

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL INSTITUTE OF INDUSTRIAL RESEARCH FOR THE DEVELOPMENT OF MICRO, SMALL, MEDIUM AND LARGE INDUSTRIES, AIMED AT RAPID INDUSTRIALIZATION AND SOCIO-ECONOMIC DEVELOPMENT OF NIGERIA; AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Uzoma Nkem Abonta

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

1 PART I - ESTABLISHMENT OF THE FEDERAL INSTITUTE OF INDUSTRIAL
2 RESEARCH AND THE GOVERNING BOARD

3 1.-(1) There is established the Federal Institute of Industrial
4 Research (in this Act referred to as "the Institute").

Establishment of the Federal Institute of Industrial Research

5 (2) The Institute-

6 (a) shall be a corporate body with perpetual succession and a
7 common seal;

8 (b) may sue or be sued in its corporate name; and

9 (c) may for the purposes of performance of its functions under this
10 Act, acquire, hold movable or immovable property and enter into contract or
11 any other transaction for the purposes of carrying out any of its functions.

12 Establishment of the Federal Institute of Industrial Research

13 2. The functions of the Institute shall be to-

Functions of the Institute

14 (a) conduct industrial research up to pilot plants for the
15 development of the micro, small, medium and large scale industries in
16 Nigeria; conduct research and development into Foods and Agro-Allied
17 processing technology;

- 1 (b) conduct research and development into Pulp and Paper
2 technology;
- 3 (c) conduct research and development into product design and
4 packaging;
- 5 (d) conduct research and development in design and fabrication of
6 processing equipment;
- 7 (e) render consultancy services to evaluate the technical and
8 economic viability of technology based enterprises;
- 9 (f) provide technical assistance services for the growth of indigenous
10 services and
- 11 (g) assist in accelerating the industrialization of the Nigeria economy
12 through research programmes and technology development;
- 13 (h) promote the establishment and growth of intermediate product
14 industries;
- 15 (i) identify indigenous technologies in the areas of foods, non-foods
16 processing and develop them into modern technology;
- 17 (j) assists in the transfer, adaptation and utilization of technologies by
18 industries through organized technology transfer and techno-entrepreneurship
19 development programmes and other means that will ensure the end results of
20 research carried out get to the relevant end users for rapid industrialization and
21 socio-economic growth of Nigeria;
- 22 (k) carry out appropriate research to ensure compliance with
23 standards and specifications designated by the Institute and approved by other
24 regulatory authorities in Nigeria for effective control of quality of foods and
25 other Industrial products;
- 26 (l) establish and equip research and development laboratories with
27 relevant standard facilities the institute;
- 28 (m) conduct, review and supervise research and development
29 program and projects in local foods and agro-allied processing; pulp and paper
30 processing; product design and packaging technologies; design and fabrication

1 of prototype processing equipment;

2 (n) liaise with relevant establishments within and outside Nigeria
3 in pursuance of the functions of the Institute;

4 (o) establish and operate world class laboratories and workshops as
5 centres of excellence for cutting edge research in all aspects industrial
6 research;

7 (p) establish demonstration factories, Spin-off companies and
8 industrial parks to ensure rapid commercialization of its research and
9 development output as well as providing necessary avenues for training and
10 re-training of skilled labour and manpower, including students of tertiary
11 institutions on Industrial Attachment;

12 (q) encourage and promote the commercialization of research and
13 development innovation results through patents in conjunction with
14 National Office for Technology Acquisition and Promotion (NOTAP);

15 (r) establish and operate Zonal, State and Regional Offices for
16 effective delivery and deployment of its services in Nigeria, Africa and other
17 continents of the world;

18 (s) provide technical consultancy services and industrial
19 troubleshooting to industries for revenue generation and for quality control;

20 (t) conduct techno-economic evaluation study on its developed
21 technologies with a view to provide justifications for investments and attract
22 entrepreneurs to invest in such technologies;

23 (u) collaborate with relevant bodies especially tertiary institutions
24 to develop curricula or modules for appropriate technology transfer and
25 techno-entrepreneurship training programmes with a view of diploma
26 awards;

27 (v) achieve a high research and development output and revenue;

28 (w) make the desired impact on national economic and social
29 development;

30 (x) a member of any relevant International Scientific bodies;

1 (y) publish research results of its activities and collaborate with
2 educational institutions and other relevant government institutes,
3 organizations, agencies, councils and industries in research and development ;
4 and

5 (z) carry out such other activities as are necessary or expedient for the
6 performance of its functions under this Act.

