONAL FOOD ASSISTANCE AGENCY (NFAA) OF THE REPUBLIC OF LIBERIA ACT OF 2020"

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AN ACT TO ESTABLISH THE NATIONAL FOOD ASSISTANCE AGENCY OF THE REPUBLIC OF LIBERIA 2020

PREAMBLE

WHEREAS, the Government of Liberia recognizes the need to create a food bank and agency that will work with the international partners and other donors in the management of food donated to the people of Liberia;

WHEREAS, the National Food Assistance Agency has been existing as a result of an Executive Order Number One, which was issued in 1970 and reconstituted by the Executive Order Number 4 of 1977 to restructure the National Food Assistance Agency as an autonomous institution;

WHEREAS realizing the need to nullify the Executive Order number 4 of 1977 which restructured the National Food Assistance Coordinating Board and Placed its functions under the General Services Agency (GSA) and later became an autonomous agency;

WHEREAS it is incumbent upon the NFAA to serve as a coordinating entity between the Government of Liberia and foreign sources such as the United Nations World Food Programme (WFP), Food and Agriculture Organization (FAO), United Nations Development Programme (UNDP), and other donor partners on food commodities donated to the Liberian people;

WHEREAS, it is the desire of the Government of Liberia to establish an institution that will ensure food security, poverty reduction, good health, sustainable agriculture and healthy population for the citizenry;

WHEREAS it is incumbent upon the Government of the Republic of Liberia to promulgate laws to ensure good quality, quantity and efficient supply of food, healthy diet and food security for its population; thus, providing a country free of hunger for development in line with global goals as spelt out in goal one of the Sustainable Development Goals (SDGs);

WHEREAS, the food-producing resources of the Republic of Liberia have been under-utilized for well over a decade and the Government of Liberia intends to encourage investment in this sector;

WHEREAS the Government of the Republic of Liberia, being the sole provider, through the NFAA, should assist its citizens by extending the activities of the agency throughout the country where food banks and other agricultural initiatives would be a reality;

WHEREAS, the Government in furtherance of its intentions to begin to sustainably utilize its food resources, and recognizing that in order for the NFAA to complete its mandate and serve as the logistical arm of the Government of Liberia, it is imperative that the agency be granted an autonomous status to enable it meet up with the demands and trends of global food security; and

NOW THEREFORE, it is enacted by the Senate and the House of Representatives of the Republic of Liberia in Legislature assembled.

PART 1: ESTABLISHMENT OF THE AGENCY

Section 1

That from and immediately upon the passage of this Act there is hereby established the National Food Assistance Agency (NFAA) of 2020.

Section 2: Short Title

This Act shall also be cited as the National Food Assistance Agency (NFAA) Act.

PART 2: PURPOSE OF THE ACT

1. To make school feeding program sustainable across the country and tackle hunger through the Home-Grown School Feeding (HGSF) approach and ensure improved nutrition for Liberian school children to increase their access, participation, and achievement in learning outcomes (i.e, enrolment, attendance and retention). This method will make use of food commodities produced locally as well as the donated food products. The approach will in turn increase agricultural productivity and income of smallholder farmers, thereby enhancing resilience to shocks among food insecure communities by promoting access of farmers to production and market opportunities;

2. To purchase from farmers excess produce to be processed and stored for distribution to schools, prisons, hospitals and other institutions in case of needs or emergency;

3. To introduce food stamp and free meal for the following categories of people:
    a. Physically challenged persons
    b. Single and vulnerable parents including young children, pregnant women and lactating mothers
    c. The aged, sick and mal-nourished children
    d. The children under-age without parental guidance and support

4. To establish storage and processing facilities for local crops (cassava, plantain, eddoes, and rice) for distribution. This will augment food relief donation to Liberia.

5. To ensure that the National Food Assistance Agency (NFAA), receive, store, and conduct an effective distribution and supply of good quality food commodities to reach the Liberian public.

6. To provide a sustainable and reliable food security and nutrition systems through the establishment of regional food hubs, ensure compliance with established standards for food quality, monitor and distribute food commodities to the vulnerable, underprivileged individuals and disadvantaged institutions, store and facilitate market linkages for local farmers for surplus commodities.

PART 3: ADMINISTRATIVE ORGANIZATIONAL PROVISIONS, POWERS AND DUTIES

Section 1: Appointment and Tenure

1. The President shall nominate, and with the consent of the Senate, appoint and commission the Director General, the Deputy Director Generals for Administration and Operations, who shall serve a term of five (5) years, effective as of the date of their commission; they may however only be removed for a cause, including:
   (a) gross misconduct, (b) violation of this act, or (c) conviction of a criminal offense involving fraud or dishonesty.

