

**THE SENATE
FEDERAL REPUBLIC OF NIGERIA**

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

ON

**A BILL FOR
AN ACT TO REPEAL AND RE-ENACT THE RAW MATERIALS
RESEARCH AND DEVELOPMENT COUNCIL ACT CAP R3 LFN
2004 AND TO ENACT THE RAW MATERIALS RESEARCH AND
DEVELOPMENT COUNCIL ACT AND FOR OTHER RELATED
MATTERS, 2018 (SB 593)**

OCT, 2018

REPORT OF THE SENATE COMMITTEE ON SCIENCE AND TECHNOLOGY ON A BILL FOR AN ACT TO REPEAL AND RE-ENACT THE RAW MATERIALS RESEARCH AND DEVELOPMENT COUNCIL ACT CAP R3 LFN 2004 AND TO ENACT THE RAW MATERIALS RESEARCH AND DEVELOPMENT COUNCIL ACT AND FOR OTHER RELATED MATTERS, 2018 (SB 593)

1.0 INTRODUCTION

The Senate at its sitting on Wednesday 14th March, 2018 referred read the **Bill For An Act To Repeal and Re-Enact the Raw Materials Research and Development Council Act Cap R3 LFN 2004 and to Enact the Raw Materials Research and Development Council Act and for other Related Matters. (SB. 593) 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 Ohuabunwa	Member
Senator Obinna J. Ogba	Member
Senator Samuel Anyanwu	Member
Senator Solomon Adeola	Member
Senator Peter Nwaoboshi	Member

Secretariat

1. Musa D. Abdullahi

Clerk, Science and Technology

OBJECTIVES:

The objective of the Council is to develop local raw materials and coordinate research efforts in relation to raw materials acquisition, exploitation, conservation and development.

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, RMRDC, 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.

3.0 STAKEHOLDERS OBSERVATIONS

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

4.0 COMMITTEE RECOMMENDATION

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

a) Retained Sections and Clauses

2(2(a, b, c), 3(a, b, c, d, e, f, g, h, i, j), 4(1(b, c, d, e, f, h, i, j), 4(2, 3), 6, 7, 8(1(a, b, c, d, e, f), 2, 3), 9(1, 2(c, d), 10, 11(a, b, c), 12(1, 2, 3, 4), 13(1(a, c, e), 2), 16(3), 20(1, 2(a, b, c, d), (3(a, b), 4), 21, 22, 24(1, 2, 3), 25(Interpretation), Schedules[Proceedings(1, 2, 4, 5, 6, Committee(7(1, 2, 3), Miscellaneous[8, 9, 10, 12)].

b) Amended Sections and Clauses

1, 2(1) 4(1(a, g), 8(1(g, h), 9(2(a, b, e), 3), 11, 13(1(b, d), 14(1, 2), 15, 16(1, 2), 17(1, 2), 18, 19(1, 2), 23, 26(Short title), Schedules[Proceedings(3), Miscellaneous[11(1, 2, 3)].

c) Retained and renumbered Sections and Subsections

4(1(l - k), 9(4).

d) Amended and Renumbered Sections and Clauses

5(1(a, b, c).

e) Newly inserted Sections and Subsections

3(k, l, m, n), 9(3(a, b, c, d),

f) All Sections renumbered from Section 1 to 26.

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 smooth operation of the Raw Material Council and other extant laws; those that have security implication; 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.

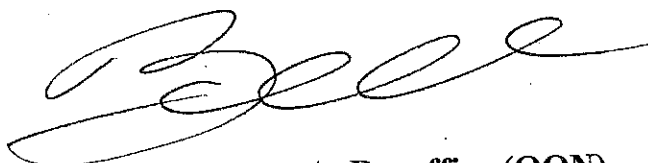
We therefore recommend that the Senate of the Federal Republic of Nigeria do consider and pass this bill as repeal and re-enacted.

