

A BILL

FOR

AN ACT TO AMEND THE NATIONAL AGENCY FOR SCIENCE AND ENGINEERING INFRASTRUCTURE ACT, CAP. N3 LFN, 2004 AND FOR RELATED MATTER, 2019

Sponsored by Hon. Abdulrazak Sa 'ad Namdas

[] Commencement

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

1 1. The National Agency for Science and Engineering
2 Infrastructure Act, Cap. N3, LFN of 2004 (in this bill referred to as "the
3 Principal Act") is amended as set out in this Bill.

Amendment of the National Agency for Science and Engineering Infrastructure Act, Cap. N3 LFN, 2004

4 2. Section (2) subsection 2 is amended by deleting the existing
5 Ministers as members of the Board in subsections (g) and (h) and
6 substituting them with following the Ministers-

Amendment of Section 2 subsection 2 of the Principal Act

7 (g) "Federal Minister of Education", (h) The Federal Minister of
8 Finance and also by introducing a new Subsections G) and [k], which shall
9 read thus: G- The Federal Minister of Mines & Steel Development, (k- The
10 Federal Minister of Industry, Trade and Investment.

11 3. Section (2) subsections (iii) is corrected to read "Council for the
12 Regulation of Engineering in Nigeria (COREN). While subsection (iv) is
13 also deleted.

Correction of Section 2 subsection (iii) and the deletion of subsection (iv)

14 4. Section 8 subsection (a) of the Principal Act is amended by
15 inserting the words "or based on Government directives on the method of
16 banking to be adopted by the Agency" after the words "banking institutions
17 in Nigeria".

Amendment of Section 8 subsection (a)

18 5. Section (8) subsection (b) is amended by deleting the figure N50
19 million and substituting it with the figure N200 million.

Amendment of Section 8 subsection (b)

Introduction of
a new Section
8 subsection (e)

1 6.-(1) Section 8 of the Principal Act is amended by introducing a new
2 subsection (e) which shall read thus "The Board shall seek patriotic Nigerians
3 abroad who has made recognized marks in various areas of Science and
4 Engineering under an agreement on how they replicate their experience for the
5 development of science and Engineering Infrastructure in Nigeria".

6 (2) The Principal Act is further amended by inserting a new Section 8
7 subsection (f) and reads thus "The Federal Ministry responsible for Science
8 and Technology shall be responsible for the agreement as stated in subsection
9 (e) of this Section".

10 (3) Section 8 is further amended by introducing a new subsection (g)
11 which reads thus:

12 "The Board shall through its recommendations to and the approval of the
13 President seek to enter into collaborations with foreign individuals, institutions
14 including governments on how to impact specific Science and Engineering
15 knowledge and expertise to Nigerians". The previous subsection shall be
16 renumbered accordingly.

Introduction
of a new Section
9 subsection (b)

17 7. Section (9) subsection (b) of the principal Act is further amended
18 by introducing a new subsection (d), which reads thus-"The Directorate of
19 Planning and Technology Business Development".

Amendment
of Section 10
subsection (1)

20 8.-(1) The principal Act is further amended by deleting the word
21 "may" in section (10) subsection (1) and substituting it with the word "shall".

Amendment of
Section 10
subsection (3)

22 (2) Section 10 of the principal Act is amended by introducing a new
23 subsection (3) which shall read thus "Members of the Technical Advisory
24 Committees shall include Nigerians Abroad and may include Citizens of other
25 countries".

Amendment of
Section 11
subsection (1)

26 (3) Section (11) subsection (1) is amended by deleting the words "The
27 Agency" and substituting it with the words "The Board".

Amendment of
Section 11
subsection (1) (a)

28 (4) Section (11) subsection (1) (a) is further amended by deleting the
29 words "such places in" and substituting them with the words "such places as to
30 reflect the six geo-political zones of".

1	9. Section (11) subsection (2) (d) of the principal Act is amended	Amendment of
2	by deleting the words "Board of Directors" and substituting it with the	Section 11
3	words- "Management Committee."	subsection (2)(d)
4	10. Section (12) subsection (1)(d) is amended by deleting the	Amendment of
5	words "shall be appointed by the Board" and substituting same with the	Section 12
6	words "shall be appointed by succession by the Board".	subsection (1)(d)
7	11. Section (12) subsection (2) is amended by deleting the words	Amendment of
8	"five years renewable" and substituting same with the words "3 years	Section 12
9	renewable".	subsection (2)
10	12. Section (15) subsection (1) of the principal Act is amended by	Amendment of
11	deleting subsection (1) and substituting it with the following "The Board	Section 15
12	shall promote within the Agency well qualified and experienced persons as	subsection (1)
13	Directors to be in charge of Technical Departments under the supervision of	
14	Coordinating Directors"	
15	13. Section (16) of the principal Act is amended by existing	Amendment of
16	provisions been deleted and substituted with the following:	Section 16 of the
17	"The salaries and benefits of members of staff of the Agency shall be in	Principal Act
18	accordance with the conditions "and Scheme" of Service of the Agency as	
19	may be approved by the President".	
20	14. Section (20) (2) (a) is amended by deleting this subsection and	Amendment of
21	substitute it with the following "2 percent of the Federal Government	Section 20
22	Allocation of the Federation Account annually for the next five years, under	subsection 2(a)
23	the direction of the President" and thereafter will require a review by the	of the Principal
24	National Assembly",	Act
25	15. Subsection (2) (b) of section (20) is further amended by	Amendment of
26	deleting the figure "4 Million Naira and above" and substituting same with	Section 20
27	the figure "12 Million Naira and above per annum"	subsection 2(b)
28	16. Section (20) subsection 2(b)(i) is amended by deleting "114	of the Principal
29	percent in the 1st "instance" and substituting same with "0.5 percent	Act
30	annually reviewable after five years by the National Assembly", Introducing	Amendment of
		Section 20
		subsection 2(b)
		(i) of the Principal
		Act

