

NIGERIAN EDUCATIONAL RESEARCH AND DEVELOPMENT COUNCIL

(AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Amendment of Cap. N105 LFN, 2004
2. Amendment of section 2 (1)
3. Amendment of section 3
4. Amendment of section 6
5. Amendment of section 7
6. Amendment of section 10
7. Amendment of section 11
8. Amendment of section 12
9. Amendment of section 15 (3)
10. Amendment of section 16 (2)
11. Amendment of section 20
12. Amendment of section 21
13. Amendment of section 22
14. Amendment of section 24
15. Amendment of Schedule
16. Citation

A BILL

FOR

An Act to amend the Nigerian Education Research and Development Council Act Cap. N105 Laws of the Federation of Nigeria, 2004 and for Related Matters

Sponsored by Hon. Dachung Bagos

[] Commencement

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

- 1 **1.** The Nigerian Educational Research and Development Council Amendment of
- 2 Act Cap. N105 Laws of the Federation of Nigeria, 2004 (in this Bill referred Cap. N105 LFN,
- 3 to as "the Principal Act") is amended as set out in this Bill. 2004
- 4 **2.** Section 2 (1) of the Principal Act is amended- Amendment of
- 5 (a) in paragraph (b), by substituting for paragraph (b), a new Section 2 (1)
- 6 paragraph "(b)"-
- 7 "(b) six representatives from the State Ministries of Education, one
- 8 each from the six geopolitical zone of the Federation, appointed in rotation
- 9 among the states in the zones";
- 10 (b) in paragraph (d), by inserting after the word, "education", the
- 11 words, "in rotation".
- 12 **3.** Section 3 of the Principal Act is amended - Amendment of
- 13 (a) by deleting after the word, "for" in line 1, the words, "the Section 3
- 14 following that is to say";
- 15 (b) in paragraph (b), by deleting after the word, "priority" in line 2,
- 16 the word, "thereof"; and
- 17 (c) in paragraph (c), by substituting for the word, "thinks" after the
- 18 word, "council" in line 2, the word, "deems".
- 19 **4.** Section 6 of the Principal Act is amended- Amendment of
- 20 (a) by deleting the words, "it shall be the general duty of" before the Section 6

	1	word, "the" in line 1;
	2	(b) by substituting for the word, "to" in line 1, the word, 'shall'.
Amendment of Section 7	3	5. Section 7 of the Principal Act is amended -
	4	(a) in subsection (3), by substituting for the word, 'shall" after the
	5	words, "and" in line 1, the word, "may"; and
	6	(b) in subsection (4), by substituting for the word, "otherwise" after
	7	the words, "emolument and" in line 2, the words, "other entitlements."
Amendment of Section 10	8	6. Section 10 of the Principal Act is amended -
	9	(a) in the marginal note , by substituting after the word, "pension" in
	10	line 1 and wherever it appears in the section, the word, "reform";
	11	(b) in subsection (1) -
	12	(i) by deleting for the word, "services" in line 1, the words, "it is
	13	hereby declared that" and
	14	(ii) by substituting for the word, "service" in line 1 and wherever it
	15	appears in the subsection, the word, "service"; and
	16	(c) in subsection (3), by substituting for the figure, "23" after the
	17	word, 'section" in line 3, the figure, "97".
Amendment of Section 11	18	7. Section 11 of the Principal Act is amended -
Amendment of Section 12	19	8. Section 12 of the Principal Act is amended -
	20	(a) in subsection (1), by deleting the words, "member of the" before
	21	the word, "senior" in line 1;
	22	(b) in subsection (1)(c) -
	23	(i) in subparagraph (i), by deleting the word, "any" after the word, "or"
	24	in line 1,
	25	(ii) in subparagraph (iii), by deleting the words, "as aforesaid" after
	26	the word, "removed" in line 2; and
	27	(c) in subsection (2) -
	28	(i) by deleting the words, "member of the" before the word, 'staff' in
	29	line 1,
	30	(ii) by deleting the word, "any" after the word, 'and" in line 3;

1 (d) in subsection (3), by deleting the words, "member of" after the
2 word, "staff" in line 1;

3 (e) in subsection (4), by-

4 (i) inserting after the words, "decision as to" in line 3, the words,
5 "whether to";

6 (ii) deleting the words, "whether to" in line 1 of paragraph (a) - (d);

7 (f) in the proviso, by deleting the word, "any" after the word,
8 "such" in line 4;

9 (g) in subsection (5), by substituting for the -

10 (i) words, "it shall be the duty of the " before the word, "person" in
11 line 1, the word, "A",

12 (ii) word, 'to' after the word, "section" in line 2, the word, "shall";

13 and

14 (h) in subsection (b), by-

15 (i) deleting the words, "foregoing provisions of" after the word,
16 "this" in line 1; and

17 (ii) substituting for the word, "think" after the word, "may" in line
18 2, the word, 'deem'.