5.0 CONCLUSION

The intention of the Committee in re-enacting this Bill is to make Nigeria more productive in Raw Materials Research, processing, and availability for Nigerian industries and other sectors of the economy, encourage small and medium enterprises, industries and be more innovative in raw material development and encourage scientific modification for global utilization 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.



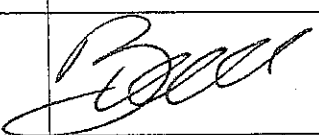
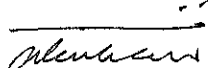
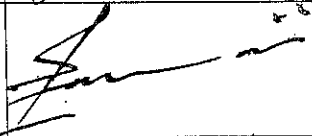
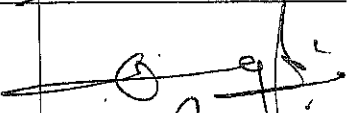
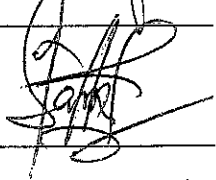
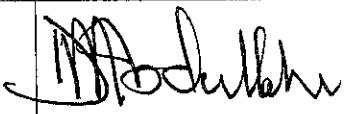
Senator (Prof) Robert A. Boroffice (OON)
Committee Chairman



Musa D. Abdullahi
Director/Committee Clerk

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	

RAW MATERIALS RESEARCH AND DEVELOPMENT COUNCIL (REPEAL AND ENACTMENT) BILL, 2018

A Bill

For

An Act to repeal the Raw Materials Research and Development Council Act Cap R3 Laws of the Federation of Nigeria, 2004 and enact the Raw Materials Research and Development Council Act for research and systematic exploitation, development and utilisation of raw materials resources in Nigeria; and for related matters.

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Clauses	Principal Act	Committee Recommendation	Remarks
Commencement	Enacted by the National Assembly of the Federal Republic of Nigeria		
1.	PART I – OBJECT, ESTABLISHMENT OF THE RAW MATERIALS RESEARCH AND DEVELOPMENT COUNCIL, BOARD AND POWERS OF THE BOARD. ESTABLISHMENT OF THE RAW MATERIALS RESEARCH AND DEVELOPMENT COUNCIL 1. Object of the Act The objects of the Council are to— (a) develop policy guidelines and programmes on raw materials acquisition, exploitation and development; (b) advise the Federal Government on the strategic implication of depletion, conservation or stock piling of resources; (c) advise on adoption of machinery and process for raw materials utilization; (d) encourage the growth of implant research and	PART I – OBJECTIVES, ESTABLISHMENT OF THE RAW MATERIALS RESEARCH AND DEVELOPMENT COUNCIL, BOARD AND ITS POWERS OF THE BOARD. ESTABLISHMENT OF THE RAW MATERIALS RESEARCH AND DEVELOPMENT COUNCIL 1. Objectives of the Council <i>The objective of the Council is to develop local raw materials and coordinate research efforts in relation to raw materials acquisition, exploitation, conservation and development.</i>	Long title redrafted to describe the scope of the Bill. Amended

	development capabilities; (e) evaluate and advise government on special research grants for specific objectives; and (f) carry out such other activities that may enhance the performance of objectives of this Act.		
2.	2. Establishment of the Raw Materials Research and Development Council (1) There is established a body to be known as the Raw Materials Research and Development Council of Nigeria (in this Act referred to as “the Council”). (2) The Council: (a) shall be a body corporate with perpetual succession and a common seal (b) may sue and be sued in its corporate name; and (c) may acquire, hold or dispose of any property, movable or immovable, for the purpose of carrying out any of its functions under this Act.	2. Establishment of the Raw Materials Research and Development Council (1) There is established the Raw Materials Research and Development Council of Nigeria (in this <i>Bill</i> referred to as “the Council”). (2) <i>Retained.</i> (a) <i>Retained.</i> (b) <i>Retained.</i> (c) <i>Retained.</i>	<i>Amended</i>
3.	3. Functions of the Council The functions of the Council shall be to:- (a) undertake measures to ensure the systematic exploitation, development and utilization of Nigeria’s raw material resources; (b) draw up policy guidelines and action programmes on raw materials acquisition, exploitation and development;	3. Functions of the Council The functions of the Council shall be to: (a) <i>Retained.</i> (b) <i>Retained.</i>	

