

NIGERIAN INSTITUTE FOR TRYPANOSOMIASIS AND ONCHOCERCIASIS

RESEARCH BILL, 2016

ARRANGEMENT OF CLAUSES

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# A BILL

## FOR

AN ACT SEEKS TO DETACH NIGERIAN INSTITUTE FOR TRYPANOSOMIASIS RESEARCH WHICH IS CURRENTLY UNDER THE LEGAL FRAME WORK OF NIGERIAN RESEARCH INSTITUTES ACT CAP N132 LAWS OF THE FEDERATION OF NIGERIA 2004, AND ESTABLISH NIGERIAN INSTITUTE FOR TRYPANOSOMIASIS AND ONCHOCERCIASIS RESEARCH (NITOR) TO BE CHARGED WITH THE RESPONSIBILITIES OF CONDUCTING RESEARCH IN ONCHOCERCIASIS IN ADDITION TO ITS CURRENT RESPONSIBILITIES AND FOR RELATED MATTERS

*Sponsored by Hon. Dasuki Abdussamad*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria -

1           1.-(1) There is established a body to be known as the Nigerian  
2           Institute for Trypanosomiasis and Onchocerciasis Research (NITOR) (in  
3           this Bill referred to as "the Institute").

Establishment of  
the Nigerian  
Institute for  
Trypanosomiasis  
and Onchocerciasis  
Research

4           (2) The Institute shall be a body Corporate with perpetual  
5           succession and a common seal, may sue or be sued in its corporate name.

6           2.-(1) There is established for the Institute a Governing Board (in  
7           this Bill referred to as the "Board") which shall be saddled with the  
8           responsibility of general administration of the Institute.

Establishment  
and composition  
of Governing  
Board of the  
institute

9           (2) The Board shall consist of-

10          (a) a Chairman;

11          (b) a representatives of-

12          (i) Ministry responsible for Science and Technology,

13          (ii) Ministry (iii) Ministry responsible for Health, and

14          (iv) each of the six geopolitical zone; and

15          (c) Director-General, who shall be knowledgeable in

1 trypanosomiasis and onchocerciasis of the Institute, and shall also be the  
2 Secretary to the Board.

Schedule

3 (3) The provision set out in the Schedule to this Bill shall have effect  
4 with respect to the proceedings of the Board.

5 (4) The Chairman and Members of the Board mentioned under  
6 paragraphs (b) (iv), are to be appointed by the President, of the Federal  
7 Republic of Nigeria, on recommendation of Minister responsible for Science  
8 and Technology.

Functions of  
the Board

9 3. The Board shall be responsible for-

10 (a) recommending a person for appointment of the Director-General  
11 of the Institute;

12 (b) approving the general policy and administration of the Institute;

13 (c) approving annual and long term research strategic development  
14 plan of the Institute;

15 (d) approving projects and programmes of the Institute;

16 (e) issuing regulation dealing with appointment, discipline and  
17 promotion of the staff of the Institute; and

18 (f) carrying out such other activities that are incidental to the  
19 attainment of its objectives under this Bill.

Tenure

20 4 Members of the Board mentioned under paragraphs (b) (iv) shall  
21 hold office for term of five years.

Remuneration

22 5. The members of the Board shall be paid such remunerations and  
23 allowances as the president may from time to time determine in line with the  
24 provision of National Salaries and Wages Commission Act.

Resignation or  
vacation from  
office by a member  
of the Board

25 6. The office of the member of the Board may become vacant if the  
26 member-

27 (a) resigns his appointment, dies, becomes of unsound mind or  
28 becomes bankrupt;

29 (b) is convicted of a crime; or

30 (c) is found guilty of misconduct in relation to the office.

- 1                   7.- (1) There is established the office of the Director-General of the  
2 Institute who shall hold office for the term of five years and renewable,  
3 subject to satisfactory performance, for further term of five years and no  
4 more. Director-General  
of the Institute
- 5                   (2) The Director-General shall be-
- 6                   (a) the Chief Executive officer of the Institute and shall be  
7 responsible for day-to-day management of the Institute; and
- 8                   (b) answerable to the Board.
- 9                   8. The Director-General may-
- 10                  (a) resign from office by notice in writing addressed to the  
11 Chairman of the Board; and Removal of the  
Director-General  
of the Institute
- 12                  (b) be removed, at any time, from office by the Board with the  
13 approval of the Minister, if the President is satisfied that it is not in the  
14 interest of the Institute or the public that the Director-General continue to  
15 hold office.
- 16                  9. The Institute shall be responsible for carrying out research on  
17 trypanosomiasis, onchocerciasis, and any other thing that is incidental to the  
18 objectives of this Bill. Responsibilities  
of the Institute
- 19                  10.-(1) The staff of the Institute-
- 20                  (a) shall be employed according to the procedure stipulated by the  
21 Board; Staff of the  
Institute
- 22                  (b) can be on permanent or temporary appointment on the terms  
23 which precludes the grant of pension and gratuity; and
- 24                  (c) shall be paid such salary and allowances as may be determined  
25 by the Board with approval of salaries and wages commission.
- 26                  11.-(1) There is established for the Institute, such number of  
27 Departments, Divisions and Units as the Institute may, with the approval of  
28 the Board, deem necessary. Structure of the  
Institute
- 29                  (2) Departments shall be headed by a Director appointed through  
30 competitive process.

