

ARTIFICIAL INTELLIGENCE AND ROBOTICS RESEARCH REGULATORY
AGENCY (ESTABLISHMENT, ETC.) BILL, 2021

ARRANGEMENT OF SECTIONS

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A BILL

FOR

AN ACT TO ESTABLISH THE ARTIFICIAL INTELLIGENCE AND ROBOTICS
RESEARCH REGULATORY AGENCY AND FOR RELATED MATTERS

Sponsored by Hon. Uryime Idem

[] Commencement

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

1 1.-(1) There is established an Agency to be known as the Artificial
2 Intelligence and Robotics Research Regulatory Agency (in this Bill referred
3 to as "the Agency")

Establishment
of Artificial
Intelligence and
Robotics Research
Regulatory Agency

4 (2) The Agency-

5 (a) Shall be a corporate body with perpetual succession and a
6 common seal;

7 (b) May sue and be sued in its corporate name; and

8 (c) May acquire, hold or dispose of any movable or immovable
9 property for the purpose of its functions under this Bill.

10 (3) The headquarters of the Agency shall be located in the Federal
11 Capital Territory, Abuja.

12 2.-(1) There shall be established for the Agency a Governing
13 Council (hereinafter referred to as "the Council") which shall be responsible
14 for running the affairs of the Agency.

Establishment
of the Governing
Council

15 (2) The Governing Council shall consist of-

16 (a) A part-time Chairman;

17 (b) the Secretary to the Government of the Federation;

18 (c) Representative of the Minister of Science and Technology;

19 (d) Representative of the Minister of Finance;

20 (e) the Governor of the Central Bank of Nigeria;

21 (f) one person each from the six geopolitical zones of Nigeria who

Composition of
the Governing
Council

1 shall each have cognate experience and expertise in law, business
2 administration, engineering, economics or public administration and two of
3 whom shall be women; and

4 (g) the Director-General of the Agency.

5 (3) The Chairman and members of the Council other than ex-officio
6 member shall be:

7 (a) appointed by the President subject to confirmation by the Senate;

8 (b) persons of proven integrity, and ability; and

9 (c) part-time members.

10 (4) The Chairman and members of the Agency, other than ex-officio
11 members, shall be appointed by the President subject to confirmation by the
12 Senate.

13 (5) The supplementary provisions set out in the Schedule to this Bill
14 shall have effect with respect to the proceedings of the Council and the other
15 matters mentioned therein.

Tenure of Office

16 3. The Chairman and other members of the Agency, other than ex-
17 officio members shall each hold office-

18 (a) for a term of 4 years in the first instance and may be re-appointed
19 for a further term of 4 years; and

20 (b) on such terms and conditions as may be specified in his letter of
21 appointment.

**Cessation of
Membership**

22 4. Notwithstanding the provisions of Section 2 of this Bill, a member
23 of the Council shall cease to hold office as a member of the Board if-

24 (a) he resigns his appointment as a member of the Board by notice,
25 under his hand, addressed to the President;

26 (b) he becomes of unsound mind;

27 (c) he becomes bankrupt or makes a compromise with his creditors;

28 (d) he is convicted of a felony or of any offence involving dishonesty
29 or corruption,

30 (e) he becomes incapable of carrying out the functions of his office

1 either arising from an infirmity of mind or body; or

2 (f) the President is satisfied that it is not in the interest of the
3 Agency or in the interest of the public for the person to continue in office and
4 the President removes him from office.

5 (2) Where a vacancy occurs in the membership of the Board, it
6 shall be filled by the appointment of a successor to hold office for the
7 remainder of the term of office of his predecessor, so however that the
8 successor shall represent the same interest as his predecessor.

9 5. A member of the Board who is directly or indirectly interested in
10 a transaction with the Agency or a transaction which the Agency is required
11 by this Bill to approve, shall disclose the interest at a meeting of the Council.

Disclosure of
interest

12 6. The Chairman and members of the Agency other than ex-officio
13 members shall be paid such emoluments, allowances and benefits as may be
14 recommended by the Revenue Mobilization Allocation and Fiscal Agency.

Emoluments etc.,
of Members

15 7. The Agency shall have Powers to:

Powers of the
Agency

16 (a) provide the general policy guidelines relating to the functions
17 of the Agency;

18 (b) manage and superintend the policies of the Agency;

19 (c) subject to the provisions of this Bill, make, alter and revoke
20 rules and regulations for carrying on the functions of the Agency;

21 (d) determine the terms and conditions of service of the employees
22 of the Agency;

23 (e) fix the remuneration, allowances and benefits of the staff and
24 employees of the Agency in consultation with the National Salaries, Income
25 and Wages Agency; and

26 (f) do such other things which in its opinion are necessary to ensure
27 the efficient performance of the functions of the Agency under this Bill.