	1	the word "Service" after the word "Revenue"
Amendment of Section 20 subsection 2(b) (ii) of the Principal Act	2	17. Section (20) subsection (b)(ii) is amended by introducing the
	3	word Service after the word "Revenue",
Amendment of Section 29 subsection 1	4	18. Section (29)(1) of Act is amended by rephrasing the existing
	5	provision of this subsection thus "The Agency may, from time to time, borrow
	6	by overdraft or otherwise such sums as it may "require".
Amendment of Section 33 subsection 4	7	19. Section (33) subsection (4) of the principal Act is further
	8	amended by deleting the word "and" and substituting it with the word "had".
Amendment of Section 36	9	20. Section (36) ""The Interpretation clause is amended by
	10	introducing the followings:
	11	"President" means the President, Commander in Chief of the Armed Forces of
	12	the Federal Republic of Nigeria.
Amendment of Section 36	13	21. The existing "Subsidiary" is amended as follows: .
	14	"Subsidiary" means semi-autonomous corporate body, with its "Management
	15	Committee" which is supervised by the Agency.
Amendment of the First Schedule	16	22. First Schedule Section (2)(4). This subsection of this First
	17	Schedule is amended by deleting the figure If Six" and substitute it with the
	18	figure "Seven".
Amendment of the second Schedule	19	23. Second Schedule Section (11)(3) of the principal Act is amended
	20	by the deleting same and substituting it with have a "Management Committee"
	21	whose members shall be appointed by the "Executive Vice Chairman" with the
	22	approval of the Governing Board of the Agency".
Section 2(k)- Functions of the Institutions is amended	23	24. Functions of the Institutions Section (2)(k) of the principal Act is
	24	further amended by deleting the words "Board of Directors" and substituting it
	25	with the words "Management Committee".
Amendment of Section 3(i)(a)- Powers of the Institutions	26	25. Powers of The Institutions Section (3)(i)(a) of this Act is amended
	27	by deleting the words "Board of Directors" and substituting them with the
	28	words "Management Committee".
Amendment of Section 3(i)(d)- Powers of the Institutions	29	26. Section (3)(i) (d) is also amended by introducing the phrase "with
	30	the approval of the Agency" after the word "economy".

- 1 27. Section (3)(i)(d)(i) is amended by deleting the words
2 "Agriculture and Agricultural" wherever they occurred in this subsection of
3 this Section and substituting them with the words "development projects".
4 28. Section (4) (2) of this Act is amended by deleting the words
5 "Board of Directors" and replacing them with the words "Management
6 Committee".
7 29. Section (5) (I)-Staff of the Institution is amended by deleting
8 this subsection and substituting it with ((There shall be for each institution a
9 Managing Director to be appointed "within the Agency" by the governing
10 Board of the Agency.
11 30. Section (5) (2) is amended as follows by deleting the words If
12 Board of Directors" and substituting them with the words If Management
13 Committee",
14 31. Section (5) (3') is a new subsection and shall read thus If The
15 tenure of the Managing Director of the Institution shall be four (4) years and
16 may be renewed for another period of 4 years",
17 32. Section (6)(b) (i)-Discipline of Staff is amended by deleting the
18 words "or Director".
19 33. Section (6)(b)(ii) of the principal Act is amended by deleting
20 the words If Board of Directors of the Institution" and substituted by the
21 words If Senior Staff Committee of the
22 Agency",
23 34. Section (6)(b)(iii) is amended by deleting the words If Board of
24 Directors" and substituted with the words If Senior Staff Committee of the
25 Agency",
26 35. Section (6)(c) of the principal Act is amended by deleting this
27 subsection and substituting it with the followings "In the case of the
28 Managing Directors, Directors and Deputy Directors",
29 36. Section (6)(c) (i) of this Act is amended by deleting the words
30 "Board of Directors" wherever they occurred in this subsection and

Amendment of
Section 3(i)(d)(i)-
Powers of the
Institutions

Amendment of
Section 4(2)

Amendment of
Section 5(1)-
Staff of the
Institutions

Amendment of
Section 5(2)-
Staff of the
Institutions

Amendment of
Section 5(3)-
Staff of the
Institutions

Amendment of
Section 6(6)(i)-
Discipline of
Staff of the
Institutions

Amendment of
Section 6(b)(ii)-
Discipline of
Staff of the
Institutions

Amendment of
Section 6(b)(iii)-
Discipline of
Staff of the
Institutions

Amendment of
Section 6(c)-
Discipline of
Staff of the
Institutions

1 substituting them with the words "Senior Staff Committee".

Amendment of
the Section to
do with - Annual
Report

2 37. The Annual Report as required under this Act is amended by

3 deleting the previous provision and substituting it with the following words-

4 under the sub-title-Quarterly Report-The Managing Director of each Institute

5 shall submit to the Agency a "quarterly" report on the activities of the

6 Institution.

Citation

7 38. This Bill may be cited as the National Agency for Science and

8 Engineering Infrastructure Act, (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Agency for Science and Engineering Infrastructure Act, to fast track the development of Science and Engineering Infrastructure in Nigeria for significant Progress in the field of Science and Engineering.