Establishment
of the Governing
Board of the
Institute

7 3. There is established for the Institute a Governing Board
8 (hereinafter in this Act referred to as "the Board"), which shall formulate policy
9 for the Institute.

Composition
of the Governing
Board of the
Institute

10 4.-(1) The Institute shall consist of-

11 (a) a Chairman, appointed by the President with requisite knowledge
12 and experience in matters relating to global industrial research and
13 development;

14 (b) the Minister charged with the responsibility of Science and
15 Technology or his representative;

16 (c) a representative of the Manufacturers Association of Nigeria
17 (MAN);

18 (d) a representative of the Nigerian Association of Small Scale
19 Industrialists (NASSI);

20 (e) a representative of the Nigerian Association of Small and Medium
21 Enterprises (NASME);

22 (f) the Minister charged with the responsibility of Trade and
23 Investment or his representative;

24 (g) a representative of the Nigerian Society of Engineers (NSE);

25 (h) a representative of the Academy of Science;

26 (i) a representative of Nigerian Institute of Foods, Science and
27 Technology (NIFST);

28 (j) a representative of the Nutrition Society of Nigeria (NSN);

29 (k) the Minister charged with the responsibility of Agriculture &
30 Rural Development or his representative;

1 (l) a person appointed by the President on the recommendation of
2 the Minister to represent the civil society organizations; and

3 (m) the Director-General of the Institute, who shall be the Board's
4 Secretary.

5 (2) The supplementary provision set out in the First Schedule to
6 this Bill shall have effect with regard to the proceedings of the Board and
7 other matters contained in the Schedule.

8 5.-(1) The Chairman of the Board shall hold office for a term of
9 four years and may be eligible for re- appointment for another term of four
10 years and no more.

Tenure of the
members of the
governing board
of the Institute

11 (2) A member of the Board, who is not an ex-officio member, shall
12 hold office for a term of four years and may be eligible for re-appointment
13 for another term of four years and no more.

14 6. The Chairman and other members of the Board shall be paid
15 such allowances and expenses in accordance with such rates as may be
16 approved by the Federal Government of Nigeria, from time to time.

Remuneration of
members of the
governing board
of the Institute

17 7.-(1) Where it appears that the Chairman or any member of the
18 Board, other than an ex-officio member, should be removed from office on
19 the grounds of misconduct or inability to perform the functions of his office,
20 the Board shall make a recommendation through the Minister to the
21 President for approval.

Removal of the
Chairman or any
member of the
Board of the
Institute

22 (2) Where the President, after making such inquiries as he
23 considers necessary, approves the recommendation made through the
24 Minister by the Board, the Secretary to the Government of the Federation
25 shall, in writing declare the position of such member vacant.

26 (3) Notwithstanding the provision of subsection (1) of this section,
27 the President may remove any member of the governing board, where he is
28 satisfied that it is in the interest of the Institute and the public to do so.

29 8. A member of the Governing Board other than an ex-officio
30 member may, at any time by a notice in writing addressed to the President

Resignation by
member of the
Board

1 through the Minister, resign from being a member of the Governing Board of
2 the Institute.