1 (3) Subject to the approval of the Board the Institute may create  
2 additional departments, divisions and units as it may deem necessary to  
3 achieve the objective of the Institute.

Fund for the  
Institute

4 12.-(1) The Institute shall establish and maintain a fund which shall be  
5 paid and credited-

6 (a) subventions and budgetary allocation from the Government of the  
7 Federation;

8 (b) sums accruing to the Institute by way of gifts, endowments,  
9 bequests, grants or other contributions;

10 (c) returns on investments; and

11 (d) other sums which may, from time to time, accrue to the  
12 Institute.

13 (2) The Institute shall manage and apply its Fund in accordance with  
14 the general guidelines made by the Board, particularly on-

15 (a) cost of payment of allowances to the cost of administration of the  
16 Institute;

17 (b) payment of salaries and other allowances for the staff of the  
18 Institute;

19 (c) maintenance of any property vested in the Institute; and

20 (d) payment of the Institute fees payable for procurement and  
21 consultancy for the benefits of the Institute.

Annual budget  
of the Institute

22 13. The Institute shall not later than 30th September each year or other  
23 date stipulated by law or policy, submit to the National Assembly an estimate of  
24 expenditure or income of the Institute as approved by the Board for the next  
25 fiscal year for incorporation into the National budget.

Reports

26 14. The Director-General shall submit to the Board quarterly report of  
27 the activities of the Institute and the Board shall submit annual report of its  
28 activities to the Minister.

Service of  
process

29 15. Any document, summons, notices, process or any other thing  
30 required or authorized to be served to the Institute shall be served by delivering

1	same to the office of the Director-General of the Institute.	
2	<b>16.</b> Every member of the Board or employees of the Institute shall	Indemnity of Members etc
3	be indemnified from the Fund of the Institute against any liability incurred in	
4	defending any proceeding brought against the persons under this Bill, in the	
5	person's capacity as member or employee of the Institute.	
6	<b>17.</b> The Institute may subject to the provisions of Land Use Act and	
7	any other applicable law, have powers to lease, rent or acquire an interest in	
8	land and other properties.	
9	<b>18.</b> A person who has a cause of action against the Institute shall-	Procedure and limitation of suit against the Institute
10	(a) give the Institute three months' notice, in writing, of intention to	
11	commence an action, disclosing the cause of action and served the processes	
12	to the principal office of the Institute; and (b) commence the legal action	
13	within two years from the date the cause of action arose.	
14	<b>19.</b> The Minister may give to the Institute directions of a general	Powers of the Minister to give directives
15	character or relating generally to particular matters but not to any individual	
16	person and it shall be the duty of the Board to comply with the directives.	
17	<b>20.</b> The Board, with the approval of the Minister issue regulations	Regulations
18	for appointment, promotion, and discipline of staff.	
19	<b>21.</b> Section 1(1) (d), and paragraph 1 (4) of the schedule to the	Repeal
20	Nigerian Research Institutes Act Cap. N132 Laws of the Federation of	
21	Nigeria, 2004 are repealed.	
22	<b>22.-(1)</b> All assets, rights, liabilities, interests, and obligations	Savings and transitional provisions
23	vested existing under Nigerian Research Institutes Act Cap N132 Laws of	
24	the Federation of Nigeria, 2004, before the commencement of this Bill, shall	
25	after commencement of this Bill, be vested in the Nigerian Institute for	
26	Trypanosomiasis and Onchocerciasis Research.	
27	(2) All of the Institute existing before the commencement of this	
28	Bill shall after commencement of this Bill continue to be staff of Nigerian	
29	Institute for Trypanosomiasis and Onchocerciasis Research, in accordance	
30	with their terms of appointment or as the Institute may determine.	



1 by the signature of the Chairman of the Board or some other persons  
2 authorized to do so.

3 (3) Any contract or instrument, which if made or executed by a  
4 person not being a body corporate, shall not be required to be made under  
5 seal, shall be executed on behalf of the Institute by the Director-General or  
6 any other person authorized to do so.

7 (4) Where the Board desires to obtain an expert opinion from a  
8 person not being a member of the Board, the Board may co-opt such person  
9 for such period the Board may determine but the co-opted person shall not  
10 have the right to vote or to count in forming a quorum.

11 (5) The validity of any proceeding of the Board or of a committee  
12 shall not be adversely affected by any vacancy in the membership of the  
13 Board or Committee or by any defect in the appointment of a member of the  
14 Board or Committee or by reason that a person not entitled to take part in the  
15 proceedings of the Board or the Committee took part.

#### EXPLANATORY MEMORANDUM

This Bill seeks to detach Nigerian Institute for Trypanosomiasis Research which is currently under the legal frame work of Nigerian Research Institutes Act cap N132 Laws of the Federation of Nigeria 2004, and establish Nigerian Institute for Trypanosomiasis and Onchocerciasis Research (NITOR) to be charged with the responsibilities of conducting research in Onchocerciasis in addition to its current responsibilities.