



**THE SENATE
FEDERAL REPUBLIC OF NIGERIA**

**REPORT OF THE SENATE COMMITTEE ON
SCIENCE AND TECHNOLOGY**

ON

**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 OTHER RELATED
MATTERS. (SB. 586) 2019.**

MAY, 2019

REPORT OF THE SENATE COMMITTEE ON SCIENCE AND TECHNOLOGY ON 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 OTHER RELATED MATTERS. (SB. 586) 2018.

1.0 INTRODUCTION

The Senate at its sitting on Wednesday 20th December, 2017 referred read the **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 other Related Matters. (SB. 586) 2018**, the second time for an accelerated passage and referred same to the Senate Committee on Science and Technology, for further legislative Action.

2.0 MEMBERSHIP OF COMMITTEE

Senator Robert A. Boroffice, OON	Chairman
Senator Yusuf A. Yusuf	Vice Chairman
Senator Mao Oluabunwa	Member
Senator Obinna J. Ogbu	Member
Senator Samuel Anyanwu	Member
Senator Solomon Adeola	Member
Senator Peter Nwaoboshi	Member

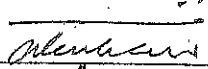
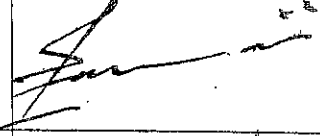
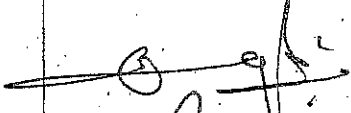
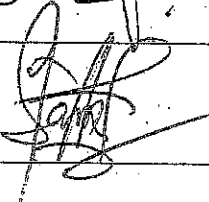
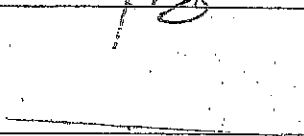
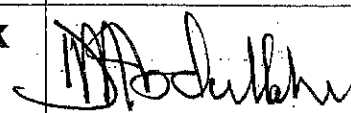
Secretariat

1. Musa D. Abdullahi

Clerk, Science and Technology

SENATE COMMITTEE ON SCIENCE AND TECHNOLOGY

SIGNATURE PAGE

S/N	NAME	DESIGNATION	SIGNATURE
1.	SENATOR ROBERT A. BOROFFICE	Chairman	
2.	SENATOR YUSUF A. YUSUF	Vice Chairman	
3.	SENATOR MAO OHUABUNWA	Member	
4.	SENATOR OBINNA OGBA	Member	
5.	SENATOR SAMUEL N. ANYANWU	Member	
6.	SENATOR MUSTAPHA BUKAR	Member	
7.	SENATOR PETER NWAOBOSHI	Member	
8.	SENATOR SOLOMON ADEOLA	Member	
9.	MUSA D. ABDULLAHI	Comm. Clerk	

OBJECTIVES:

The objects of this Act shall be to –

- (a) conduct industrial research up to pilot scale level and establish Catalytic Model Factories for the development of the micro, small, medium and large scale industries in Nigeria;
- (b) assist in accelerating the industrialization of the Nigeria economy through research programmes and technology development;
- (c) promote the establishment and growth of intermediate product industries;
- (d) identify indigenous technologies in the areas of foods, non-foods processing and develop them into modern technology;
- (e) conduct research and development into Foods and Agro-Allied processing technology;
- (f) conduct research and development into Pulp and Paper technology;
- (g) conduct research and development into product design and packaging;
- (h) conduct research and development in design and fabrication of processing equipment;
- (i) render consultancy services to evaluate the technical and economic viability of technology based enterprises;
- (j) provide technical assistance services for the growth of indigenous services; and
- (k) carry out appropriate research to ensure compliance with standards and specifications designated by the Institute and approved by other regulatory authorities in Nigeria for effective control of quality of foods and other Industrial products.
- (l) establish and equip R&D laboratories with relevant standard facilities in the institute.

3.0 METHODOLOGY

In carrying out this assignment, the Committee adopted the following methodology:

- i. Held several meetings.
- ii. Conducted a Public Hearing on 4th July 2018 in order to get views and input from stakeholders and the general public.
- iii. Consulted with legal draftsmen and other experts in the field.

The following participants were present at the Public Hearing and made contributions:-

Office of the Secretary to the Government of the Federation, Ministry of Trade and Investment, Ministry of Information, Ministry of Justice, Ministry of Science and Technology, Ministry of Health, Nigeria Customs Service, Manufacturers Association of Nigeria, National Office for Technology Acquisition and Promotion, NAFDAC, FIIRO, Standard Organization of Nigeria, Pharmaceutical Society of Nigeria, Nigeria Association of Small and Medium Enterprises, Mining Industries, Privates & Public Institutions and Civil Society Organizations interested in the Bill.

4.0 STAKEHOLDERS OBSERVATIONS

Stakeholders contributed immensely in favor of the Bill and recommended modifications and redrafting in some sections of the Bill. The committee took note of the observations and treated it accordingly.

5.0 COMMITTEE RECOMMENDATION

Following the clause by clause consideration of the Bill, the committee recommended as follows -:

a) Retained Sections and Clauses

1(2(a)(b)(c), 2(a)(b)(d)(e)(g)(h)(i)(j)(k)(l)(m), 3, 4(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l)(m), 6, 7(1, 2, 3), 8, 9(g)(h), 10, 11(a)(c)(d)(e)(f)(g)(h)(i)(j), 12(b)(c)(d)(f)(g)(h)(j)(k)(n), 13(2)(4)(5)(7), 14(1)(2(a)(b)(c)(d)(g), 15(b)(c)(d)(e)(f)(g), 16(2)(3(a)(b)(c)(d), 17, 18, 19(1(a, b, c)(2)(3), 20(1)(2)(3), 21(1)(2)(4), 24(1)(2(a, c, d, e, f, g)(3), 25(b)(c)(d)(e)(f)(g)(h), 26(2(a, b), 27(1)(2(a, b, c)(3), 28, 29, 30(2)(3), 31(1)(2)(3), 32(1)(2)(3), 33(a)(b), 34(1)(2(a, b)(3)(4), 35(2)(3)(4), 37(1)(2), 38, 40(Interpretation), Schedules(1, 2, 3, 4, 5, 8, 9, 10). Miscellaneous (11, 12, 13, 14(a, b, c)),

b) Amended Sections and Clauses

1(1), 4(a), 5(1, 2), 11(b), 12(a)(e)(i)(l)(m), 14(2(e)(f), 15(h), 16(3(e), 21(3), 22(1)(2), 23(1)(2(a, b, c, d, e, f, (3), 25(a), 26(1)(3), 30(1), 36, 39, 40(Interpretation), 42(Short title), Schedules(7, 8), Explanatory Memorandum.