Cessation of
members of the
Board from
office

3 9. Notwithstanding the provisions of section 4 of this Act, a member
4 of the Board ceases to hold office as a member, where-

5 (a) he resigns his appointment as a member of the Board by notice
6 under his hand addressed to the President of the Federal Republic of Nigeria;

7 (b) he becomes of unsound mind;

8 (c) he becomes bankrupt;

9 (d) he is convicted of a felony or any other offence involving
10 dishonesty or corruption;

11 (e) he becomes incapable of performing on the functions of his office
12 either arising from an infirmity of mind or body;

13 (f) the President of the Federal Republic of Nigeria is satisfied that it
14 is not in the interest of the Institute or in the interest of the public for the person
15 to continue in office;

16 (g) he has been found guilty under the Code of Conduct or serious
17 misconduct in relation to his duties; or

18 (h) in the case of a person who becomes a member by virtue of the
19 office he occupies cease to hold such office.

Filling of
vacancies

20 10. In the event of death or resignation by a member of the Governing
21 Board or where the office of a member of the board becomes vacant under
22 section (3), a replacement shall be by appointment by the President of the
23 Federal Republic of Nigeria.

24 PART II - POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE

Powers of the
Board

25 11. The Board shall have powers to-

26 (a) formulate policies and ratify short and long-term plan of the
27 Institute;

28 (b) ratify the annual budget and estimates of the Institute in line with
29 approval granted by National Assembly in the appropriation Act;

30 (c) approve research and academic programmes of the Institute;

- 1 (d) approve investment plan of the Institute;
- 2 (e) consider and approve the capital development plans of the
3 Institute;
- 4 (f) receive and consider proposals, recommendations and
5 suggestions of the Director-General or any Committee of the Governing
6 Board on matters relating to the functions of the Institute under this Act;
- 7 (g) constitute any committee that may be necessary to discharge
8 any of the function assigned to it under this Act;
- 9 (h) attract funds by way of donations and contributions to the
10 Institute and put in place mechanisms for collection and utilization of such
11 funds;
- 12 (i) invest surplus funds of the Institute in profit-yielding ventures;
13 and
- 14 (j) carry out or exercise any other powers that may be necessary for
15 the attainment of the objects of this Act.

16 12.-(1) The Institute shall have-

- 17 (a) its headquarters in Lagos;
- 18 (b) liaison office or Directorate in Abuja; and
- 19 (c) zonal office in each of the six geo-political zones of Nigeria
20 which include-

- 21 (i) North-West;
- 22 (ii) North-East;
- 23 (iii) North-Central;
- 24 (iv) South-East;
- 25 (v) South-West; and
- 26 (vi) South-South.

27 (2) The Institute shall operate a departmental structure with
28 directorate or any other structure as may be considered necessary for the
29 performance of its functions and delivery of its services under this Act.

30 (3) The head of Research Directorate shall be designated as head of

The structure of
the Institute

1 Department and headed by a Director.

2 (4) The head of Research Department shall hold office for 3 years at
3 the first instance and renewable for another 3 years and no more.

4 (5) Notwithstanding the provision of subsection (3) of his section, in
5 the absence of a Director or head of Research Directorate, the most senior
6 research officers may be appointed in acting capacity on the recommendation
7 of the Director-General of the Institute to the Board.

8 (6) A department shall have not more than five divisions, with each
9 division headed by Deputy Director and Division may consist of Sections,
10 headed by Chief Research or Scientific Officer and Section may also be
11 composed of Units for effectiveness.

12 (7) Zonal Offices shall be headed by a Zonal Coordinator.

13 PART IV - APPOINTMENT OF THE DIRECTOR-GENERAL AND OTHER

14 STAFF OF THE INSTITUTE

Appointment of
the Director-
General of the
Institute

15 13.-(1) There shall be appointed for the Institute a Director-General,
16 who shall be the Chief Executive Officer and Accounting Officer of the
17 Institute.