2. The Agency shall have its Head Office in the Capital City of Monrovia and may establish county offices, contingent on its necessities and requirement.

Section 2: Functions and Duties of the Agency

The functions and duties of the Agency shall include but not limited to:

a) Conduct statistics and create a comprehensive database of both local and international food-related NGOs in Liberia;
b) Ensure proper monitoring mechanisms of food donations from all sources and their ultimate distribution and supply to targeted Liberian beneficiaries and institutions.
c) Ensure the continuous existence of regional food banks across the country for timely interventions in food assistance during natural disasters such as health epidemic/pandemic, flood, quakes, drought, etc.

Section 3: Organization of the Agency

The Agency shall have:

1. A nine-member Board of Directors;

2. A Director-General, who shall be responsible for running the Agency along with two deputies: one for Administration, while the other is for Operations;

3. Directors heading the following different units of the Agency to include:

   i. Human Resources
   ii. Public Relations
   iii. Planning and Research
   iv. Inspectorate
   v. Finance
   vi. Procurement
   vii. Maintenance
   viii. Project and Program
   ix. Monitoring and Evaluation (M & E)
   x. Warehouse
   xi. Technology
   xii. Security

Section 4: The Board of Directors

The Board of Directors shall have nine (9) voting members, to be appointed by the President of the Republic of Liberia. The Board of Directors shall consist of the following Ministries/Agencies/Entities:

i. Ministry of Agriculture which shall serve as Chair
ii. Ministry of Finance and Development Planning (MFDP) as Co-chair
iii. Ministry of Education - Member
iv. Ministry of Commerce - Member
v. Ministry of Internal Affairs - Member
vi. General Services Agency - Member
vii. Liberia Chamber of Commerce - Member
viii. Liberia Marketing Association - Member
ix. National Food Assistance Agency, Secretary to the Board; World Food Program (WFP), Food Agriculture Organization (FAO), and United Nations Development Programme (UNDP), as observer members.

Section 5: Powers and Duties of the Board

The Board of Directors shall have the powers and duties to:

a) Approve regulations for implementation of this Act;
b) Approve the strategic plan of the Agency;
c) Review the annual reports presented by the Director-General;
d) Monitor and evaluate implementation of this Act;
e) Establish committees whenever it deems necessary; and
f) By a two-thirds (2/3) majority vote of the full membership of the Board of Directors, shall recommend to the President, for the removal of any member of the Board of Directors including the Director General for cause, including any acts incompatible with the Agency's or Board's rules or regulations.

Without prejudice to the provisions of this Act, the Board of Directors shall issue its own rules of procedure for the conduct of meetings, and establish a code of conduct governing the activities of the Board and members of the Board. Only the President shall remove his/her appointee and not the Board of Directors.

Section 6. The Duties and Function of the Director General

1. The Director-General, a qualified Liberian, shall be nominated by the President of the Republic and, after confirmation by the Liberian Senate, shall serve as the administrative and technical head of the Agency, and shall direct and administer the day-to-day activities of the Agency.
2. The Director General shall recruit qualified and competent Liberians who will ably undertake the implementations of the various programs of the agency with a view to making the agency as viable in post-war times as it had been in its pre-war era, or even more;
3. The Director-General shall delegate responsibilities to the Deputy Director General for Administration, and Deputy Director General for Operations and shall undertake all administrative and technical responsibilities under the supervision of the Director General
4. The Director General shall, in consultation with his technical and administrative teams exercise the following duties:
    a. Exercise the administrative functions and duties of the Agency in pursuant with this Act;

    b. Administer personnel of the Agency consistent with the basic principles of the Decent Work Act and Civil Service Agency Standing Order

c. Promulgate regulations as necessary to meet its responsibilities under this Act, including regulations providing for administrative hearings necessary for effective enforcement of this Act;
d. Develop and disseminate guidelines, procedures, guidance and other materials necessary for effective implementation of the functions of the Agency;
e. Provide current and unbiased information on food commodities donated from foreign and local sources to the general public;
f. Be responsible for its human resources development;
g. Promote, monitor, and evaluate the implementation of this Act;
h. Receive and investigate complaints regarding alleged violations of the Act or any regulations promulgated by the Agency, and impose appropriate sanctions in accordance with regulations promulgated by the Agency under this Act, and consistent with the Administrative Procedure of the Republic of Liberia and with due process of law;
i. Carry out other functions as deemed necessary by the Agency for the effective and fair implementation of this Act;
j. Prepare and submit to the Board of Directors the annual plan and budget of the Agency for approval, which shall be implemented upon approval by the President;
k. Effect payments in accordance with approved budget in line with the approved annual plan of the Agency;
l. Submit monthly and annual reports to the Board of Directors;
m. The Director-General may delegate part of his functions to other employees of the Agency to the extent necessary for the efficient performance of its activities;