c) Retained and Renumbered Sections and Clauses

16(1(a-h), 23(3).

d) Amended and Renumbered Sections and Clauses

9(a)(b)(c)(d)(e)(f), 13(1(a)(b)(c(i, ii, iii, iv, v, vi), 16(1(a, b, c, d, e, f, g, h), 34(4(a, b, c, d), 35(1(a, b).

e) Newly inserted Sections, and Subsections

2(n), 4(2), 25(i).

f) Deleted Sections and Sub-sections.

2(c)(f), 13(3)(6), 15(a), 24(2(b).

Mr. President, Distinguished Senators; we have subjected both the oral and written submission of relevant stakeholders to critical analysis and exhaustive deliberations. Taking into consideration, those areas that are in conflict with other extant laws; and those that are ambiguous, the Committee amended and deleted where necessary, those provisions of the Bill that are contentious in one way or the other.

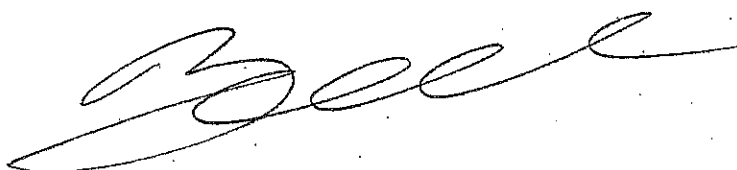
We therefore recommend that the Senate of the Federal Republic of Nigeria do consider and pass this bill as amended.

6.0 CONCLUSION

The intention of the Committee in adopting this Bill is to make Nigeria more productive in the Agro-Allied sector of the economy, encourage small and medium enterprises, industries and be more innovative in food science development and encourage scientific modification for global consumption and acceptability.

On behalf of all the Members of the Committee, I wish to express our gratitude to the Senate for giving us the opportunity to serve in this regard.

We do pray that the Senate adopts the recommendation of the Committee, I so move.



Senator (Prof) Robert A. Boroffice (OON)

Committee Chairman



Musa D. Abdullahi

Director/Committee Clerk

FEDERAL INSTITUTE OF INDUSTRIAL RESEARCH BILL, 2018

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. (SB. 585) 2018.

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Clauses	Provisions of the Bill	Committee Recommendation	Remarks
	Long Title 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 Other Related Matters. PART I - ESTABLISHMENT OF THE FEDERAL INSTITUTE OF INDUSTRIAL RESEARCH AND THE GOVERNING BOARD	Long Title A Bill for An Act to <i>establish</i> the Federal Institute of Industrial Research for the <i>development</i> of <i>micro, small, medium and large industries</i>, aimed at <i>rapid industrialization</i> and <i>socio-economic development of Nigeria; and for related matters</i>. PART I - ESTABLISHMENT OF THE FEDERAL INSTITUTE OF INDUSTRIAL RESEARCH AND THE GOVERNING BOARD	<i>Amended</i>

1.	1. Establishment of the Federal Institute of Industrial Research (1) There is established a body to be known as the Federal Institute of Industrial Research (hereinafter in this Act referred to as "the Institute"). (2) The Institute - (a) shall be a corporate body with perpetual succession and a common seal; (b) may sue or be sued in its corporate name; and (c) may for the purposes of performance of its functions under this Act, acquire, hold movable or immovable property and enter into contract or any other transaction for the purposes of carrying out any of its functions.	1. Establishment of the Federal Institute of Industrial Research <i>(1) There is established the Federal Institute of Industrial Research (in this Act referred to as "the Institute").</i> (2) The Institute - (a) Retained (b) Retained (c) Retained	Amended
2.	2. The Object The objects of this Act shall be to – (a) conduct industrial research up to pilot scale level and establish catalytic model factories for the development of the micro, small, medium and large scale industries in Nigeria; (b) assist in accelerating the industrialization of the Nigeria economy through research programmes and technology development; (c) identify, characterize, develop and utilize available raw materials into forms suitable for utilization by industries; (d) promote the establishment and growth of intermediate product industries;	2. The Objects <i>(1) The objects of this Act are to -</i> (a) Retained (b) Retained (c) Deleted (d) Retained	Amended

	(e) identify indigenous technologies in the areas of foods, non-foods processing and develop them into modern technology; (f) assists in the transfer, adaptation and utilization of technologies by industries through organized technology transfer and techno-entrepreneurship development programmes and other means that will ensure the end results of research carried out get to the relevant end users for rapid industrialization and socio-economic growth of Nigeria; (g) conduct research and development into Foods and Agro-Allied processing technology; (h) conduct research and development into Pulp and Paper technology; (i) conduct research and development into product design and packaging; (j) conduct research and development in design and fabrication of processing equipment; (k) render consultancy services to evaluate the technical and economic viability of technology based enterprises; (l) provide technical assistance services for the growth of indigenous services; and (m) carry out appropriate research to ensure compliance with standards and specifications designated by the Institute and approved by other regulatory authorities in Nigeria for effective control of quality of foods and other Industrial products.	(e) Retained (f) Deleted (g) Retained (h) Retained (i) Retained (j) Retained (k) Retained (l) Retained (m) Retained (n) <i>establish and equip research and development laboratories with relevant standard facilities the institute.</i>	<i>New (n) Inserted</i>
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3.	3. Establishment of the Governing Board of the Institute There is established for the Institute a Governing Board (hereinafter in this Act referred to as “the Board”), which shall formulate policy for the Institute.	3. Establishment of the Governing Board of the Institute Retained	
4.	4. Composition of the Governing Board of the Institute The Governing Board of the Institute shall consist of – a. a Chairman, appointed by the President on the recommendation of the Minister with requisite knowledge and experience in matters relating to global industrial research and development; b. the Minister charged with the responsibility of Science and Technology or his representative; c. a representative of the Manufacturers Association of Nigeria (MAN); d. a representative of the Nigerian Association of Small Scale Industrialists (NASSI); e. a representative of the Nigerian Association of Small and Medium Enterprises (NASME); f. the Minister charged with the responsibility of Trade and Investment or his representative; g. a representative of the Nigerian Society of Engineers (NSE); h. a representative of the Academy of Science; i. a representative of Nigerian Institute of Foods, Science and Technology (NIFST); j. a representative of the Nutrition Society of Nigeria	4. Composition of the Governing Board of the Institute <i>The Institute shall consist of -</i> (a) a Chairman, appointed by the <i>President with requisite knowledge and experience</i> in matters relating to global industrial research and development; (b) Retained (c) Retained (d) Retained (e) Retained (f) Retained (g) Retained (h) Retained (i) Retained (j) Retained	<i>Amended</i>