	(c) review from time to time, raw material resources availability and utilization with a view to advising the Federal Government on the strategic implication of depletion, conservation or stock-piling of such resources; (d) advise on adoption of machinery and processes for raw material utilisation; (e) encourage publicity of research findings and other information relevant to local sourcing of industries; (f) encourage growth of in-plant research and development capabilities; (g) advise on and devise awards or systems for industries that achieve any break-through or make innovations and inventions; (h) organize workshops, symposia and seminars, from time to time, designed to enlighten people on new developments and solutions discovered; (i) consider and advise on special research grants for specific objectives; and (j) consider and advise on any other issue capable of enhancing the objectives of the Council;	(c) <i>Retained.</i> (d) <i>Retained.</i> (e) <i>Retained.</i> (f) <i>Retained.</i> (g) <i>Retained.</i> (h) <i>Retained.</i> (i) <i>Retained.</i> (j) <i>Retained.</i> (k) <i>implement the National strategy on competitiveness.</i> (l) <i>provide testing laboratories for raw materials characterisation and certification, facilities and other materials development infrastructure with relevant manpower.</i> (m) <i>promote the Nigerian local contents in Science Engineering Technology in local raw materials utilisation through capacity enhancement and enforcement.</i>	<i>New (k) inserted</i> <i>New (l) inserted</i> <i>New (m) inserted</i>
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4.	4. Establishment of the Governing Board of the Council (1) There is established for the Council a Governing Board (hereinafter referred to as "the Board") which shall consist of: (a) a Chairman to be appointed by the President on the recommendation of the Minister and the following other Members to be appointed by the Minister on the Recommendation of the body they represent; (b) a representative of the Minister of Science and Technology. (c) a representative of the Manufacturers Association of Nigeria; (d) a representative of the Nigerian Association of Small Scale Industrialists; (e) a representative of the Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture; (f) a representative of the Federal Ministry responsible for Commerce, Industry, Trade and Investment; (g) a representative of the National Planning Commission; (h) a representative of the Ministry responsible for Defence; (i) a representative of the Federal Ministry responsible for	<i>(n) establish strong network for the Council's State Coordinating Offices to facilitate deeper penetration and enhance project execution, monitoring and institutions.</i> 4. Establishment of the Governing Board of the Council (1) <i>Retained.</i> (a) <i>a Chairman to be appointed by the President and the following other Members to be appointed by the Minister on the Recommendation of the body they represent;</i> (b) <i>Retained.</i> (c) <i>Retained.</i> (d) <i>Retained.</i> (e) <i>Retained.</i> (f) <i>Retained.</i> <i>(g) a representative of the Ministry responsible for National Planning;</i> (h) <i>Retained.</i> (i) <i>Retained</i>	<i>New (n) inserted</i> <i>Amended</i> <i>Amended</i>
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	Agriculture and Rural Development; (j) a representative of the Federal Ministry responsible for Minerals Development; (k) a representative from a relevant research institution to be appointed by the Minister; (l) the Director-General of the Council who shall be a Member/Secretary of the Board. (2) The members of the Board, other than the Director-General shall serve on part-time basis and the Chairman shall be a person with vast experience in raw materials acquisition, exploitation, conservation and development in Nigeria . (3) The provisions contained in the First Schedule of this Act shall have effect with respect to the proceedings of the Board and any other matters mentioned therein.	(j) <i>Retained</i> Deleted (k) <i>Retained</i> (2) <i>Retained</i> (3) <i>Retained</i>	(l) <i>Renumbered</i> <i>(k)</i>
5.	[Schedule] 5. Functions of the Board (1) The functions of the Board shall be to: (a) Formulate the policies of the Council; (b) Consider and approve Annual budget estimates, Annual Audited Accounts, Statements of Accounts and reports in all areas of mandate of the Council. (c) Consider and approve Appointment of Directors and other staff of the Council; and (d) Perform such other functions as are necessary and to the extent of its powers under this Act.	5. Functions of the Board (1) <i>Retained</i> (a) <i>formulate</i> the policies of the Council; Deleted (b) consider and approve Appointment of Directors and other staff of the Council; and (c) <i>perform such other functions as are necessary and to the extent of its powers under this Act.</i>	<i>Amended & Renumbered</i> <i>(a-c)</i>