Section 7: The Duties and Functions of the Deputy Director General for Administration

1. The Deputy Director-General for Administration, a qualified Liberian, shall be nominated by the President of the Republic and, after confirmation by the Liberian Senate, serve as the principal deputy and head of the department of administration, and shall be responsible for overseeing the administrative functions of the Agency, ensuring effective governance, human resource management, financial oversight, and compliance with regulatory frameworks including the following responsibilities:

a. Assist the Director General in managing the administrative operations of the agency. This includes developing and implementing administrative policies, procedures, and systems in alignment with national policies, donor

requirements, and international best practices to ensure efficient and effective functioning of the agency;

b. Manage the agency's human resources. This includes recruitment, selection, and placement of staff, as well as performance management, training and development, and employee relations;

c. Oversee the financial management of the agency. This includes budget preparation and monitoring, financial reporting, and ensuring compliance with financial regulations and procedures;

d. Supervise the procurement and logistics functions of the agency. This includes developing and implementing procurement policies and procedures, managing vendor relationships, and ensuring timely and efficient procurement of goods and services.

e. Guide the agency's information management systems. This includes overseeing the development and maintenance of information systems, data management, and ensuring the security and confidentiality of information;

f. Oversee Facility and Asset Management. This includes the management of the agency's facilities, offices, and assets to ensure operational efficiency

g. works closely with other departments and stakeholders to ensure effective coordination and collaboration in the implementation of food assistance programs and activities. This includes participating in meetings, workshops, and conferences, and representing the agency in relevant forums.

Section 8: The Duties and Functions of the Deputy Director General for Operations

1. The Deputy Director-General for Operations, a qualified Liberian, shall be nominated by the President of the Republic and, after confirmation by the Liberian Senate, serve as the head of the department of operations and shall be responsible for overseeing the technical/operational functions of the Agency, ensuring efficient distribution of food assistance, including the following responsibilities:

a. Assist the Director General in developing and implementing operational strategies to enhance food assistance programs;
b. Ensure effective planning, implementation, and monitoring of food distribution systems;

c. Develop policies, procedures, and guidelines to streamline food aid logistics and resources;
d. Oversee the integration of technology and innovation in operational processes for efficiency;
e. Manage the formulation and effective implementation of strategic operational objectives of the agency;
f. Supervise and coordinate the end-to-end food distribution process, ensuring timely delivery to beneficiaries;
g. Ensure the development of contingency plans for food distribution during emergencies and crises.
h. Coordinate the establishment and implementation of monitoring and evaluation (M & E) frameworks to track operational performance and impact;
i. Oversee the conduct of statistics and creation of a comprehensive database of both local and international food-related NGOs in Liberia as well as database for vulnerable population;

Section 9: Administration of the Agency's Power and Duties

1. The Agency shall have the power to determine the level of officers and employees deemed required, and to establish the positions thereof to optimize the performance of the Agency's functions.

2. Following the passage of this Act, all other government ministries, agencies, and commissions that hitherto had been carrying out the statutory roles of the NFAA shall cease to do so.

3. No person/organization shall receive, store, distribute or supply any donated food product from foreign sources unless the product is duly approved by the Agency, and the person/organization has been recognized or permitted by the Agency for doing same.

4. Donated food products and commodities must respond to national needs identified or established by the National Food Assistance Agency.

Section 10: Funding

The funds of the Agency shall be drawn from the following sources:
i. Budget allocated by the government;
ii. Shall receive funding, logistical and food support from development partners to include WFP and FAO etc;
iii. ii. Any other authorized sources that are devoid of any conflict of interest.

iv. iii. The Agency shall open and maintain bank accounts in the name of the NFAA.