	(NSN); k. the Minister charged with the responsibility of Agriculture & Rural Development or his representative; l. a person appointed by the President on the recommendation of the Minister to represent the civil society organizations; and m. the Director-General of the Institute, who shall be the Board's Secretary.	(k) Retained (l) Retained; <i>and</i> (m) Retained <i>(2) The supplementary provision set out in the First Schedule to this Bill shall have effect with regard to the proceedings of the Board and other matters contained in the First Schedule.</i>	
5.	5. Tenure of the members of the governing board of the Institute (1) The Chairman of the board shall hold office for a period of 2years and shall be eligible for re-appointment for another period of 2years and no more. (2) A member of the Board, who is not an ex-officio member, shall hold office for a period of 2years and shall be eligible for re-appointment for another period of 2years and no more.	5. Tenure of the members of the Board of the Institute (1) The Chairman of the Board shall hold office for a <i>term</i> of <i>four years</i> and <i>may</i> be eligible for re-appointment for another <i>term</i> of <i>four years</i> and no more. (2) A member of the Board, who is not an ex-officio member, shall hold office for a <i>term</i> of <i>four years</i> and <i>may</i> be eligible for re-appointment for another <i>term</i> of <i>four years</i> and no more.	<i>New</i> <i>Clause 4 (2) is inserted to give legal backing to the First Schedule.</i> <i>Amended</i> <i>Amended</i>
6.	6. Remuneration of members of the governing board of the Institute The Chairman and other members of the Board shall be paid such allowances and expenses in accordance with	6. Remuneration of members of the Board of the Institute Retained	

	such rates as may be approved by the Federal Government of Nigeria, from time to time.		
7.	7. Removal of the Chairman or any member of the Governing Board of the Institute (1) Where it appears that the Chairman or any member of the Board, other than an ex-officio member, should be removed from office on the grounds of misconduct or inability to perform the functions of his office, the Board shall make a recommendation through the Minister to the President for approval. (2) Where the President, after making such inquiries as he considers necessary, approves the recommendation made through the Minister by the Board, the Secretary to the Government of the Federation shall, in writing declare the position of such member vacant. (3) Notwithstanding the provision of subsection (1) of this Section, the President may remove any member of the governing board, where he is satisfied that it is in the interest of the Institute and the public to do so.	7. Removal of the Chairman or any member of the Board of the Institute (1) Retained (2) Retained (3) Retained	
8.	8. Resignation by member of the Board A member of the Governing Board other than an ex-officio member may, at any time by a notice in writing addressed to the President through the Minister, resign from being a member of the Governing Board of the Institute.	8. Resignation by member of the Board Retained	
9.	9. Cessation of members of the Board from office Notwithstanding the provisions of Section 4 of this Act, a member of the Board shall cease to hold office as a member, where -	9. Cessation of members of the Board from office Notwithstanding the provisions of section 4 of this Act, a member of the Board <i>ceases</i> to hold office as a member, where -	<i>Amended</i>