9.	9. Cessation of Membership (1) The Chairman or any member of the Governing Board of the Council shall cease to hold office where he: (a) becomes of unsound mind; or (b) is declared bankrupt by a court of competent jurisdiction; (c) is convicted of a felony or of any offence involving dishonesty or corruption; (d) is found guilty under the Code of Conduct for serious misconduct in relation to his duties; (e) the President of the Federal Republic of Nigeria is satisfied that it is not in the best interest of the Council or of the public for such member to continue in office; (f) he resigns his appointment as a member of the Board; or (g) by notice under his hand addressed to the President of the Federal Republic of Nigeria; or (h) He/She ceases to occupy the position that enabled him to represent his/her organization in the first instance. (2) Where a person ceases to be a member under subsection (1) of this section, the body which he represents shall send a representative to serve out the remainder of the tenure of that member. (3) A person who has ceased to be a member of the Board shall not be eligible for reappointment as a member of the Board.	8. Cessation of Membership (1) <i>Retained</i> (a) <i>Retained</i> (b) <i>Retained</i> (c) <i>Retained</i> (d) <i>Retained</i> (e) <i>Retained</i> (f) <i>Retained</i> (g) by notice under his hand addressed to the President of the <i>Federal Republic of Nigeria; or</i> (h) He/She ceases to occupy the position that enabled him to represent his/her <i>organisation</i> in the first instance. (2) <i>Retained.</i> (3) <i>Retained.</i>	<i>Amended</i>
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10.	PART II – STAFF OF THE COUNCIL 10. Appointment of the Director-General of the Council (1) There shall be appointed for the Council, a Director-General, who shall be the Chief Executive Officer of the Council. (2) The Director-General shall be: (a) appointed by the President on the recommendation of the Minister, (b) a person who possess not less than 15 years post qualification experience in Engineering or any other profession in any of the pure Science subjects with vast cognate experience in raw materials acquisition, exploitation, conservation and development; (c) responsible to the Board for the management of the affairs of the Council; (d) entitled to earn a remuneration and allowances as may be specified in his letter of appointment; and (e) The Director-General shall hold office for a term of five years and may be re-appointed for another term of five years and no more. (3) The Director-General shall be the Chief Executive and Accounting Officer of the Council and shall be responsible for the day-to-day administration of the	PART II – STAFF OF THE COUNCIL 9. Appointment of the Director-General of the Council (1) <i>Retained.</i> (2) The Director-General shall be: (a) appointed by the President on the recommendation <i>of the Board through the Minister responsible for Science and Technology;</i> (b) a person who possess not less than 10 years post Doctoral experience in Science, Engineering and Technology subjects with vast cognate experience in raw materials acquisition, exploitation, conservation and development; (c) <i>Retained</i> (d) <i>Retained</i> (e) hold office for a term of five years <i>in the first instance</i> and may be re- appointed for another term of five years and no more. (3) The Director-General shall, <i>subject to the general direction of the Board, be responsible for;</i>	<i>Amended</i> <i>Amended</i> <i>Amended</i> <i>Amended</i>
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	Council. (4) The Director-General shall hold office on such terms as may be specified in his/her letter of appointment, and as may, from time to time, be approved by the President. (5) The Director-General shall execute the seal of the Council.	<i>(a) the day-to-day administration of the Council;</i> <i>(b) keeping the books and proper records of the proceedings of the Board;</i> <i>(c) the administration of the secretariat of the Board; and</i> <i>(d) the general direction and control of the employees of the Council.</i>	<i>New (a) inserted</i> <i>New (b) inserted</i> <i>New (c) inserted</i> <i>New (d) inserted</i>
11.	11. Other Staff of the Council There shall be appointed from time to time by the Council, with the approval of the Board such other staff as may be required for the purpose of the efficient performance of the functions conferred under this Act.	(4) Retained 10. Other Staff of the Council <i>Retained</i>	<i>(5) Renumbered</i> <i>(4)</i>
12.	12. Remuneration of employees of the Council Salaries and benefits of members of staff of the Council shall be in accordance with the conditions and scheme of service in the Council or as may be approved by the President.	Deleted	
13.	13. Staff Regulations, etc. The Board may make regulations relating generally to the conditions and scheme of service of the staff of the Council and such regulations may provide for:	11. Staff remuneration and regulations The Board may make regulations relating generally to the conditions and scheme of service of the staff of the Council and such regulations may provide for:	<i>Amended</i>