Section 11: Books of Account

1) The Agency shall ensure that its Financial Department keeps complete and accurate books of accounts in accordance with any applicable financial laws of Liberia, whether currently in existence or enacted in the future, and Generally Accepted Accounting Principles (where applicable). The Agency shall also ensure that its Internal Audit Unit conducts regular audits to guide compliance with such financial laws and accounting principles.

2) The books of accounts and other financial documents of the Agency shall be audited annually by the Auditor General of the Republic of Liberia.

3) The Board of Directors may also choose to engage the services of an external auditor.

PART 4: ENFORCEMENT

1. Confiscation

Any food product that has been put into the market, imported, exported, transited into or out of the Republic of Liberia, received, stored, distributed, sold, offered for sale, manufactured or donated in violation of this Act or any regulation promulgated under this Act may be confiscated by the Agency and otherwise disposed of or used as the Agency deems appropriate and is consistent with this Act and the law of Liberia.

PART 5: MISCELLANEOUS

Section 1: Miscellaneous

1. The passage of this Act into law will nullify Executive Order #101 and all such previous orders issued in 1970 and 1977 and thereafter respectively. With the enactment of this Act, all regulatory functions of the National Food Assistance Agency of Liberia shall be exclusively surrendered to the Agency.
2. Supervise, monitor and control the distribution and supply of donated food commodities to the targeted Liberian beneficiaries.
3. Ensure the continuing professional and training development of employees of the NFAA.

4. Ensure regular inspection of storage facilities and food banks across the country to take stock of donations from foreign sources.

Section 2: Effective Date

This Act shall take effect immediately upon the publication into handbills.

-2022-

FIFTH SESSION OF THE FIFTY-FOURTH LEGISLATURE OF THE REPUBLIC OF LIBERIA

SENATE'S ENGROSSED BILL NO: 2 ENTITLED:

"AN ACT TO ESTABLISH THE NATIONAL FOOD ASSISTANCE AGENCY (NFAA) OF THE REPUBLIC OF LIBERIA ACT OF 2020"

On Motion, Bill read on its 1st reading, Thursday, September10, 2020 at the hour of 12:33 GMT. On motion, Bill read on its second reading and adopted, sent to Committee Room on Tuesday, September15, 2020 at the hour of 14:02 GMT.

On motion, Bill taken from the Committee Room. On motion the bill was adopted on its second reading. On motion under the suspension of the Rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Tuesday, January 25, 2022 at the hour of 13: 49 GMT.

SECRETARY OF THE SENATE, R.L

-2025-

SECOND SESSION OF THE FIFTY-FIFTH LEGISLATURE OF THE REPUBLIC OF LIBERIA

HOUSE'S ENDORSEMENT TO SENATE ENGROSSED BILL NO. 2 ENTITLE:

"AN ACT TO ESTABLISH THE NATIONAL FOOD ASSISTANCE AGENCY (NFAA) OF THE REPUBLIC OF LIBERIA ACT OF 2020"

On motion, the Bill was read. On motion, the Bill was adopted on its first reading at the hour of 11:48 GMT.

On motion, under the suspension of the rule, the first reading of the Bill constituted its second, third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Tuesday, May 20, 2025 at the hour of 12:15 GMT.

CHIEF CLERK, HOUSE OF REPRESENTATIVES

-2025-

ATTESTATION

"AN ACT TO ESTABLISH THE NATIONAL FOOD ASSISTANCE AGENCY (NFAA) OF THE REPUBLIC OF LIBERIA ACT OF 2020"

PRESIDENT OF THE SENATE/ VICE PRESIDENT OF THE REPUBLIC OF LIBERIA

SECRETARY OF THE SENATE, R.L

SPEAKER, HOUSE OF REPRESENTATIVES, R. L.

CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.

SECRETARY OF THE SENATE



The Liberian Senate

CAPITOL BUILDING, CAPITOL HILL, MONROVIA, LIBERIA
WEST AFRICA

-2025-

SECOND SESSION OF THE FIFTY-FIFTH LEGISLATURE OF THE REPUBLIC OF LIBERIA

SCHEDULE OF SENATE'S ENROLLED BILL NO. 2 ENTITLED:

"AN ACT TO ESTABLISH THE NATIONAL FOOD ASSISTANCE AGENCY (NFAA) OF THE REPUBLIC OF LIBERIA ACT OF 2020"

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR EXECUTIVE APPROVAL

APPROVED THIS 17th DAY OF June A.D. 2025

AT THE HOUR OF 12:40 pm

THE PRESIDENT OF THE REPUBLIC OF LIBERIA