10.	a. he resigns his appointment as a member of the Board; b. by notice under his hand addressed to the President of the Federal Republic of Nigeria; or c. he becomes of unsound mind; or d. he becomes bankrupt; or e. he is convicted of a felony or any other offence involving dishonesty or corruption; or f. he becomes incapable of carrying on the functions of his office either arising from an infirmity of mind or body; or g. the President of the Federal Republic of Nigeria is satisfied that it is not in the interest of the Institute or in the interest of the public for the person to continue in office; or h. he has been found guilty under the Code of Conduct or serious misconduct in relation to his duties; or i. in the case of a person who becomes a member by virtue of the office he occupies cease to hold such office. 10. Filling of vacancies In the event of death or resignation by a member of the Governing Board or where the office of a member of the board becomes vacant under Section (3), a replacement shall be by appointment by the President of the Federal Republic of Nigeria.	<i>(a) he resigns his appointment as a member of the Board by notice under his hand addressed to the President of the Federal Republic of Nigeria;</i> (b) he becomes of <i>unsound mind</i>; (c) he becomes <i>bankrupt</i>; (d) he is convicted of a felony or any other offence involving dishonesty or <i>corruption</i>; (e) he becomes incapable of <i>performing</i> the functions of his office either arising from an infirmity of <i>mind or body</i>; (f) the President of the Federal Republic of Nigeria is satisfied that it is not in the interest of the Institute or in the interest of the public for the person to <i>continue in office</i>; (g) Retained (h) Retained 10. Filling of vacancies Retained	<i>Amended</i> <i>Amended</i> <i>Amended</i> <i>Amended</i> <i>Amended</i> <i>Amended</i>
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11.	PART III POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE 11. Powers of the Board The Governing Board shall have power to – a. formulate policies and ratify short and long-term plan of the Institute; b. ratify the annual budget and estimates of the Institute; c. approve research and academic programmes of the Institute; d. approve investment plan of the Institute. e. consider and approve the capital development plans of the Institute; f. receive and consider proposals, recommendations and suggestions of the Director-General or any Committee of the Governing Board on matters relating to the functions of the Institute under this Act; g. constitute any committee that may be necessary to discharge any of the function assigned to it under this Act; h. attract funds by way of donations and contributions to the Institute and put in place mechanisms for collection and utilization of such funds; i. Invest surplus funds of the Institute in profit-yielding ventures; and j. carry out or exercise any other powers that may be necessary for the attainment of the objects of this Act.	PART III - POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE 11. Powers of the Board (1) The Board shall have powers to – (a) Retained (b) ratify the annual budget and estimates of the Institute <i>in line with approval granted by National Assembly in the appropriation Act;</i> (c) Retained (d) Retained (e) Retained (f) Retained (g) Retained (h) Retained (i) Retained (j) Retained	<i>Amended</i>
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12.	12. Functions of the Institute The functions of the Institute shall be to: (a) conduct, review and supervise from time to time Research and Development, programs and projects in local foods and agro-allied processing; pulp and paper processing; product design and packaging technologies; design and fabrication of prototype processing equipment; and other raw materials processing programmes of industrial nature; (b) liaise with relevant establishments within and outside Nigeria in pursuance of the functions of the Institute; (c) establish and operate world class laboratories and workshops as centres of excellence for cutting edge research in all aspects industrial research; (d) establish demonstration factories, Spin-off companies and industrial parks to ensure rapid commercialization of its research and development output as well as providing necessary avenues for training and re-training of skilled labour and manpower, including students of tertiary institutions on Industrial Attachment; (e) encourage and promote the commercialization of research and development innovation results through patents in conjunction with NOTAP;	12. Functions of the Institute <i>The functions of the Institute are to –</i> <i>(a) conduct, review and supervise research and development program and projects in local foods and agro-allied processing; pulp and paper processing; product design and packaging technologies; design and fabrication of prototype processing equipment;</i> (b) Retained (c) Retained (d) Retained (e) encourage and promote the commercialization of research and development innovation results through patents in conjunction with <i>National Office for Technology Acquisition and Promotion (NOTAP)</i>;	<i>Amended</i> <i>Amended</i>
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	(f) establish and operate Zonal, State and Regional Offices for effective delivery and deployment of its services in Nigeria, Africa and other continents of the world; (g) provide technical consultancy services and industrial troubleshooting to industries for revenue generation and for quality control; (h) Conduct techno-economic evaluation study on its developed technologies with a view to provide justifications for investments and attract entrepreneurs to invest in such technologies. (i) Collaborate with relevant bodies especially tertiary institutions to develop curricula or modules for appropriate technology transfer and techno-entrepreneurship training programmes. (j) Achieve a high research and development output and revenue; (k) make the desired impact on national economic and social development; (l) the Institute shall be a member of any relevant International Scientific bodies. (m) publish research results of its activities and collaborate with educational institutions and other relevant Government Institutes, Organizations, Agencies, Councils	(f) Retained (g) Retained (h) Retained (i) Collaborate with relevant bodies especially tertiary institutions to develop curricula or modules for appropriate technology transfer and techno-entrepreneurship training programmes <i>with a view of diploma awards.</i> (j) Retained (k) Retained (l) <i>a member of any relevant International Scientific bodies.</i> (m) <i>publish research results of its activities and collaborate with educational institutions and other relevant government institutes,</i>	<i>Amended</i> <i>Amended</i> <i>Amended</i>
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	and Industries in research and development ; and (n) carry out such other activities as are necessary or expedient for the performance of its functions under this Act. 13. The structure of the Institute 1. The Institute shall have its headquarters in Lagos, a liason office or Directorate in Abuja and Zonal offices in each of the six geo-political zones of Nigeria, which include – - North West; - North East; - North Central; - South East; - South West; and - South-South. 2. The Institute shall operate a departmental structure with directorate or any other structure as may be considered necessary for the performance of its functions and delivery of its services under this Act. 3. The head of Research Directorate shall be designated as head of Department and headed by a Director. 4. The head of Research Department shall hold office for 3years at the first instance and renewable for another 3years and no more.	<i>organizations, agencies, councils and industries in research and development ; and</i> (n) Retained 13. The structure of the Institute <i>(1) The Institute shall have –</i> <i>its headquarters in Lagos;</i> <i>a Liason office or Directorate in Abuja; and</i> <i>a Zonal office in each of the six geo-political zones of Nigeria which include –</i> <i>North-West;</i> <i>North-East;</i> <i>North-Central;</i> <i>South-East;</i> <i>South-West; and</i> <i>South-South.</i> (2) Retained (3) Deleted (4) Retained	<i>Amended & renumbered</i>
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	5. Notwithstanding the provision of subsection (3) of his section, in the absence of a Director or head of Research Directorate, the most senior research officers may be appointed in acting capacity on the recommendation of the Director-General of the Institute to the Board. 6. A department shall have not more than five divisions, with each division headed by Deputy Director and Division may consists of Sections, headed by Chief Research or Scientific Officer and Section may also be composed of Units for effectiveness. 7. Zonal Offices shall be headed by Zonal a Coordinator. PART IV - APPOINTMENT OF THE DIRECTOR-GENERAL AND OTHER STAFF OF THE INSTITUTE 14. Appointment of the Director-General of the Institute (1) There shall be appointed for the Institute a Director-General, who shall be the Chief Executive Officer and Accounting Officer of the Institute. (2) The Director-General shall be - (a) appointed by the President on the recommendation of the Minister;	(5) Retained (6) Deleted (7) Retained PART IV - APPOINTMENT OF THE DIRECTOR-GENERAL AND OTHER STAFF OF THE INSTITUTE 14. Appointment of the Director-General of the Institute (1) Retained (2) Retained (a) Retained	
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15.	(b) responsible to the Board for the management of the affairs of the Institute; (c) responsible for the execution of the policy and the day-to-day administration of the affairs of the Institute; (d) entitled to earn a remuneration and allowances as may be specified in his letter of appointment; (e) a person with cognate experience and skills of not less than 15 years post qualification as a professional in the relevant discipline that relates to the operation of the Institute or other criteria as may be stipulated; (f) hold office for a period of four years at the first instance and eligible for re-appointment for another period of four years on such terms and conditions as may be specified in his letter of appointment and no more; and (g) shall be the Secretary to the Institute and the Governing Board, but not a member of the Board. 15. The duties of the Director-General of the Institute The Director-General shall - a. be the head of Administrative organ of the Institute, in charge of the general administration;	(b) Retained (c) Retained (d) Retained (e) a person with cognate experience and skills of not less than 15 years post <i>doctoral qualification and/ or 25 years post qualification as a professional in all fields of sciences and engineering</i> that relate to the operation of the Institute or other criteria as may be stipulated; (f) hold office for a <i>term</i> of four years at the first instance and eligible for re-appointment for another <i>term</i> of four years on such terms and conditions as may be specified in his letter of appointment and no more; and (g) Retained 15. The duties of the Director-General of the Institute The Director-General shall (a) Deleted	<i>Amended</i> <i>Amended</i>
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	b. prepare the minutes of meetings of the Governing Board and any of its committees; c. keep and secure all records of the Governing Board; d. issue notice of meetings of the Governing Board as may be directed by the Chairman; e. be responsible for the implementation of the resolutions of the Governing Board. f. coordinates the preparation of income and expenditure estimates and development plans for the Governing Board consideration; g. have custody of the seal of the Institute; and h. perform such other functions as may be assigned by the Board from time to time.	(b) Retained (c) Retained (d) Retained (e) Retained (f) Retained (g) Retained <i>(h) perform such other functions as may be assigned by the Board.</i>	
16.	16. Principal Officers of the Institute (1) The Principal Officers of the Institute shall include - a. Directors; b. Head of Departments; c. Zonal Coordinators; d. Head of Servicom Office; e. Chief Internal Auditor; f. Head of Pension Office; g. Head of Legal; h. Head of Procurement; and i. Chief Librarian. (2) The Directors, Heads of Departments or Zonal Coordinators shall assist the Director-General in the day-to-day management of the Institute.	16. Principal Officers of the Institute (1) The Principal Officers of the Institute <i>are</i> - (a) Directors; (b) Head of Departments; (c) Zonal Coordinators; (d) Head of Servicom Office; (e) Chief Internal Auditor; (f) Head of Pension Office; (g) Head of Legal; (h) Head of Procurement; and (i) Deleted (2) Retained	<i>Amended</i> <i>Amended</i> <i>Renumbered (1)(a) – (h)</i>