14.	(a) the appointment, promotion, termination, dismissal and disciplinary control over the staff of the Council; (b) remuneration and fringe benefits subject, to the approval of the National Salaries Incomes and Wages Commission; and (c) appeals by staff against dismissal or other disciplinary measures. 14. Pension (1) Service in the Council shall be pensionable and subject to the Pension Reform Act. (2) Nothing in this section shall preclude the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office. (3) For the purpose of the application of the provisions of the Pension Reforms Act, any power exercisable there under by a Minister or other authority of the Government of the Federation (not being power to make regulations under that Act) is hereby vested in and shall be exercisable by the Board of the Council and not by any other person or authority. (4) Subject to this section, the Pensions Reform Act shall, in application of this section to any office, 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).	(a) <i>Retained.</i> (b) <i>Retained</i> (c) <i>Retained</i> 12. Pension (1) <i>Retained.</i> (2) <i>Retained.</i> (3) <i>Retained.</i> (4) <i>Retained</i>	
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	PART – III FINANCIAL PROVISIONS 15. Fund of the Council (1) The Council shall establish and maintain a fund (“the Fund”) which shall consist of: (a) such sums as may be appropriated to the Council by the Federal Government; (b) one per cent surcharge on imports; (c) fees charged for services rendered by the Council; (d) contributions from the organized private sector; (e) all sums accruing to the Council by way of gifts, testamentary disposition, endowments, contributions from philanthropic persons and donor agencies. (2) The Council shall from time to time apply the Fund towards the promotion of the objectives specified in this Act. 16. Annual estimates and accounts (1) The Board shall cause to be prepared not later than 6 months to the end of each financial year an estimate of the expenditure and income of the Council during the next financial year based on guidelines approved by the Board in line with financial regulations and the consent of the Minister.	PART – III FINANCIAL PROVISIONS 13. Fund of the Council (1) <i>Retained.</i> (a) <i>Retained.</i> (b) <i>two per cent surcharge on imports;</i> (c) <i>Retained.</i> (d) contributions from the <i>organised</i> private sector; (e) <i>Retained.</i> (2) <i>Retained.</i> 14. Annual estimates and accounts (1) The Board shall cause to be prepared not later than 6 months to the end of each financial year an estimate of the expenditure and income of the Council during the next financial year based on guidelines approved by the Board in line with <i>extant financial regulations, which would be laid before the National Assembly for appropriation.</i>	<i>Amended</i> <i>Amended</i> <i>Amended</i>
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	(2) The Board shall cause to be kept, proper accounts of the Council and proper records in relation thereto and when certified by the Board, such accounts shall be audited as provided in Section 13 of this Act	(2) The Board shall cause to be kept, proper accounts of the Council and proper records in relation thereto and when certified by the Board, such accounts shall be audited as provided in section 15 of this Act <i>and the audited accounts shall be submitted to the National Assembly as part of its oversight function.</i>	<i>Amended</i>
17.	17. Annual audit The accounts of the Council shall be audited within six months after the end of each financial year by external auditors appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor-General of the Federation and the report shall be submitted to the board for Approval.	15. Annual audit <i>The accounts of the Council shall be audited within six months after the end of each financial year by external auditors appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor-General for the Federation.</i>	<i>Amended</i>
18.	18. Borrowing power of the Council (1) The Council shall , with the approval of the Board and consent of the Minister in accordance with any general guidelines approved by the financial regulations , borrow by way of loan or overdraft from any source any moneys required by the Council for meeting its obligations and discharging its functions under this Act,	16. Borrowing power of the Council (1) The Council <i>may</i>, with the approval of the Board <i>and</i> consent of the Minister <i>and the National Assembly</i>, in accordance with any general guideline approved by the financial regulations , borrow by way of loan or overdraft from any source any money required by the Council for meeting its obligations and <i>performing</i> its functions under this Act,	<i>Amended</i>

