

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR COUNTER
TERRORISM RESEARCH SADDLED WITH THE RESPONSIBILITY TO CARRY
OUT IN DEPTH STUDY ON TERRORISM AND FOR RELATED MATTERS

Sponsored by Senator Shehu Sani

[] Commencement

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

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| <p>1 1.-(1) There is established the National Institute for counter-</p> <p>2 terrorism Research (in this Bill referred to as "the Institute").</p> | <p>Establishment of
the Institute</p> |
| <p>3 (2) The institute shall be a body corporate with perpetual</p> <p>4 succession and a common seal.</p> | |
| <p>5 2.-(1) Subject to the provisions of this Bill, the Institute shall be</p> <p>6 charged with the responsibility of conducting quality academic and</p> <p>7 professional research, training and advocacy on counter-terrorism and</p> <p>8 violent crimes.</p> | <p>Functions and
objective of the
Institute</p> |
| <p>9 (2) The institute shall have power to-</p> <p>10 (a) Act as a centre of excellence for research and publication on</p> <p>11 terrorism and violent crimes;</p> <p>12 (b) Receive data, information, intelligence to disseminate to</p> <p>13 stakeholders to formulate assessments with periodical reviews to be</p> <p>14 presented to the Federal Government for making adequate and timely efforts</p> <p>15 to counter terrorism and violent crimes;</p> <p>16 (c) Develop action plans against terrorism and violent crimes and</p> <p>17 report to the government about implementation of the plans periodically;</p> <p>18 (d) Carry out liaison with international entities for facilitating co-</p> <p>19 operation in areas relating to terrorism and violent crimes; violent crimes;</p> <p>20 (e) Periodically appoint a committee of experts for the government</p> | |

1 and non-governmental organizations to deliberate on areas related to terrorism
2 and violent crimes; and

3 (f) Engage in training programs for best practices research and
4 teaching on terrorism and violent crimes;

5 (g) Engage policy makers, industry representatives and the public
6 about the causes and consequences of political violence and terrorism;

7 (g) Publish academic and policy research such as books, reports and
8 journals on terrorism and violent crimes;

9 (h) Provide interface between security agencies and the civil
10 societies;

11 (i) Document and publish for public use the history of terrorism and
12 violent crimes;

13 (j) Sensitize the Nigerian public on the need to support the
14 government in fighting terrorism and violent crimes; and

15 (k) Act as a centre for continuing education on terrorism and violent
16 crimes.

17 (3) The institute shall also have powers to-

18 (a) Run and maintain quality and world class libraries and database on
19 terrorism and violent crimes;

20 (b) Encourage private sector participation and collaborate with
21 national and international organizations on research and training on issues
22 relating to its mandate;

23 (c) Initiate and encourage the study of terrorism and violent crimes in
24 tertiary institutions in Nigeria;

25 (d) Engage visiting scholars and fellows to participate in its academic
26 research programmes;

27 (e) Award appropriate professional certificates and testimonials
28 according to training and teaching offered to its clients;

29 (f) Be involved in teaching, training and research on terrorism and
30 violent crimes;

1 (g) Produce independent policy responses to the government on
2 terrorism and violent crimes;

3 (h) Provide endowments to enhance the training and teaching
4 offered to its clients; and

5 (i) Undertake such other incidental responsibilities relating to the
6 mandate of the institute.

7 **3.-(1)** There is established for the institute the Governing Board (in Governing Board
of the Institute
8 this Bill referred to as "the Board").

9 (2) The Board is vested with the power to make decisions and
10 formulate general policies for the guidance of the Institute.

11 (3) The Board shall consist of-

12 (a) the National Security Adviser as the Chairman or in his absence
13 the Director-General of the Institute;

14 (b) One representative each from the security agencies with
15 adequate knowledge on terrorism and violent crimes; not be low the rank of
16 Colonel;

17 (c) A representative from-

18 (i) the ministry of finance, and

19 (ii) Non-governmental organizations; and

20 (d) The legal adviser of the Institute who shall be the secretary of
21 the Board and must possess not less than 10 years post call experience.

22 **4)** The supplementary provisions contained in the schedule to this Schedule
23 Bill shall have effect with respect to the proceedings of the Board and other
24 matters.

25 **4.-(1)** The Chairman and members of the Board shall hold office Tenure of office
26 for a period of 4 years and may be reappointed for another term of 4 years
27 and no more.

28 (2) The office of the Chairman or any member of the council shall
29 become vacant if-

1 (a) He resigns his office by notice in writing under his hand
2 addressed-

3 (i) in the case of the first chairman to the Director- General of the
4 Institute;

5 (ii) in the case of the alternate chairman to the president; and

6 (b) He is incapable of performing the functions of his office by reason
7 of disease or infirmity and has been so declared by a medical practitioner.