	(3) Directors or Zonal Coordinator shall- - head each of the Directorate of the Institute; - implement the policies of the Institute as they apply to the directorate; - prepare draft expenditure estimate and development plans of his directorate; - serve on Scientific or Technical Advisory Committee of the Institute and; - perform such other functions as may be determined by the Director-General/Chief Executive Officer from time to time.	(3) Retained - Retained - Retained - Retained - Retained - perform such other functions as may be determined by the <i>Director-General</i>.	
17.	17. Other staff of the Institute The Board may from time to time, appoint or employ such other persons as members of staff of the Institute on the recommendation of the Director-General as may be necessary, subject to the Extant Rules and Conditions of Service of the Institute.	17. Other staff of the Institute Retained	<i>Amended Director-General is already Chief Executive Officer under clause 14 (1).</i>
18.	18. Remuneration of employees of the Institute Salaries and benefits of the staff of the Institute shall be in accordance with the conditions and scheme of service in Research Institutes in Nigeria or as may be approved by the Board of the Institute.	18. Remuneration of employees of the Institute Retained	
19.	19. Staff Regulations, etc. (1) The Board may make staff Regulations or adopt staff Conditions of Service that is independent of the Civil Service of the Federation that may provide for:	19. Staff regulations (1) Retained	

	a. the remuneration and tenure of office of members of staff of the Institute; b. appointment, promotion, fringe benefits and incentive, for members of staff of the Institute; and c. appeal procedure for members of staff of the Institute against dismissal or other disciplinary measures. (2) The Board shall have power to amend Regulations made under this Act, provided that the proposal for is passed by two-thirds majority of the Board members. (3) All Regulations made by the Board subject to the provisions of this Act, may be published in the Official Gazette of the Federal Government of Nigeria.	(a) Retained (b) Retained (c) Retained (2) Retained (3) Retained	
20.	20. Removal and discipline of staff in the Institute (1) The Principal Officers of the Institute may be removed from office by the Board with the approval of the Minister. (2) Any other senior member of staff of the Institute may be removed from office by the Director-General with the approval of the Board. (3) The removal from office of any junior staff shall be with the approval of the Director-General.	20. Removal and discipline of staff in the Institute (1) Retained (2) Retained (3) Retained	
21.	21. Application of the Pensions Reform Act (1) Service in the employment of the Institute shall be as approved service under the Pensions Reform Act,	21. Application of the Pensions Reform Act; (1) Retained	