18 (2) The Director-General shall be-

19 (a) appointed by the President on the recommendation of the
20 Minister;

21 (b) responsible to the Board for the management of the affairs of the
22 Institute;

23 (c) responsible for the execution of the policy and the day-to-day
24 administration of the affairs of the Institute;

25 (d) entitled to earn a remuneration and allowances as may be specified
26 in his letter of appointment;

27 (e) a person with cognate experience and skills of not less than 15
28 years post-doctoral qualification and/ or 25 years post qualification as a
29 professional in all fields of sciences and engineering that relate to the operation
30 of the Institute or other criteria as may be stipulated;

1 (f) hold office for a term of four years at the first instance and
 2 eligible for re-appointment for another term of four years on such terms and
 3 conditions as may be specified in his letter of appointment and no more; and

4 (g) shall be the Secretary to the Institute and the Governing Board,
 5 but not a member of the Board.

6 **14.** The Director-General shall-

7 (a) prepare the minutes of meetings of the Governing Board and
 8 any of its committees;

9 (b) keep and secure all records of the Governing Board;

10 (c) issue notice of meetings of the Governing Board as may be
 11 directed by the Chairman;

12 (d) be responsible for the implementation of the resolutions of the
 13 Governing Board;

14 (e) coordinates the preparation of income and expenditure
 15 estimates and development plans for the Governing Board consideration;

16 (f) have custody of the seal of the Institute;

17 (g) perform such other functions as may be assigned by the Board
 18 from time to time; and

19 (h) perform such other functions as may be assigned by the Board.

20 **15.-(1)** The Principal Officers of the Institute shall include-

21 (a) Directors;

22 (b) Head of Departments;

23 (c) Zonal Coordinators;

24 (d) Head of Servicom Office;

25 (e) Chief Internal Auditor;

26 (f) Head of Pension Office;

27 (g) Head of Legal; and

28 (h) Head of Procurement.

29 (2) The Directors, Heads of Departments or Zonal Coordinators

The duties of the
 Director-General
 of the Institute

Principal officers
 of the Institute

1 shall assist the Director-General in the day-to-day management of the Institute.

2 (3) Directors or Zonal Coordinator shall-

3 (a) head each of the Directorate of the Institute;

4 (b) implement the policies of the Institute as they apply to the
5 directorate;

6 (c) prepare draft expenditure estimate and development plans of his
7 directorate;

8 (d) serve on Scientific or Technical Advisory Committee of the
9 Institute and;

10 (e) perform such other functions as may be determined by the
11 Director-General.

Other staff of
the Institute

12 16. The Board may from time to time, appoint or employ such other
13 persons as members of staff of the Institute on the recommendation of the
14 Director-General as may be necessary, subject to the Extant Rules and
15 Conditions of Service of the Institute.

Remuneration
of employees
of the Institute

16 17. Salaries and benefits of the staff of the Institute shall be in
17 accordance with the conditions and scheme of service in Research Institutes in
18 Nigeria or as may be approved by the Board of the Institute.

Staff regulations

19 18.-(1) The Board may make staff Regulations or adopt staff
20 Conditions of Service that is independent of the Civil Service of the Federation
21 that may provide for:

22 (a) the remuneration and tenure of office of members of staff of the
23 Institute;

24 (b) appointment, promotion, fringe benefits and incentive, for
25 members of staff of the Institute; and

26 (c) appeal procedure for members of staff of the Institute against
27 dismissal or other disciplinary measures.

28 (2) The Board shall have power to amend Regulations made under
29 this Act, provided that the proposal for is passed by two-thirds majority of the
30 Board members.

1 (3) All Regulations made by the Board subject to the provisions of
2 this Act, may be published in the Official Gazette of the Federal Government
3 of Nigeria.

4 19.-(1) The Principal Officers of the Institute may be removed
5 from office by the Board with the approval of the Minister.

Removal and
discipline of
staff in the
Institute

6 (2) Any other senior member of staff of the Institute may be
7 removed from office by the Director-General with the approval of the
8 Board.

9 (3) The removal from office of any junior staff shall be with the
10 approval of the Director-General.

11 20.-(1) Service in the employment of the Institute shall be as
12 approved service under the Pensions Reform Act, accordingly, employees
13 of the Institute shall, in respect of their services be entitled to pension and
14 other retirement benefits as are prescribed in the Act.

