

# A BILL

## FOR

AN ACT TO AMEND THE NIGERIAN EDUCATION RESEARCH AND DEVELOPMENT COUNCIL ACT CAP. N105 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND FOR RELATED MATTERS

*Sponsored by Hon. Sadiq Ibrahim*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

1	1. The Nigerian Educational Research and Development Council	Amendment of Cap. N105 LFN. 2004
2	Act Cap. N105 Laws of the Federation of Nigeria, 2004 (in this Bill referred	
3	to as "the Principal Act") is amended as set out in this Bill.	

4	2. Section 2 (1) of the Principal Act is amended-	Amendment of Section 2 (1)
5	(a) in paragraph (b), by substituting for paragraph (b), a new	
6	paragraph "(b)"-	

7	(b) six representatives from the State Ministries of Education, one
8	each from the six geopolitical zone of the Federation, appointed in rotation
9	among the states in the zones";

10	(b) in paragraph (d), by inserting after the word, "education", the
11	words, "in rotation".

12	3. Section 3 of the Principal Act is amended-	Amendment of Section 3
13	(a) by deleting after the word, "for" in line 1, the words, "the	
14	following that is to say";	

15	(b) in paragraph (b), by deleting after the word, "priority" in line 2,
16	the word, "thereof"; and

17	(c) in paragraph (c), by substituting for the word, "thinks" after the
18	word, "council" in line 2, the word, "deems".

19	4. Section 6 of the principal Act is amended-	Amendment of Section 6
20	(a) by deleting the words, "it shall be the general duty of" before	

1 the word, "the" in line 1;

2 (b) by substituting for the word, "to" in line 1, the word, 'shall'.

Amendment of  
Section 7

3 5. Section 7 of the principal Act is amended-

4 (a) in subsection (3), by substituting for the word, 'shall" after the  
5 words, "and" in line 1, the word, "may"; and

6 (b) in subsection (4), by substituting for the word, "otherwise" after  
7 the words, "emolument and" in line 2, the words, "other entitlements."

Amendment of  
Section 10

8 6. Section 10 of the Principal Act is amended-

9 (a) in the marginal note , by substituting after the word, "pension" in  
10 line 1 and wherever it appears in the section, the word, "reform";

11 (b) in subsection (1)-

12 (i) by deleting for the word, "services" in line 1, the words, "it is  
13 hereby declared that" and

14 (ii) by substituting for the word, "service" in line 1 and wherever it  
15 appears in the subsection, the word, "service"; and

16 (c) in subsection (3), by substituting for the figure, "23" after the  
17 word, 'section" in line 3, the figure, "97".

Amendment of  
Section 11

18 7. Section 11 of the Principal Act is amended-

Amendment of  
Section 12

19 8. Section 12 of the Principal Act is amended-

20 (a) in subsection (1), by deleting the words, "member of the" before  
21 the word, "senior" in line 1;

22 (b) in subsection (1)(c)-

23 (i) in subparagraph (i), by deleting the word, "any" after the word, "or"  
24 in line 1,

25 (ii) in subparagraph (iii), by deleting the words, "as aforesaid" after  
26 the word, "removed" in line 2; and

27 (c) in subsection (2)-

28 (i) by deleting the words, "member of the" before the word, 'staff' in  
29 line 1,

30 (ii) by deleting the word, "any" after the word, 'and" in line 3;

1 (d) in subsection (3), by deleting the words, "member of" after the  
2 word, "staff" in line 1;

3 (e) in subsection (4), by-

4 (i) inserting after the words, "decision as to" in line 3, the words,  
5 "whether to"

6 (ii) deleting the words, "whether to" in line 1 of paragraph (a) - (d);

7 (f) in the proviso, by deleting the word, "any" after the word,  
8 "such" in line 4;

9 (g) in subsection (5), by substituting for the-

10 (i) words, "it shall be the duty of the " before the word, "person" in  
11 line 1, the word, "A",

12 (ii) word, "to" after the word, "section" in line 2, the word, "shall";  
13 and

14 (h) in subsection (b), by-

15 (i) deleting the words, "foregoing provisions of" after the word,  
16 "this" in line 1; and

17 (ii) substituting for the word, "think" after the word, "may" in line  
18 2, the word, "deem".

19 9. Section 15 (3) of the Principal Act is amended by inserting the  
20 word, "and" after the word, "guideline" in line 2.