	accordingly, employees of the Institute shall, in respect of their services be entitled to pension and other retirement benefits as are prescribed in the Act. (2) Notwithstanding the provisions of subsection (1) of this Section, nothing in this Act, shall prevent the appointment of a person to any office on terms, which preclude the grant of a pension and gratuity in respect of that office. (3) For the purpose of the application of the Pensions Reform Act, any power exercisable thereunder by the President or authority other than the Federal Government (not being the power to make Regulations under Section 33 of this Act), shall be vested in and exercisable by the Institute. (4) Subject to subsection (2) of this Section, the Pensions Reform Act, shall in its application of subsection (3) of this section, have effect as if, the office were in the public service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria, 1999 (as Amended). PART III – STRUCTURE AND CONSTITUTION OF COMMITTEE OF THE INSTITUTE 22. Constitution of Scientific /Technical Advisory Committee 1. The Institute may establish Scientific/Technical Advisory Committee (hereinafter in this Act referred to as ‘the Committee’ in the areas of research to assist the	(2) Retained (3) For the purpose of the application of the Pensions Reform Act, any power exercisable thereunder by the President or authority other than the Federal Government (not being the power to make Regulations under Section 34 of this Act), shall be vested in and exercisable by the Institute. (4) Retained PART III – STRUCTURE AND CONSTITUTION OF COMMITTEE OF THE INSTITUTE 22. Constitution of Scientific /Technical Advisory Committee (1) The Institute may establish Scientific <i>or</i> Technical Advisory Committee (in this Act referred to as ‘the Committee’ in the areas of research to assist the	<i>Amended</i> <i>Amended</i>
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	Institute in various aspects of its responsibilities. 2. The members of a Scientific/Technical Advisory Committee shall be persons with requisite expertise and experience in the relevant areas of interest to the Institute.	Institute in various aspects of its responsibilities. (2) The members of a Scientific <i>or</i> Technical Advisory Committee shall be persons with requisite expertise and experience in the relevant areas of interest to the Institute.	<i>Amended</i>
23.	23. Establishment of Demonstration Factories, Spin-off Companies and Industrial Parks (1) The Institute may with the approval of the President, establish Demonstration Factories, Spin-off Companies and Industrial Parks in any of the six-geo-political zones of Nigeria, based on the availability of raw materials and other factors of production of relative advantage in such zones. (2) The Institute shall provide for - - the location of the factories or companies or Industrial parks; - the field in which the factories, companies and industrial parks are to conduct its work and manpower training where applicable; - the transfer to the centre by mutual agreement of any existing Federal, State and Local Government facilities; - the establishment and constitution of senior officers of the Institute to manage the affairs of the factories, Companies and Industrial parks; - the demonstration Factories, Spin-off Companies and Industrial parks shall be fully equipped to carryout training	23. Establishment of Demonstration Factories, Spin-off Companies (1) The Institute may with the approval of the <i>Chairman of the Board or Minister</i>, establish demonstration factories, spin-off companies and industrial parks in any of the six-geo-political zones of Nigeria, based on the availability of raw materials and other factors of production of relative advantage in such zones. (2) The Institute shall provide for - - the location of the factories or companies or Industrial parks; - the field in which the factories, companies and industrial parks are to conduct its work and manpower training where applicable; - the transfer to the centre by mutual agreement of any existing Federal, State and Local Government facilities; - the establishment and constitution of senior officers of the Institute to manage the affairs of the factories, Companies and industrial parks; - the demonstration factories, spin-off companies and Industrial parks shall be fully equipped to	<i>Amended</i> <i>Section 23 & 24 are merged together</i>

	and research and development activities; and	carryout training, research and development activities; and	
	f. a suitable association and collaboration of the Demonstration factories, Spin off companies and Industrial parks with universities, other institutions of higher learning and commercial industries.	(f) a suitable association and collaboration of the demonstration factories, spin off companies and industrial parks with universities, other institutions of higher learning and commercial industries.	
24.	24. Establishment of FIRO Consult The Institute may with the approval of relevant authorities establish and operate FIRO Consult, which shall be a semi-autonomous body to commercialize inventions and innovations of the Institute.	23(3) Establishment of Federal Institute of industrial Research Oshodi Consult <i>(3) The Institute may with the approval of relevant authorities establish and operate FIRO Consult, which shall be a semi-autonomous body to commercialize inventions and innovations of the Institute.</i>	24 now Renumbered to 23(3)
25.	PART V - FINANCIAL PROVISIONS 25. Establishment of Fund for the Institute 1. The Institute shall establish and maintain a fund which shall be applied towards the promotion of the objectives specified in this Act. 2. There shall be paid and credited to the fund established in pursuance of subsection (1) of this section a. such sums as may be provided by the Government of the Federation or appropriated by the National Assembly for payment into the Fund of the Institute; b. two per cent (2%) surcharged on all imported foods, pulp and paper, packaging materials and processing machinery and equipment; (c) fees charged for services rendered by the Institute;	PART V - FINANCIAL PROVISIONS 24. Establishment of Fund for the Institute (1) Retained (2) Retained (a) Retained (b) Deleted (c) Retained	

	including royalties on Institute's technologies ceded to the Industries for national development. (d) all sums accruing to the Institute by way of gifts, testamentary dispositions, endowments or contributions from philanthropic persons or organizations. (e) contributions from the organized privates sector; (f) foreign aids and assistance from bilateral and multilateral Agencies; and (g) proceeds from commercialization of research and development products of the Institute. (3) Notwithstanding the provision of Subsection (2) of the Section, every application for registration into the Institute's Journal, shall attract a fee, which shall be credited and maintained in a separate account of the Institute, part of which shall be used for the publication of the Institute's journal.	(d) Retained (e) Retained (f) Retained (g) Retained (3) Retained	
26.	26. Expenditure of the Institute The Institute shall apply the funds established under this Act to – a. sponsor research and development activities in the capital project of the Institute; b. maintain the Head Office and establish zonal offices for the Institute; c. pay allowances and expenses of members of the Board; d. sponsor local and international conferences, seminars, workshops for members of staff of the Institute;	25. Expenditure of the Institute The Institute shall apply the <i>funds established under this Act, with the approval of the National Assembly</i> to- (a) <i>conduct</i> research and development activities in the capital project of the Institute; (b) Retained (c) Retained (d) Retained	Amended