28 8. The Objectives of the Agency shall be:

Objectives of the
Agency

29 (a) To facilitate artificial intelligence development for economic
30 benefits in the Country;

1 (b) creation of policy and legal framework to accelerate deployment
2 of all technologies and guarantee National security, citizens' safety and job
3 security;

4 (c) make recommendations for specific government, industry and
5 research programs;

6 (d) Shall take institutional reform processes needed to work with the
7 organizational constraints of Artificial Intelligence and Robotics Research;

8 (e) To ensure that such fund and resources as generated are used for
9 the purpose with which it was intended and not wasted by inadvertent
10 administrative errors or mistakes;

11 (f) Complementary long-term, flexible and "hand-on" aid modalities
12 and instruments have been required to address institutional blockages;

13 (g) ensure efficient execution of any agreement or memorandum of
14 understanding entered into between agencies, government and international
15 partners;

16 (h) ensure compliance with the provisions of this Bill; and

17 (i) perform such other duties as may be directed by the President, from
18 time to time, and as are necessary or expedient to ensure the efficient
19 performance of the functions of the Agency under this Bill.

Areas of focus
for the Agency

20 9. The areas of focus for the Agency shall be:

21 (a) Manufacturing, Fintech and Healthcare;

22 (b) Agriculture, food processing and Education;

23 (c) Retail/Customer Engagement, Human and Robot
24 interaction/intelligent automation, Aid for differently Abled and Accessibility
25 Technology;

26 (d) Environment, National Security, Enablers for AI Technology
27 development, Enablers for AI entrepreneurship, Enablers for AI product
28 commercialization.

Director-General
of the Agency

29 10.-(1) There shall be for the Agency, a Director-General who shall-

1 (a) be appointed by the President subject to confirmation by the
2 Senate;

3 (b) be the chief executive and accounting officer of the Agency.

4 (c) be responsible for the execution of the policy and day-to-day
5 administration of the Agency, and

6 (d) be a member and the secretary to the Agency.

7 (2) The Director-General shall hold office-

8 (a) for a term of 4 years in the first instance and may be reappointed
9 for a further term of 4 years; and

10 (b) on such terms and conditions as may be specified in his letter of
11 appointment.

12 (3) Notwithstanding the provisions of Subsection (2) of this
13 section, the Director-General may-

14 (a) resign his appointment by a notice in writing under his hand,
15 addressed to the President through the Council; or

16 (b) be removed by the President for inability to discharge the
17 functions of his office (whether arising from infirmity of mind or body or
18 any other cause) or for misconduct or corruption.

19 11. The Agency may, subject to the approval of the Board, appoint
20 such other staff as it may deem necessary and expedient, from time to time:-
21 Other staff of the Agency (a) for the proper and efficient performance of the
22 functions of the Agency; and (b) on such terms and conditions as may be
23 determined; from time to time; by the Council.

Other Staff of
the Agency

24 12.-(1) The Agency shall be approved for the purpose of the
25 Pensions Act, and accordingly, officers and employees of the Agency shall
26 be entitled to pensions, gratuities and other retirement benefits as are
27 prescribed under the Pensions Act.

Pension for the
Staff

28 (2) Without prejudice to the provisions of subsection (1) of this
29 section, nothing in this Act shall prevent the appointment of a person to any
30 office on terms and conditions, which preclude the grant of pension, gratuity

1 or other retirement benefits in respect of that office.

2 (3) For the purposes of the application of the provisions of the
3 Pensions Act, any power exercisable by a Minister or other authority of the
4 Federal Government, other than the power to make regulations, under Section
5 23 thereof, is hereby vested in and shall be exercisable by the Council and not
6 by any other person or authority.

Funds for the
Agency

7 13. The Agency shall establish and maintain a fund to which shall be
8 paid-

9 (a) grants from the Federal Government;

10 (b) gifts, loans, grant-in-aid from national, bilateral and multilateral
11 organizations and agencies.

12 (d) rents, fees and other internally generated revenues from the
13 services provided by the Agency; and

14 (e) all other sums accruing to the Agency, from time to time.