Allowances of
members of the
Board

8 5. Members of the Board may receive allowances as are applicable to
9 government agencies and Institutes or as may be stipulated by the Board in
10 accordance with government regulations.

Powers of the
Board

11 6. The Board shall have power to-

12 (a) Determine the general policy of the institute;

13 (b) Provide for the discipline and welfare of members of staff of the
14 Institute;

15 (c) Erect, provide, equip and maintain libraries, lecture halls of
16 residence and other buildings or structure necessary for the institute; and

17 (d) Constitute relevant committees to assist In executing specific
18 assignments for the Institute.

Director-General
of the Institute

19 7.-(1) There shall be for the institute a Director-General who shall:

20 (a) be a professor of criminology; and

21 (b) have not less than 10 years post professional experience.

22 (2) The Director General shall be appointed by the president.

23 (3) The Director General shall hold office for a period of 4 years and
24 may be re-appointed for another term of 4 years and no more.

25 (4) The Director-General shall be the Chief Executive and Academic
26 Officer of the Institute and shall be charged with the general responsibility for
27 matters relating to the day to day administration of the Institute.

28 (5) The Director General shall be responsible to the Board.

The structure
of the Institute

29 8.-(1) There shall be established for the institute such Departments as
30 the Institute may deem necessary.

1 (2) Each Department shall be headed by a Director who shall be a
2 professionally qualified person appointed through a competitive process.

3 (3) Subject to the approval of the Board, the Management
4 Committee may create additional departments, divisions and units as it may
5 deem necessary to achieve the objectives of the Institute.

6 9.-(1) There is established for the Institute, a management
7 committee comprising the Directors of the various Departments.

Establishment of
the Management
Committee

8 (2) The Director-General shall be the chairman of the Management
9 Committee.

10 (3) The Management Committee shall be responsible for the
11 general administration of the Institute particularly recruitment, discipline,
12 promotion and staff generally.

13 10.-(1) The Staff of the Institute other than those mentioned in this
14 Bill shall be employed according to procedure of employment as stipulated
15 by the Board.

Staff of the
Institute

16 (2) The staff of the institute shall be entitled to benefits under the
17 Pension Reform Act.

Pension Act,
2014

18 (3) Nothing in subsections (1) and (2) of this section shall prevent
19 the employment of a person to any office on temporary or permanent basis
20 on terms which precludes the grant of pension.

21 11.-(1) The Board may, subject to the provision of this Bill, make
22 staff regulations relating generally to the condition of service of the
23 employees of the Institute and without prejudice to the generality of the
24 foregoing such regulations may provide for-

Staff Regulations

25 (a) The appointment, promotion and disciplinary control
26 (including dismissal) of employees of the Institute; and

27 (b) Appeals by such employees against dismissal or other
28 disciplinary measures, and until such regulations are made, any instrument
29 relating to the conditions of service of public officers shall be applicable

1 with such modification as may be necessary to the employees of the Institute.

2 (2) The staff regulations made under subsection (1) of this section
3 shall not have effect until they are approved by the Board of the Institute and
4 when so approved, shall be officially gazatted, but the Board shall cause them
5 to be brought to the notice of all affected persons in such a manner as it may,
6 from time to time determine.

Establishment
of the fund of
the Institute

7 12.-(1) The institute shall establish and maintain a fund which shall be
8 applied towards the promotion of the objectives specified in this Bill.

9 (2) At the beginning of every budget year, the federal government
10 shall approve a budget for the institute.

11 (3) There shall be paid and credited to the fund established for the
12 institute-

13 (i) Sums appropriated from the federal budget for the fiscal year;

14 (ii) Gifts, donations and contributions from the national and
15 international institutions and philanthropic persons and organizations; and

16 (iii) Fees charged for services rendered by the Institute.

Funds of the
Institute

17 13. The Institute shall manage its funds in accordance with the rules
18 made by the Management Committee with the general direction of the Board
19 and without prejudice to the power to make rules under this section, the rules
20 shall contain provisions specifying the-

21 (a) manner in which assets or funds of the Institute are to be held; and

22 (b) keeping of proper accounts and records for the purpose of the fund
23 in such manner as may be safe and effective.

Application of
the funds of the
Institute

24 14. The institute shall apply its fund to the cost of administration of
25 the Institute, including but not limited to payment of salaries, gratuities,
26 allowances, fees and payment of other contract, consultancies and purchases
27 made for the benefit of the Institute.