Application of
the Pensions
Reform Act

15 (2) Notwithstanding the provisions of subsection (1) of this
16 Section, nothing in this Act, shall prevent the appointment of a person to any
17 office on terms, which preclude the grant of a pension and gratuity in respect
18 of that office.

19 (3) For the purpose of the application of the Pensions Reform Act,
20 any power exercisable thereunder by the President or authority other than
21 the Federal Government (not being the power to make Regulations under
22 Section 34 of this Act), shall be vested in and exercisable by the Institute.

23 (4) Subject to subsection (2) of this Section, the Pensions Reform
24 Act, shall in its application of subsection (3) of this section, have effect as if,
25 the office were in the public service of the Federation within the meaning of
26 the Constitution of the Federal Republic of Nigeria, 1999 (as Amended).

27 PART III - STRUCTURE AND CONSTITUTION OF COMMITTEE OF

28 THE INSTITUTE

29 21.-(1) The Institute may establish Scientific/Technical Advisory
30 Committee (in this Act referred to as 'the Committee' in the areas of research

Constitution of
Scientific/Technical
Advisory Committee

1 to assist the Institute in various aspects of its responsibilities.

2 (2) The members of a Scientific or Technical Advisory Committee
3 shall be persons with requisite expertise and experience in the relevant areas of
4 interest to the Institute.

Establishment
of demonstration
factories, spin-off
companies and
industrial parks

5 **22.**-(1) The Institute may with the approval of the Chairman of the
6 Board or Minister, establish Demonstration Factories, Spin-off Companies and
7 Industrial Parks in any of the six-geo-political zones of Nigeria, based on the
8 availability of raw materials and other factors of production of relative
9 advantage in such zones.

10 (2) The Institute shall provide for-

11 (a) the location of the factories or companies or Industrial parks;

12 (b) the field in which the factories, companies and industrial parks are
13 to conduct its work and manpower training where applicable;

14 (c) the transfer to the centre by mutual agreement of any existing
15 Federal, State and Local Government facilities;

16 (d) the establishment and constitution of senior officers of the
17 Institute to manage the affairs of the factories, Companies and Industrial parks;

18 (e) the demonstration Factories, Spin-off Companies and Industrial
19 parks shall be fully equipped to carryout training and research and
20 development activities; and

21 (f) a suitable association and collaboration of the Demonstration
22 factories, Spin off companies and Industrial parks with universities, other
23 institutions of higher learning and commercial industries.

24 (3) The Institute may with the approval of relevant authorities
25 establish and operate FIIRO Consult, which shall be a semi-autonomous body
26 to commercialize inventions and innovations of the Institute.

27 PART V - FINANCIAL PROVISIONS

Establishment
of Fund for the
Institute

28 **23.**-(1) The Institute shall establish and maintain a fund which shall be
29 applied towards the promotion of the objectives specified in this Act.

30 (2) There shall be paid and credited to the fund established in

1 pursuance of subsection (1) of this section-

2 (a) such sums as may be provided by the Government of the
3 Federation or appropriated by the National Assembly for payment into the
4 Fund of the Institute;

5 (b) fees charged for services rendered by the Institute; including
6 royalties on Institute's technologies ceded to the Industries for national
7 development;

8 (c) all sums accruing to the Institute by way of gifts, testamentary
9 dispositions, endowments or contributions from philanthropic persons or
10 organizations;

11 (d) contributions from the organized private sector;

12 (e) foreign aids and assistance from bilateral and multilateral
13 Agencies; and

14 (f) proceeds from commercialization of research and development
15 products of the Institute.

16 (3) Notwithstanding the provision of Subsection (2) of the Section,
17 every application for registration into the Institute's Journal, shall attract a
18 fee, which shall be credited and maintained in a separate account of the
19 Institute, part of which shall be used for the publication of the Institute's
20 journal.