19 **9.** Section 15 (3) of the Principal Act is amended by inserting the
20 word, "and" after the word, "guideline" in line 2.

Amendment of
Section 15 (3)

21 **10.** Section 16 (2) of the Principal Act is amended by substituting
22 for the word -

Amendment of
Section 16 (2)

23 (a) "appointed" after the word, 'committee' in line 2, the word,
24 'setup'; and

25 (b) "pursuant to" after the word, 'Board' in line 2, the word,
26 "under".

27 **11.** Section 20 of the Principal Act is amended-

Amendment of
Section 20

28 (a) by deleting-

29 (i) the word, "any" before the word, "person" in line 1, and

30 (ii) the word, "research" after the word, "completed" in line 2; and

	1	(b) by substituting for the word, 'his' before the word, 'completed' in
	2	line 2, the word, "the".
Amendment of Section 21	3	12. Section 21 of the Principal Act is amended by substituting for-
	4	(a) the figure, "21", after the word, "section" in line 1, the figure, "21";
	5	(b) the words, 'shall be guilty of' after the word, 'Act' in line 1, the
	6	word, "commits";
	7	(c) the expression, "N100" after the word, 'of' in line 2, the
	8	expression, "N5,000"; and
	9	(d) in subsection (4), by-
	10	(i) deleting the words, "the making of", after the word, "before" in line
	11	2, and
	12	(ii) inserting, after the word, "section", in line 2, the word, "comes into
	13	force".
Amendment of Section 22	14	13. Section 22 of the Principal Act is amended by substituting for -
	15	(a) the words, "it shall be the duty of" after the words, "council and" in
	16	line 2, the word, "both"; and
	17	(b) the word, 'to' after the word, "Council" in line 3, the word, "shall".
Amendment of Section 24	18	14. Section 24 of the Principal Act is amended-
	19	(a) in the definition of "Board"-
	20	(i) by substituting for the word, 'constitute' after the word, "Council"
	21	the word, "established"; and
	22	(ii) by inserting the figure "(1)" after the figure "2"; and
	23	(b) in the definition of "Council"-
	24	(i) by substituting for the word, "by" after the word, "established" in
	25	line 1, the word, "under"; and
	26	(ii) by inserting the figure "(1)" after the figure "1" in line 2.
Amendment of Schedule	27	15. The schedule to the Principal Act is amended -
	28	(a) in paragraph 1, by substituting for -
	29	(i) the word, 'and' in line 2, the word, "may", and
	30	(ii) the words, "there after he shall no longer be eligible for re-

- 1 appointment" after the word, "years" in line 3, the word, "only";
- 2 (b) in paragraph 3, by deleting the word, "to" after the word, "and"
- 3 in line 1;
- 4 (c) in paragraph 5, by substituting for the words, "their member"
- 5 before the word, "to" in line 2, the word, "them";
- 6 (d) in paragraph 8 (2) by substituting for the word, "constituted"
- 7 after the word, "be" in line 3, the words, "set up";
- 8 (e) in paragraph 8 (5) by substituting for the word, "think" after the
- 9 word, "may" in line 2, the word, "deem";
- 10 (f) in paragraph 8, substituting for the words, "appointed by virtue
- 11 of the provisions of" after the word, "Committee" in line 1, the words, "set up
- 12 under";
- 13 (g) in paragraph 10, by deleting the word, "any" before the word,
- 14 "contract" in line 1;
- 15 (h) in paragraph 11, by deleting the word, "any" before the word,
- 16 "document" in line 1;
- 17 (i) in paragraph 12, by-
- 18 (i) substituting for the word, "proceedings" after the word, "any" in
- 19 line, the word, "proceeding",
- 20 (ii) substituting for the word, "Committees" after the word, "its" in
- 21 line 1, the word, "Committee",
- 22 (iii) inserting the word, "by" after the word, "affected" in line 1; and
- 23 (iv) deleting the word, "by" at the beginning of subparagraph "(a)"
- 24 - "(c)";
- 25 (j) in paragraph 13, by-
- 26 (i) substituting for the word, "Any" before the word, "member" in
- 27 line 1, the word, "A",
- 28 (ii) deleting the word, "thereof" after the word, "Committee" in line
- 29 1,
- 30 (ii) deleting the word, "thereof" after the word, "Committee", and

- Citation
- 1 (iv) deleting the word, "forthwith" after the word, "shall" in line 2.
 - 2 **16.** This Bill may be cited as the Nigerian Educational Research and
 - 3 Development Council (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Education Research and Development Council Act Cap. N105 Laws of the Federation of Nigeria, 2004.