Estimate and
become of the
Institute

28 15. The Institute shall, not later than 31st of August each year, present
29 to the Board for approval an estimate of the expenditure and incomes of the
30 Institute for the next fiscal year.

- 1 16. The Institute shall not later than 30th September each year Annual budget
2 submit to the National Assembly an estimate of the expenditure and incomes of the Institute
3 of the Institute approved by the Board for the next financial year for
4 incorporation in the budget of the federation.
- 5 17. The institute shall submit to the National Assembly quarterly Quarterly report
6 reports of the its finances and activities.
- 7 18. The Institute may with the approval of the Board and subject to Power to borrow
8 other guidelines and policies of the Federal Government, borrow such
9 money needed for the performance of its functions as the Management
10 Committee may determine under this Bill, provided such borrowing shall be
11 made on terms that do not compromise the independence and competence of
12 the Institute.
- 13 19. The Institute may accept gifts and bequests upon such terms Power to accept
14 that do not compromise its capability to fulfill its objectives. gifts
- 15 20. No suit shall be commenced against the Institute before the Procedure for
16 expiration of a period of one month after a written notice of intention to suit against the
17 commence the suit shall have been served on the Institute by the party Institute
18 intending to sue the institute.
- 19 21. Any summons, notices, process or other documents required or Service of
20 authorized to be served on the Institute under the provisions of this Act, or summons
21 any law, shall be served by delivering the same to the Director-General of
22 the Institute, or by sending it by registered mail to the Director-General at
23 the principal office of the Institute.
- 24 22.-(1) Every member of the Board, Management Committee, Indemnity of
25 agent or employee of the Institute, shall be indemnified from the Fund of the members etc.
26 Institute against any liability incurred by him or her in defending any
27 proceedings, if such proceeding is brought against him or her in his or her
28 capacity a member, agent or employee.
- 29 (2) For the purpose of its administrative and business activities, the
30 Provisions of the Public Officers Provision Act apply with such

1 modification as necessary to promote the effective realization of the objectives
2 of the Institute.

3 (3) Subject to provisions of this Bill, the Board shall have powers to
4 issue subsidiary rules relating to legal liabilities and indemnities of officials
5 and staff of the Institute.

Acquisition of
property by th
Institute
Cap. L40 LFN,
2004

6 **23.** The Institute may, subject to the provision of the Land Use Act and
7 any other applicable law, lease, rent or acquire an interest in land and other
8 properties, build and maintain offices and premises for its activities.

Interpretation

9 **24.** In this Bill-

10 "Chairman" means the Chairman of the Board;

11 "Director-General" means the Chief Executive of the Institute;

12 "Institute" means the National Institute for Counter terrorism Research.

Citation

13 **25.** The Bill may be cited as the National Institute for Counter
14 Terrorism Bill, 2018.

15 SCHEDULE

16 Section 3(4)

17 SUPPLEMENTARY PROVISIONS RELATING TO THE INSTITUTE

18 *Proceedings of the Board*

19 1. Subject to this Bill and other applicable laws, the Board may make
20 standing orders regulating its proceedings.

21 2. The Board shall meet whenever summoned by the Chairman, or if
22 required to do so by at least 6 members of the Council and shall meet for a
23 minimum of 4 times a year.

24 3. The Chairman shall preside at the meeting of the Council and in his
25 absence, the Director-General.

26 4. The quorum for the Board shall be formed whenever the Chairman
27 and 5 other members are present at a scheduled meeting but in the absence of
28 the Chairman, 6 members including the secretary shall form a quorum.

29 5. The Management Committee may appoint one or more
30 Committees to carry out, on behalf of the Management Committee, such of its

1 functions as the Management Committee may determine.

2 6. A decision of a sub-committee of the Management Committee
3 shall be of no effect until it is confirmed by the Management Committee.

4 7.-(1) The fixing of the common seal of the Institute shall be
5 authenticated by the signature of the Chairman or of some other member
6 authorized generally or specifically to act for that purpose by the
7 Management Committee.

8 (2) Any contract or instrument which, if made or executed by a
9 person not being a body corporate, would not be required to be under seal,
10 may be made or executed on behalf of the Institute by the Director-General
11 or any person generally or specially authorized to act for that purpose by the
12 Management Committee.

13 8. Where the Board or the Management Committee desires to
14 obtain advice from any person on a particular matter, the Board or
15 Management Committee may co-opt him or her as a member for such period
16 as the Council or Management Committee thinks fit but a person who is a
17 member by virtue of this paragraph shall not be entitled to vote at any
18 meeting of the Council or Management Committee and shall not count
19 towards a quorum.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Institute for Counter Terrorism Research saddled with the responsibility to carry out in depth study on terrorism.