21 24. The Institute shall apply the funds established under this Act, Expenditure of
22 with the approval of the National Assembly- the Institute

23 (a) conduct research and development activities in the capital
24 project of the Institute;

25 (b) maintain the Head Office and establish zonal offices for the
26 Institute;

27 (c) pay allowances and expenses of members of the Board;

28 (d) sponsor local and international conferences, seminars,
29 workshops for members of staff of the Institute;

1 (e) provide scholarship and award for specialized training for
2 personnel;

3 (f) publicize and promote the activities of the Institute;

4 (g) support national and international scientific bodies and pay annual
5 dues and other contributions to scientific organizations, in which Nigeria is a
6 member; and

7 (h) undertake any other activity in connection with the object of this
8 Act;

9 (i) fund the establishment of spin-off companies and demonstration
10 factories.

Annual estimates,
accounts and
audit

11 **25.-(1)** The Institute shall not later than 30th September of each year,
12 submit to the Board and National Assembly for approval its estimates of
13 income and expenditure for the next financial year.

14 (2) The Institute shall-

15 (a) keep proper records of all accounts of its income and expenditure;
16 and

17 (b) prepare statement of account in respect of each financial year.

18 (3) The Institute shall, not later than 30th June of each financial year,
19 submit its accounts to auditors appointed from the list of qualified auditors in
20 accordance with guidelines laid down by the Auditor-General for the
21 Federation and the auditors fees and expenses shall be paid from the Funds of
22 the Institute and provide same to the National Assembly for oversight
23 purposes.

Annual report

24 **26.-(1)** The Institute shall not later than 30th June of each financial
25 year, submit to the Board, in respect of the preceding financial year, an annual
26 report on the activities of the Institute in such form as the Board may direct.

27 (2) The report referred to in subsection (1) of this section shall
28 include-

29 (a) information on the activities of the Institute for the year;

30 (b) a copy of the audited accounts of the Institute for that year together

1 with the Auditor-General's report on the accounts of the Institute; and

2 (c) such other information as the Board may request.

3 (3) The Director-General shall provide such information on the
4 affairs of the Institute as the Board may from time to time request.

5 27. All income derived by the Institute from the sources specified
6 in section 23 subsection (2) of this Act shall be exempted from income tax
7 and all contributions to the fund of the Institute shall be tax deductible.

Exemption from
income tax

8 28. Subject to the approval of the Board, the Institute may invest in
9 profitable productions of capital goods by joint venture, partnership, share-
10 holding or as sole proprietor or as the case may be, the net income generated
11 shall be paid into the fund of the Institute.

Capital production
income

12 29.-(1) The Institute may, with the consent or in accordance with
13 any general authority given by the Board, borrow by way of loan or
14 overdraft, any specified amount of money required by the Institute for its
15 obligations and functions under this Act in line with extant laws and
16 regulations.

Borrowing and
investment power
of the Institute

17 (2) The Institute may, subject to the provisions of this Act and the
18 conditions of any trust created in respect of any property, invest any of its
19 funds with the consent or general authority of the Board.

20 (3) The Institute may invest any of its surplus funds in such
21 securities as the Board may, from time to time, approve.

22 PART VI - MISCELLANEOUS

23 30.-(1) The Institute may accept any gift of land, money or other
24 property upon such terms and conditions, if any, as may be specified by the
25 person or organization making the gift.

Power to accept
gifts

26 (2) The Institute shall not accept any gift where the conditions
27 attached by the person or organization making the gift are inconsistent with
28 the functions and objectives of the Institute.

29 (3) A gift donated to the Institute or project of the Institute shall be
30 made directly to the Institute and shall be utilized only for the purpose.

The seal of the
Institute

1 **31.**-(1) The seal of the Institute shall be such as may be administered
2 by the Board, signed by the Chairman of the Board and the Director-General.

3 (2) Certificates issued by the Institute shall have the Institute's seal
4 affixed and signed by the Chairman of the Board and the Director-General of
5 the Institute.

