

# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL COUNCIL FOR RESEARCH AND DEVELOPMENT WHICH SHALL COORDINATE THE ACTIVITIES OF FEDERAL GOVERNMENT MINISTRIES IN RESEARCH AND DEVELOPMENT; EVALUATE NEEDS AND ENCOURAGE RESEARCH IN PRIVATE AND GOVERNMENT INSTITUTIONS; PROVIDE SCIENTIFIC-TECHNICAL SERVICES TO THE FEDERAL, STATE AND LOCAL GOVERNMENT; PUBLIC AND PRIVATE INSTITUTIONS, BOOST THE CREATION OF TECHNOLOGICALLY BASED ENTITIES AND FOR OTHER RELATED MATTERS, 2016.

*Sponsored by Senator Mao Oluaburwa*

[ ] Commencement

BE IT ENACTED by the National Assembly of Federal Republic of Nigeria as follows:

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**PART ONE**

**1.-(1) There is hereby established a body to be known as the National Council for Research and Development (in this Bill referred to as "the Council") which shall be the main research and development authority and shall have the functions assigned to it by this Bill.**

Establishment of the National Council for Research and Development

**(2) The Council shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.**

**2.-(1) To propose a realistic National Policy for basic and applied research.**

Functions of the Council

**(2) To coordinate the activities of Government Ministries, Department and Agencies in research and development.**

**(3) To evaluate needs and encourage research in Private and Government Institutions.**

**(4) To carry out scientific and technological research and help to**

- 1 encourage such research where relevant.
- 2 (5) To transfer the results of scientific and Technological research to  
3 public and private institutions.
- 4 (6) To provide scientific-technical services to the Federal, State Local  
5 Governments and local governments and public and private Institutions,
- 6 (7) To boost the creation of technologically based entities and  
7 companies.
- 8 (8) To initiate new researches.
- 9 (9) To implement results of scientific researches which are likely to  
10 advance industrial and agricultural development.
- 11 (10) To organize and coordinate research in natural and technological  
12 sciences.
- 13 (11) To collaborate with Universities in scientific research in post  
14 graduate education.
- 15 (12) To collaborate with other national and international institutions  
16 in the promotion and transfer of science and technology.
- 17 (13) To participate in designing and implementing the scientific and  
18 technological policies of Ministries of Education and Science and Technology.
- 19 (14) To promote science culture in the society.
- 20 (15) To raise experts in the field of research.
- 21 (16) To establish study groups to examine research needs in existing  
22 industries such as food, plastics and pharmaceuticals and propose long-term  
23 research programs for them.
- 24 (17) To establish study groups to evaluate developments in science  
25 and technology in the world and within the country and their impacts in the  
26 economic advancement of industries and agriculture.
- 27 (18) To promote science based industries for commercial  
28 exploitation of inventions.
- 29 (19) To perform such other functions as may be necessary for the  
30 achievement of the objectives of this Act.

1                 3. The provisions set out in the Schedule to this Act shall have  
2 effect with respect to the tenure of office of members and proceedings of the  
3 board and other matters mentioned therein.

4   PART TWO

5                 4.-(1) There is hereby established for the management of the  
6 Council, a Governing Board (in this Act referred to as "the Board").

Establishment  
and Composition  
of the Governing  
Board, etc.

7                 (2) The Board shall consist of the following members to be  
8 appointed by the President-

9                     (i) A chairman a representative each of the following Federal  
10 Ministries;

11                     (ii) Science and Technology;

12                     (iii) Agriculture;

13                     (iv) Health;

14                     (v) Education;

15                     (vi) Trade and Investment;

16                     (vii) A representative of Manufacturers Association of Nigeria;

17                     (viii) The Executive Director of the Council.

18                 5. The Board shall have power to:

Powers of the  
Board

19                     (1) Manage and superintend over the affairs of the Council.

20                     (2) Formulate the general policies and guidelines relating to major  
21 expansion programmes of the Council.

22                     (3) Formulate policy guidelines which in the opinion of the Board  
23 are necessary to ensure the efficient performance of the functions of the  
24 Council.

25                     (4) (i) Make staff regulations relating generally to the conditions  
26 of service of employees of the Council and such regulations may provide for  
27 the appointment, promotion and disciplinary control of all employees of the  
28 Council;

29                     (ii) Such regulations made in subsection (4) (i) of this section with  
30 such modifications as may be necessary shall be in conformity with

1 regulations relating to the conditions of service of officers in the civil service of  
2 the Federation and the provisions of the Pension Reform Act.

3 (5) Subject to the provisions of this Act, the Board may alter, revoke,  
4 and make rules and regulations for carrying out the functions of the Council.

Appointment of  
Executive Director

5 6.-(1) There shall be for the Council, an Executive Director who shall  
6 be appointed by the President on the recommendation of the Minister

7 (2) He/she shall be-

8 (i) The Chief Executive and Accounting Officer of the Council;

9 (ii) Responsible for the day-to-day administration of the Council;

10 (iii) a Scientist/Engineer with cognate professional qualification in  
11 the field of project management;

12 (iv) a person with relevant and adequate qualifications in a senior  
13 Management cadre and must have been so qualified for a period of not less than  
14 15 years;

15 (v) The Executive Director shall act instead of the Board where there  
16 is no duly constituted Board for the Council; such actions being subject to the  
17 approval of the Minister.