27.	e. provide scholarship and award for specialized training for personnel; f. publicize and promote the activities of the Institute; g. support national and international scientific bodies and pay annual dues and other contributions to scientific organizations, in which Nigeria is a member; and h. undertake any other activity in connection with the object of this Act. 27. Annual estimates, accounts and audit (1) The Institute shall not later than 30th September of each year, submit to the Board for approval its estimates of income and expenditure for the next financial year. 2. The Institute shall - a. keep proper records of all accounts of its income and expenditure; and b. prepare statement of account in respect of each financial year. 3. The Institute shall, not later than 30th June of each financial year, submit its accounts to auditors appointed from the list of qualified auditors in accordance with guidelines laid down by the Auditor-General of the Federation and the auditors fees and expenses shall be paid from the Funds of the Institute.	(e) Retained (f) Retained (g) Retained (h) Retained <i>(i) Fund the establishment of spin-off companies and Demonstration factories</i> 26. Annual estimates, accounts and audit (1) The Institute shall, not later than 30th September of each year, submit to the Board <i>and National Assembly</i> for approval, its estimates of income and expenditure for the next financial year. (2) Retained (a) Retained (b) Retained (3) The Institute shall, not later than 30th June of each financial year, submit its accounts to auditors appointed from the list of qualified auditors in accordance with guidelines laid down by the Auditor-General <i>for the Federation and the auditors fees and expenses shall be paid from the Funds of the Institute and provide same to the National Assembly for oversight purposes.</i>	<i>New (i) inserted</i> <i>Amended</i> <i>Amended</i>
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28.	28. Annual Report 1. The Institute shall not later than 30th June of each financial year, submit to the Board, in respect of the preceding financial year, an annual report on the activities of the Institute in such form as the Board may direct. 2. The report referred to in subsection (1) of this section shall include - a. information on the activities of the Institute for the year; b. a copy of the audited accounts of the Institute for that year together with the Auditor-General's report on the accounts of the Institute; and c. such other information as the Board may request. 3. The Director-General shall provide such information on the affairs of the Institute as the Board may from time to time request.	27. Annual Report (1) Retained (2) Retained (a) Retained (b) Retained (c) Retained (3) Retained	
29.	29. Exemption from Income Tax All income derived by the Institute from the sources specified in section 23 subsection (2) of this Act shall be exempted from income tax and all contributions to the fund of the Institute shall be tax deductible.	28. Exemption from Income Tax Retained	
30.	30. Capital Production Income Subject to the approval of the Board, the Institute may invest in profitable productions of capital goods by joint venture, partnership, share-holding or as sole proprietor or as the case may be, the net income generated shall be paid into the fund of the Institute.	29. Capital Production Income Retained	

31.	31. Borrowing and investment power of the Institute (1) The Institute may, with the consent or in accordance with any general authority given by the Board, borrow by way of loan or overdraft, any specified amount of money required by the Institute for its obligations and functions under this Act. (2) The Institute may, subject to the provisions of this Act and the conditions of any trust created in respect of any property, invest any of its funds with the consent or general authority of the Board. (3) The Institute may invest any of its surplus funds in such securities as the Board may, from time to time, approve.	30. Borrowing and investment power of the Institute (1) The Institute may, with the consent or in accordance with any general authority given by the Board, borrow by way of loan or overdraft, any specified amount of money required by the Institute for its obligations and functions under this Act <i>in line with extant laws and regulations.</i> (2) Retained (3) Retained	Amended
32.	PART VI - MISCELLANEOUS 32. Power to accept gifts (1) The Institute may accept any gift of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organization making the gift. (2) The Institute shall not accept any gift where the conditions attached by the person or organization making the gift are inconsistent with the functions and objectives of the Institute. (3) A gift donated to the Institute or project of the Institute shall be made directly to the Institute and shall be utilized only for the purpose.	PART VI - MISCELLANEOUS 31. Power to accept gifts (1) Retained (2) Retained (3) Retained	

33.	33. The seal of the Institute (1) The seal of the Institute shall be such as may be administered by the Board, signed by the Chairman of the Board and the Director-General. (2) Certificates issued by the Institute shall have the Institute's seal affixed and signed by the Chairman of the Board and the Director-General of the Institute. (3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Institute by any authorized person.	32. The seal of the Institute (1) Retained (2) Retained (3) Retained	
34.	34. Power to make Regulations The Board may make Regulations- a. to regulate the activities and programmes of the Institute, or any matter connected with the Institute; or b. for the effective implementation of any of the provisions of this Act.	33. Power to make regulations (a) Retained (b) Retained	
35.	35. Limitation of suit against the Institute (1) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply to any suit instituted against the Institute, an officer of the Institute or employee of the Institute. (2) No suit shall lie or be instituted in any court against the Institute, a member of the Board or any principal officer or employee of the Institute for an action carried out in pursuance to the execution of this Act or any enactment, or of any public duty in respect of any alleged	34. Limitation of suit against the Institute (1) Retained (2) Retained	<i>It is tidier to put a reference to an Act separate by the margin</i> <i>Cap. P41, LFN, 2004.</i>

36.	neglect or default in the execution of this Act or duty or authority, unless it is commenced - (a) within three months of such act, neglect or default complained thereof; or (b) in the case of a continuation of damage or injury, within six months after the ceasing of the act, neglect or default. (3) No suit shall be commenced against the Institute, a member of the Board or any principal officer or employee of the Institute before the expiration of a period of one month after written notice of the intention to commence the suit has been served on the Institute by the intending plaintiff or his agent. (4) The notice referred to in subsection (3) of this Section shall clearly state the cause of action, particulars of the claim, the name and place of abode of the intending plaintiff and the relief sought. 36. Service of Notice (1) Any notices or other document required or authorized to be served on or given to any person for the purposes of this Act, may be served or given by delivering it to that person, or by leaving it at his usual or last known place of residence or business or at the address specified by him in any notice, application or other document made, given or tendered to the Institute under this Act, or by posting it by registered mail to him at	(a) Retained (b) Retained (3) Retained (4) The notice referred to in subsection (3) shall clearly state the – <i>a. cause of action,</i> <i>b. particulars of the claim,</i> <i>c. the name and place of abode of the intending plaintiff; and</i> <i>d. the relief sought.</i> 35. Service of notice (1) Any <i>notice</i> or other document required or <i>authorised</i> to be served on or given to any person for the purposes of this Act, may be served or given by - (a) delivering it to that person, or by leaving it at his usual or last known place of residence or business or at the address specified by him in any notice, application or other document made, given or	<i>Amended & Renumbered</i> <i>Amended & Renumbered</i>
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37.	that place of residence or business or at that address. (2) Where any of such notice or other document sent by registered mail, unless the contrary is proved, it shall be deemed to have been delivered to him when it would have been delivered in the ordinary course of posting a mail unless the contrary is established and in proving the delivery, it shall be sufficient to prove that there is return post office slip showing actual delivery. (3) Where for any purpose under this Act, a notice or document is required to be served on a firm or company, the notice or document may be served on the Secretary, Executive Officer, or other officer holding a similar position in the organisation and the service unless otherwise directed by the Institute, be deemed to be served on all persons who are members of the organization. (4) Any Service of Notice or process on the Institute shall be by proven registered post or by personal service on any Principal Officer of the Institute. 37. Power to give directives by the Minister The Minister of the Institute may give to the Institute, directives of a general character relating to the policies and functions of the Institute and shall comply with such directives.	tendered to the Institute under this Act; or <i>(b) posting it by registered mail to him at that place of residence or business or at that address.</i> (2) Retained (3) Retained (4) Retained 36. Power to give directives by the Minister The Minister may give to the Institute directives of a general character relating to the policies and functions of the Institute and shall comply with such directives <i>without prejudice to the power of the Board and oversight of National Assembly.</i>	<i>Amended</i>
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38.	38. Exemption from Tax accruing from Investment 1. The Institute shall be exempted from the payment of income tax in any income accruing from investment made by the Institute. 2. The provision of any enactment relating to the taxation of companies or trust funds shall not apply to the Institute.	37. Exemption from Tax accruing from Investment (1) Retained (2) Retained	
39.	39. Joint Venture targets for technology acquisition The Institute shall impose conditions and set targets for the formation of joint ventures or partnerships between multinational services, Research Institute, Institution or service companies in all sector of the economy and certified indigenous services companies for the purpose of technological training and acquisition.	38. Joint Venture targets for technology acquisition Retained	
40.	40. Research Targets and development of research products The Institute shall make regulations with requirement and targets for the growth of Research and Development in the areas of Foods, Non-Food and Agro- Allied Raw Materials but not limited thereof as may be reviewed by the Institute; in particular Nigerian industry.	39. Research Targets and development of research products The Institute shall make regulations with requirement and targets for the growth of Research and development in the areas of <i>foods, non-food and agro-allied raw materials</i> but not limited thereof as may be reviewed by the Institute; in particular Nigerian industry.	<i>Amended</i>
41.	41. Interpretation In this Act, unless the context otherwise requires - “Board” means the Governing body of the Institute;	40. Interpretation In this Act - “Board” means the Governing body of the Institute	<i>Amended</i>