6 (3) Any contract or instrument which, if made or executed by a person
7 not being a body corporate, would not be required to be under seal may be made
8 or executed on behalf of the Institute by any authorized person.

Power to make
regulations

9 **32.** The Board may make Regulations-

10 (a) to regulate the activities and programmes of the Institute, or any
11 matter connected with the Institute; or

12 (b) for the effective implementation of any of the provisions of this
13 Act.

Limitation of
suit against the
Institute

14 **33.**-(1) Subject to the provisions of this Act, the provisions of the
15 Public Officers Protection Act shall apply to any suit instituted against the
16 Institute, an officer of the Institute or employee of the Institute.

17 (2) No suit shall lie or be instituted in any court against the Institute, a
18 member of the Board or any principal officer or employee of the Institute for an
19 action carried out in pursuance to the execution of this Act or any enactment, or
20 of any public duty in respect of any alleged neglect or default in the execution
21 of this Act or duty or authority, unless it is commenced-

22 (a) within three months of such act, neglect or default complained
23 thereof; or

24 (b) in the case of a continuation of damage or injury, within six
25 months after the ceasing of the act, neglect or default.

26 (3) No suit shall be commenced against the Institute, a member of the
27 Board or any principal officer or employee of the Institute before the expiration
28 of a period of one month after written notice of the intention to commence the
29 suit has been served on the Institute by the intending plaintiff or his agent.

30 (4) The notice referred to in subsection (3) shall clearly state the-

- 1 (a) cause of action,
- 2 (b) particulars of the claim,
- 3 (c) the name and place of abode of the intending plaintiff; and
- 4 (d) the relief sought.

5 34.-(1) Any notice or other document required or authorised to be Service of notice
6 served on or given to any person for the purposes of this Act, may be served
7 or given by-

8 (a) delivering it to that person, or by leaving it at his usual or last
9 known place of residence or business or at the address specified by him in
10 any notice, application or other document made, given or tendered to the
11 Institute under this Act; or

12 (b) posting it by registered mail to him at that place of residence or
13 business or at that address.

14 (2) Where any of such notice or other document sent by registered
15 mail, unless the contrary is proved, it shall be deemed to have been delivered
16 to him when it would have been delivered in the ordinary course of posting a
17 mail unless the contrary is established and in proving the delivery, it shall be
18 sufficient to prove that there is return post office slip showing actual
19 delivery.

20 (3) Where for any purpose under this Act, a notice or document is
21 required to be served on a firm or company, the notice or document may be
22 served on the Secretary, Executive Officer, or other officer holding a similar
23 position in the organisation and the service unless otherwise directed by the
24 Institute, be deemed to be served on all persons who are members of the
25 organization.

26 (4) Any Service of Notice or process on the Institute shall be by
27 proven registered post or by personal service on any Principal Officer of the
28 Institute.

29 35. The Minister of the Institute may give to the Institute,
30 directives of a general character relating to the policies and functions of the

Power to give
directives by the
Minister

	1	Institute and shall comply with such directives without prejudice to the power
	2	of the Board and oversight of the National Assembly.
Exemption from tax accruing from investment	3	36.-(1) The Institute shall be exempted from the payment of income
	4	tax in any income accruing from investment made by the Institute.
	5	(2) The provision of any enactment relating to the taxation of
	6	companies or trust funds shall not apply to the Institute.
Joint Venture targets for technology acquisition	7	37. The Institute shall impose conditions and set targets for the
	8	formation of joint ventures or partnerships between multinational services,
	9	Research Institute, Institution or service companies in all sector of the
	10	economy and certified indigenous services companies for the purpose of
	11	technological training and acquisition.
Research targets and development of research products	12	38. The Institute shall make regulations with requirement and targets
	13	for the growth of Research and Development in the areas of foods, non-food
	14	and agro- allied Raw Materials but not limited thereof as may be reviewed by
	15	the Institute; in particular Nigerian industry.
Interpretation	16	39. In this Act, unless the context otherwise requires-
	17	"Board" means the Governing body of the Institute established under section 3
	18	(1);
	19	"Chairman" means the Chairman of the Governing Board of the Institute
	20	appointed under section 14 (1);
	21	"Fund" means the fund of the Institute as established under section 25 of this
	22	Act;
	23	"Institute" means the Federal Institute of Industrial Research Oshodi (FIIRO)
	24	established under section 1 (1);
	25	"Minister" means Minister responsible for Science and Technology;
	26	"Member" means a member of the Board and this includes the Chairman;
	27	"President" means President of the Federal Republic of Nigeria;
	28	"Principal Officer" means the Directors and other officers as specified in
	29	section 16 of this Act;
	30	"Public Service" has the meaning assigned to it in the Constitution of the