Expenditure of
the Agency

15 14. The Agency may, from time to time, apply the proceeds of the
16 Fund Agency, established under Section 12 of this Act-

17 (a) to the cost of administration of the Agency;

18 (b) to the payment of the emoluments, allowances and benefits of
19 members of the Council and for reimbursing members of the Board or of any
20 committee set up by the Board and for such expenses as may be expressly
21 authorized by the Council;

22 (c) to the payment of the salaries, fees or other remuneration or
23 allowances, gratuities and pensions, and other benefits payable to the staff and
24 other employees of the Agency, so however that no payment of any kind under
25 this paragraph (except such as may be expressly authorized by the Council)
26 shall be made to any person who is in receipt of emolument from the
27 Government of the Federation or of a State;

28 (d) for the development and maintenance of any property vested in or
29 owned by the Agency;

30 (e) for maintaining general financial reserves subject to general or

1 specific directives that may be given in that behalf by the President in
2 accordance with the provisions of this Act; and

3 (f) for and in connection with all or any of its functions under this
4 Act.

5 15.-(1) The Agency shall, not later than 30th September in each Annual Estimate
6 year, submit to the President an estimate of its expenditure and income and Accounts
7 (including payments to the Agency Fund) for the next succeeding year.

8 (2) The Agency shall keep proper accounts in respect of each year
9 and proper records in relation to those accounts and shall cause its accounts
10 to be audited within six months after the end of each year by auditors
11 appointed from the lists and in accordance with the guidelines supplied by
12 the Auditor General of the Federation.

13 16.-(1) The Agency shall prepare and submit to the President not Annual Report
14 later than 30th June in each year a report in such form as the President may
15 direct on the activities of the Agency during the immediate preceding year,
16 and shall include in the report a copy of the audited accounts of the Agency
17 for that year and of the Auditor's report thereon.

18 The Auditor General of the Federation shall lay a copy of the report and the
19 Auditor's report thereon before the National Assembly so soon after the
20 receipt thereof.

21 17.-(1) The Agency may accept gift of land, money or other Power to accept
22 property on such terms and conditions, deemed lawful, giftsPower to accept gifts.

23 (2) The Agency shall not accept any gift if the conditions attached
24 by the person or organization making the gift are inconsistent with the
25 functions of the Agency under this Act.

26 18. Subject to the provisions of this Act, the provisions of the Limitation of
27 Public Officers Protection Act shall apply in relation to any suit instituted suits against the
28 against any member or officer or employee of the Agency. Agency etc.
Cap 379 LFN,
1990

29 A notice, summons or other document required or authorized to be served on
30 the Agency under the provisions of this Act or any other law or enactment

1 may be served by delivering it to the Director-General or by sending it by
2 registered post addressed to the Director-General at the principal office of the
3 Agency.

4 (1) In any action or suit against the Agency, no execution or
5 attachment of processes in the nature thereof shall be issued against the Agency
6 unless not less than three months' notice of the intention to execute or attach has
7 been given to the Agency.

8 (2) Any sum of money which by the judgment of any court has been
9 awarded against the Agency shall, subject to any direction given by the court,
10 where no notice of appeal against the judgment has been given, be paid from
11 the Fund of the Agency.

12 (3) A member of the Council, the Director-General or any officer or
13 employee of the Agency shall be indemnified out of the assets of the Agency
14 against any liability incurred by him in defending any proceeding, whether
15 civil or criminal, if the proceeding is brought against him in his capacity as a
16 member, Director-General, officer or other employee of the Agency.

Directives by
the President

17 19. The President may give to the Agency such directives of a general
18 nature or relating Directives by the generally to matters of policy with regards
19 to the exercise of it or his functions under this Act as he (President) may
20 consider necessary and it shall be the duty of the Agency to comply with the
21 directives or cause them to be complied with.

Powers to make
Regulations

22 20.-(1) The Agency may, with the approval of the President, make
23 such regulations as in its opinion are necessary or expedient for giving full
24 effect to the provisions of this Act and for the due administration of its
25 provisions.

26 (2) Without prejudice to the generality of subsection (1) of this
27 section, the Council may issue guidelines to give full effect to the provisions of
28 this Act.

Secrecy

29 21.-(1) A member of the Council, the Director-General or any other
30 officer or employee shall-

1 (a) not, for his personal gain, make use of any information which
2 has come to his knowledge in the exercise of his powers or is obtained by
3 him in the ordinary course of his duty as a member of the Councilor as the
4 Director-General, officer or employee of the Agency;

5 (b) treat as-confidential any information which has come to his
6 knowledge in the exercise of his powers or is obtained by him in the
7 performance of his duties under this Act;

8 (c) not disclose any information referred to under paragraph (b) of
9 this subsection, except as required by law.