Appointment of  
Secretary/Legal  
Adviser

18 7.-(1) The Board shall appoint for the Council, a Secretary/Legal  
19 Adviser who shall be a Legal Practitioner and must have been so qualified for a  
20 period of not less than 10 years.

21 (2) The Secretary/Legal Adviser shall-

22 (i) Be Secretary to the Board;

23 (ii) Shall be responsible for keeping the books and proper records of  
24 proceedings and correspondences of the Board;

25 (iii) Administer and discharge all insurance and legal requirements of  
26 the Council;

27 (iv) Perform such other functions as the Board or the Executive  
28 Director as the case may be, may from time to time assign.

Establishment of  
Departments and  
appointment of  
Directors

29 8.-(1) The Board may establish for the Council such number of  
30 Departments as it may deem necessary and shall include-

- 1 (i) Department for Biosciences;  
2 (ii) Department for Mathematics and Information Sciences;  
3 (iii) Department for Engineering;  
4 (iv) Department for Arts and Humanities;  
5 (v) Department for Energy and Environment;  
6 (iv) Department for Social Sciences.

7 (2) Each Department referred to in subsection (1) of this section  
8 shall be headed by a person of the rank of a Director.

9 9.-(1) A member of the Council shall subject to the provisions of Tenure of office  
10 this Act, hold office for a period of 4 years from the date of appointment and  
11 may be eligible for re-appointment for a further period of 4 years, thereafter  
12 shall no longer be eligible for re-appointment.

13 (2) Notwithstanding subsection (1) of this section, the President  
14 may on the recommendation of the Minister, require any member of the  
15 Council to vacate his/her office if the person's continued membership will  
16 not be in the interest of the Council.

17 10.-(1) The Board may deploy or appoint for the Council, other Appointment of  
18 other members of  
19 staff of the Council  
20 employees upon such terms and conditions as may be determined by the  
21 Board.

22 (2) Service in the Council shall be approved service for the  
23 purposes of the Pension Reform Act.

24 • PART THREE - FINANCIAL REGULATIONS

25 11.-(1) There is hereby established for the Council a fund into Fund of the  
26 Council  
27 which shall be paid-

- 28 (i) Take-off grant from the Federal Government;  
29 (ii) Any allocation to the Council as may be determined by an Act of  
30 National Assembly;  
(iii) Such money as may from time to time be granted or received  
from organized private sector, private operators, international donor  
agencies and non-governmental organizations.

Expenditure of the Council	1	<b>12.-(1)</b> The Council may from time to time apply the proceeds of the
	2	fund established pursuant to section 11 of this Act to-
	3	(i) Meet the cost of administration of the Council and any research
	4	work carried out by or on behalf of the Council;
	5	(ii) Pay salaries, allowances and other benefits of its employees;
	6	(iii) Meet other expenses in connection with the discharge of its
	7	functions.
Annual Estimates, Accounts and Audit	8	<b>13.-(1)</b> The Board shall cause to be prepared not later than June 30 in
	9	each year, an estimate of the expenditure and income of the Council during the
	10	next succeeding year and when prepared, shall be submitted to the Minister.
	11	(2)The Board shall cause to be kept, proper accounts and records in
	12	relation thereto and when certified by the Board, such accounts shall be audited
	13	as provided in subsection(3) of this section.
	14	(3)The accounts of the Council shall be audited within six months
	15	after the end of each financial year by an external auditor appointed in
	16	accordance with guidelines supplied by the Auditor-General of the Federation.
Annual Reports	17	<b>14.-(1)</b> The Council shall not later than six months after the end of
	18	each financial year, submit through the Minister to the President, a report of the
	19	activities of the Council and its administration during the immediate preceding
	20	year and shall include in such reports the audited accounts of the Council and
	21	the auditor's comments thereon.
Regulations	22	<b>15.-(1)</b> The Council may make regulations for carrying into effect the
	23	provisions of this Act.
Interpretation	24	<b>16.</b> In this Act, unless the context otherwise requires-
	25	"Board" means the Governing Board of the Council;
	26	"Chairman" means the Chairman of the Board;
	27	"Council" means the National Council for Research and Development;
	28	"Member" means any member of the Board and includes the Chairman;
	29	"Minister" means the Minister charged with the responsibility for research and
	30	development;

1 "President" means President of the Federal Republic of Nigeria.

2 17. This Act may be cited as the National Council for Research and Citation  
3 Development Bill, 2016.

4 SCHEDULE

5 Section 4 (S)

6 PROCEEDINGS OF THE BOARD

7 (1) The Board shall meet for the conduct of business at such times,  
8 places and such days as the Chairman may appoint but shall meet not less  
9 than twice in a year.

10 (2) The Chairman presides at every meeting of the Board but in  
11 his/her absence, the members present shall appoint one of their number  
12 present to preside at the meeting.

13 (3) Particulars of the business to be transacted at any meeting shall  
14 be circulated to members.

15 (4) Every question put before the Board at a meeting shall be  
16 decided by a simple majority of members present and voting.

17 (5) Two-thirds of members shall form a quorum at any meeting of  
18 the Board.

19 (6) The Chairman, in the case of an equality of votes, may exercise  
20 a casting vote.

21 (7) Subject to the provisions of this Act, the Board may make  
22 standing order to regulate the conduct of its business.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Council for Research and Development as the central Research Authority in Nigeria which shall coordinate the activities of Government Ministries in Research and Development, evaluate needs and encourage researches that are likely to advance industrial and agricultural development, improve the health and social situations and facilitate the commercial exploitation of inventions.