1 Federal Republic of Nigeria, 1999;

2 "Secretary" means the Secretary to the Board of the Institute.

3 40. This Bill may be cited as the Federal Institute of Industrial Citation
4 Research Bill, 2019.

5 SCHEDULE

6 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

7 *Proceedings of the Board*

8 1. Subject to this Act and section 42 of the Interpretation Act, the
9 Board may make standing orders regulating its proceedings or those of any
10 of its committees.

11 2. The quorum of the Board shall be the Chairman or person
12 presiding the meeting and five other members of the Board and the quorum
13 of any committee of the Board shall be as determined by the Board.

14 3. The Board shall meet not less than four times in each year and
15 subject thereto, the Board shall meet whenever it is summoned by the
16 Chairman or where the Chairman is required to do so by a notice given to
17 him by not less than 4 other members, he shall summon a meeting of the
18 Board to be held within 28 days from the date on which the notice is given.

19 4. At any meeting of the Board, the Chairman shall preside but if
20 he is absent, the members present at the meeting shall appoint one of their
21 members to preside at the meeting.

22 5. Where the Board desires to obtain the advice of any person on a
23 particular matter, the Board may co-opt such person for such period as it
24 deems fit, but a person who is in attendance by virtue of this sub-paragraph
25 shall not be entitled to vote at any meeting of the Board and shall not count
26 towards a quorum:

27 6. The Board may set up one or more committees to carry out, on
28 behalf of the Board, such functions as the Board may determine.

29 7. A committee set up under this paragraph shall consist of such
30 number of persons as may be determine by the Board. and a person shall

1 hold office on the committee in accordance with the term of his appointment.

2 8. A decision of a committee shall be of no effect until it is confirmed
3 by the Board.

4 9. The validity of any proceedings of the Board or of a committee
5 thereof shall not be affected by any vacancy in the membership of the Board or
6 of a committee.

7 10. Any member of the Board or any person holding office on a
8 committee of the Board, who has personal interest in any contract or
9 arrangement shall disclose his interest to the Board and shall not vote on any
10 matter relating to the contract or arrangement.

11 *Miscellaneous*

12 11. The fixing of the seal of the Board shall be authenticated by the
13 signature of the Director-General/Chief Executive Officer or any person
14 generally or specifically authorized by the Board to act for that purpose.

15 12. Any contract or instrument which, if made or executed by a
16 person not being a body corporate, would not be required to be under seal, may
17 be made or executed on behalf of the Board by the Director-General/CEO or
18 any person generally or specifically authorized by the Board to act for that
19 purpose.

20 13. Any document purporting to be a document duly executed under
21 the seal of the Board shall be received in evidence and shall, unless and until the
22 contrary is proved, be presumed to be so executed.

23 14. The validity of any proceeding of the Board or a committee shall
24 not be affected by-

25 (a) a vacancy in the membership of the Board or committee;

26 (b) a defect in the appointment of a member of the board or
27 committee; or

28 (c) reason that a person not entitled to do so took part in the
29 proceedings of the Board or committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Institute of Industrial Research for the development of micro, small, medium and large industries, aimed at rapid industrialization and socio-economic development of Nigeria.