Amendment of  
Section 15 (3)

21 10. Section 16 (2) of the Principal Act is amended by substituting  
22 for the word-

Amendment of  
Section 16 (2)

23 (a) "appointed" after the word, "committee" in line 2, the word,  
24 'setup'; and

25 (b) "pursuant to" after the word, "Board" in line 2, the word,  
26 "under".

27 11. Section 20 of the Principal Act is amended-

Amendment of  
Section 20

28 (a) by deleting-

29 (i) the word, "any" before the word, "person" in line 1, and

30 (ii) the word, "research" after the word, "completed" in line 2; and

- 1 (b) by substituting for the word, "his' before the word, "completed' in  
2 line 2, the word, "the".
- Amendment of  
Section 21 3 **12.** Section 21 of the Principal Act is amended by substituting for-  
4 (a) the figure, "21", after the word, "section" in line 1, the figure, "21"  
5 ;(b) the words, 'shall be guilty of' after the word, 'Act' in line 1, the  
6 word, "commits";  
7 (c) the expression, "N100" after the word, 'of' in line 2, the  
8 expression, "N5,000"; and  
9 (d) in subsection (4), by-  
10 (i) deleting the words, "the making of", after the word, "before" in line  
11 2, and  
12 (ii) inserting, after the word, "section", in line 2, the word, "comes into  
13 force".
- Amendment of  
Section 22 14 **13.** Section 22 of the Principal Act is amended by substituting for -  
15 (a) the words, "it shall be the duty of" after the words, "council and" in  
16 line 2, the word, "both"; and  
17 (b) the word, 'to" after the word, "Council" in line 3, the word, "shall".
- Amendment of  
Section 24 18 **14.** Section 24 of the Principal Act is amended-  
19 (a) in the definition of "Board"-  
20 (i) by substituting for the word, 'constitute' after the word, "Council"  
21 the word, "established"; and  
22 (ii) by inserting the figure "(1)" after the figure "2"; and  
23 (b) in the definition of "Council"-  
24 (i) by substituting for the word, "by" after the word, "established" in  
25 line 1, the word, "under"; and  
26 (ii) by insetting the figure "(1)" after the figure "1" in line 2.
- Amendment of  
Schedule 27 **15.** The schedule to the Principal Act is amended-  
28 (a) in paragraph 1, by substituting for-  
29 (i) the word, 'and" in line 2, the word, "may", and  
30 (ii) the words, "there after he shall no longer be eligible for re-

1 appointment" after the word, "years" in line 3, the word, "only";

2 (b) in paragraph 3, by deleting the word, "to" after the word, "and"  
3 in line 1;

4 (c) in paragraph 5, by substituting for the words, "their member"  
5 before the word, "to" in line 2, the word, "them";

6 (d) in paragraph 8 (92) by substituting for the word, "constituted"  
7 after the word, "be" in line 3, the words, "set up";

8 (e) in paragraph 8 (5) by substituting for the word, "think" after the  
9 word, "may" in line 2, the word, "deem";

10 (f) in paragraph 8, substituting for the words, "appointed by virtue  
11 of the provisions of" after the word, "Committee" in line 1, the words, "set up  
12 under";

13 (g) in paragraph 10, by deleting the word, "any" before the word,  
14 "contract" in line 1;

15 (h) in paragraph 11, by deleting the word, "any" before the word,  
16 "document" in line 1;

17 (i) in paragraph 12, by -

18 (i) substituting for the word, "proceedings" after the word, "any" in  
19 line, the word, "proceeding",

20 (ii) substituting for the word, "Committees" after the word, "its" in  
21 line 1, the word, "Committee",

22 (iii) inserting the word, "by" after the word, "affected" in line 1; and

23 (iv) deleting the word, "by" at the beginning of subparagraph "(a)"  
24 - "(c)";

25 (j) in paragraph 13, by -

26 (i) substituting for the word, "Any" before the word, "member" in  
27 line 1, the word, "A",

28 (ii) deleting the word, "thereof" after the word, "Committee" in line  
29 1,

30 (ii) deleting the word, "thereof" after the word, "Committee", and

**C 3110** *Nigerian Educational Research and Development Council (Amendment) Bill, 2017* **2017**

- Citation
- 1 (iv) deleting the word, "forthwith" after the word, "shall" in line 2.
  - 2 **16.** This Bill may be cited as the Nigerian Educational Research and
  - 3 Development Council (Amendment) Bill, 2017.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Education Research and Development Council Act Cap. N105 Laws of the Federation of Nigeria, 2004.