42.	“Capital Goods” means machinery, equipment and spare parts; “Chairman” means the Chairman of the Governing Board of the Institute; “Fund” means the fund of the Institute as established under Section 25 of this Act; “Institute” means Federal Institute of Industrial Research Oshodi (FIIRO); “Minister” means Minister responsible for Science and Technology; “Member” means a member of the Board and this includes the Chairman; “President” means President of the Federal Republic of Nigeria; “Principal Officer” means the Directors and other officers as specified in Section 15 of this Act; “Public Service” has the meaning assigned to it in the Constitution of the Federal Republic of Nigeria, 1999; “Secretary” means the Secretary to the Board of the; 42. Short title This Act shall be cited as the Federal Institute of Industrial Research Act, 2016.	<i>established under clause 3 (1);</i> “Chairman” means the Chairman of the Governing Board of the Institute <i>appointed under clause 14 (1) (9);</i> Retained “Institute” means <i>The</i> Federal Institute of Industrial Research Oshodi (FIIRO) <i>established under clause 1 (1);</i> Retained Retained Retained “Principal Officer” means the Directors and other officers as specified in Section <i>16 (1)</i> of this Act; Retained Retained 41. Citation <i>This Bill may be cited as the Federal Institute of Industrial Research Bill, 2018</i>	<i>Amended</i> <i>Amended</i> <i>Amended</i>
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	SCHEDULE 1 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD Proceedings of the Board 1. Subject to this Act and Section 42 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees. 2. The quorum of the Board shall be the Chairman or person presiding the meeting and five other members of the Board and the quorum of any committee of the Board shall be as determined by the Board. 3. The Board shall meet not less than four times in each year and subject thereto, the Board shall meet whenever it is summoned by the Chairman or where the Chairman is required to do so by a notice given to him by not less than 4 other members, he shall summon a meeting of the Board to be held within 28 days from the date on which the notice is given. 4. At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting. 5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt such person for such period as it deems fit, but a person who is	<i>FIRST</i> SCHEDULE 1 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD Proceedings of the Board 1. Retained 2. Retained 3. Retained 4. Retained 5. Retained	Section 4 (2)
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	in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum: 6. The Board may appoint one or more committees to carry out, on behalf of the Board, such functions as the Board may determine. 7. A committee appointed under this paragraph shall consist of such number of persons as may be determine by the Board. And a person shall hold office on the committee in accordance with the term of his appointment. 8. A decision of a committee shall be of no effect until it is confirmed by the Board. 9. The validity of any proceedings of the Board or of a committee thereof shall not be affected by any vacancy in the membership of the Board or of a committee. 10. Any member of the Board or any person holding office on a committee of the Board, who has personal interest in any contract or arrangement shall disclose his interest to the Board and shall not vote on any matter relating to the contract or arrangement. Miscellaneous 11. The fixing of the seal of the Board shall be authenticated by the signature of the Director-General/Chief Executive Officer or any person generally	6. The Board may <i>set up</i> one or more committees to carry out, on behalf of the Board, such functions as the Board may determine. 7. A committee <i>set up</i> under this paragraph shall consist of such number of persons as may be determine by the Board. And a person shall hold office on the committee in accordance with the term of his appointment. 8. Retained 9. Retained 10. Retained Miscellaneous Retained	<i>Amended</i> <i>Amended</i>
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	or specifically authorized by the Board to act for that purpose. 12. Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Board by the Director-General/CEO or any person generally or specifically authorized by the Board to act for that purpose. 13. Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed. 14. The validity of any proceeding of the Board or a committee shall not be affected by:- a. a vacancy in the membership of the Board or committee or b. a defect in the appointment of a member of the board or committee; or c. Reason that a person not entitled to do so took part in the proceedings of the Board or committee.	Retained Retained Retained	
	EXPLANATORY MEMORANDUM The Act seeks among other things to put in place a Legal framework for the continuous growth of Federal Institute of Industrial Research.	EXPLANATORY MEMORANDUM The <i>Bill</i> seeks <i>to</i> put in place a Legal framework for development of micro, small, medium and large <i>industries for rapid industrialisation and socio-economic development of Nigeria.</i>	<i>Amended</i>