10 (2) Any person who contravenes the provisions of subsection (1) of
11 this section commits an offence and shall on conviction be liable to a fine of
12 not less than N50,000 or imprisonment for a term not exceeding 2 years or to
13 both such fine and imprisonment.

14 22. In this Act- Interpretation

Interpretation

15 "Board" means the Governing Board of the Agency established under
16 Section 2 of this Act;

17 "Chairman" means the Chairman of the Governing Council of the Agency
18 appointed under Section 2 of this Act;

19 "Agency" means the Robotic Research Regulatory Agency established
20 under Section 1 of this Act;

21 "Director-General" means the Director-General of the Agency appointed
22 under Section 10 of this Act

23 "Member" means a member of the Governing Council of the Agency and
24 includes the Chairman;

25 "President" means the President of the Federal Republic of Nigeria;

26 Ex-officio" means the Attorney-General of the Federation, Minister of
27 Finance, Secretary to the Government of the Federation and Governor of
28 Central Bank of Nigeria.

29 23. This Bill may be cited as the Artificial Intelligence and Short title
30 Robotics Research Regulatory Agency (Establishment, etc.) Bill, 2021.

1 SCHEDULE

2 PROCEEDINGS

3 PROCEEDINGS OF THE BOARD SUPPLEMENTARY PROVISIONS

4 RELATING TO THE AGENCY

5 1. Subject to this Act and Section 27 of the Interpretation Act, the
6 Board shall have power to regulate its proceedings and may make standing
7 orders with respect to the holding of its meetings, and those of the its
8 committees, notices to be given, the keeping of minutes of its proceedings, the
9 custody and production for inspection of such minutes and such other matters
10 as the Agency may, from time to time, determine.

11 2.-(i) There shall be at least four ordinary meetings of the Board in
12 every calendar year and subject thereto, the Council shall meet whenever it is
13 covered by the Chairman, and if the Chairman is requested to do so by notice
14 given to him by not less than 3 other members, he shall convene a meeting of
15 the Board to be held within 14 days from the date on which the notice was
16 given;

17 (ii) Every meeting of the Board shall be presided over by the
18 Chairman and if the Chairman is unable to attend a particular meeting, the
19 members present at the meeting shall elect one of their number to preside at the
20 meeting.

21 3. The quorum of any meeting of the Council shall consist of the
22 Chairman (or in an appropriate case, the person presiding at the meeting
23 pursuant to paragraph 2 of this Schedule) and four other members.

24 4. The Council shall meet for the conduct of its business at such places
25 and on such days as the Chairman may appoint.

26 5. A question put before the Council at a meeting shall be decided by
27 consensus and where this is not possible, by a majority of the votes of the
28 members present and voting

29 6. The Chairman shall, in the case of an equality of votes, have a
30 casting vote in addition to his deliberative vote.

1 7. Where the Council seeks the advice of any person on a particular
2 matter, the Council may invite that person to attend for such periods as it
3 thinks fit, but a person who is invited by virtue of this paragraph shall not be
4 entitled to vote at any meeting of the Council and shall not count towards the
5 quorum.

6 8. The Council may appoint one or more committees to carry out on
7 behalf of the Council such of its functions as the Board may determine and
8 report on any matter with which the Council is concerned.

9 9. A committee appointed under paragraph 8 of this Schedule shall
10 be presided over by a member of the Council and consist of such number of
11 persons (not necessarily all members of the Council) as may be determined
12 by the Board, and a person other than a member of the Council shall hold
13 office on the committee in accordance with the terms of his appointment.

14 10. A decision of a committee of the Board shall be of no effect
15 until it is confirmed by the Council.

16 11. The fixing of the seal of the Agency shall be authenticated by
17 the signature of the Chairman and the Director-General or the Director-
18 General and such other person authorized by the Council to act for that
19 purpose.

20 12. The validity of any proceedings of the Board or its committees
21 shall not be affected by-

22 (a) any vacancy in the membership of the Board or its committee;

23 (b) reason that a person not entitled to do so took part in the
24 proceeding; or

25 (c) any defect in the appointment of a member.

26 15. Any member of the Board or committee thereof who has a
27 personal interest in any contract or arrangement entered into or proposed to
28 be considered by the Council or any committee thereof - a) shall forthwith
29 disclose his interest to the Council or Committee; and b) shall not vote on
30 any question relating to the contract or arrangement

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Artificial Intelligence and Robotics Research Regulatory Agency for coordinated regulation of Artificial Intelligence and Robotics Research for the purpose of strengthening their capacity to promote economic investment development, information technology, social engagement and development in the country.