	(2) The Council may, subject to the provisions of this Act and the conditions of any trust created in respect of any property and with the approval of the Board and consent of the Minister invest all or any of its funds in accordance with any general guidelines approved in the financial regulations. (3) The Council may invest any surplus funds in such securities as may be approved by the Board and consent of the Minister. 19. Annual report The Council shall not later than three months to the end of each financial year submit to the Minister, a report on activities of the Council and its administration during the immediately preceding financial year.	(2) The Council may, subject to the provisions of this Act and the conditions of any trust created in respect of any property <i>and with the approval of the Board and consent of the Minister,</i> invest all or any of its funds in accordance with any general guideline, approved in the financial regulations. (3) <i>Retained</i> 17. Power to accept gifts (1) The Council may, with the approval of the Minister, accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or <i>organisation</i> making the gift. (2) The Council shall not accept any gift if the conditions attached by the person or <i>organisation</i> making the gift to the acceptance thereof are inconsistent with the functions of the Council. 18. Annual report The Council shall not later than three months to the end of each financial year submit to <i>the Board or the Minister and National Assembly (in the absence of the Board),</i> a report on activities of the Council and its administration during the <i>immediate</i> preceding financial year.	<i>To borrow is optional</i> <i>Amended</i> <i>Amended</i> <i>Amended</i> <i>Amended</i>
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	PART IV - MISCELLANEOUS	PART IV - MISCELLANEOUS	
20.	20. Regulations (1) The Council may, with the approval of the Board and consent of the Minister, make regulations generally for the purpose of carrying into effect the provisions of this Act; (2) The Council with the approval of the Board and consent of the Minister may make such regulations as are necessary for the development, promotion, protection, utilization of local raw materials and for due administration of its provisions.	19. Regulations (1) The Council may, with the <i>approval of the Board or the Minister (in the absence of the Board)</i>, make regulations generally for the purpose of carrying into effect the provisions of this <i>Bill</i>; (2) The Council with the approval of the Board or consent of the Minister (<i>in the absence of the Board</i>) may make such regulations as are necessary for the development, promotion, protection, <i>utilisation</i> of local raw materials and for due administration of its provisions.	
21.	21. Staff regulations (1) The Board may make regulations relating generally to the conditions and scheme of service of the staff of the Council and without prejudice to the generality of the foregoing, such regulations may provide for— (a) the appointment, promotion, termination, dismissal and disciplinary control of all staff of the Council; (b) remuneration and fringe benefits subject to the approval of the National Salaries Incomes and Wages Commission; (c) appeals by staff against dismissal or other disciplinary measures. (2) Staff regulations made under subsection (1) of this	Deleted	

	(b) particulars of the claims; (c) name and place of abode of the intending plaintiff; and (d) the relief sought in the claim. (3) The notice referred to in subsection (1) of this section in relation to any summons, notice or other document required or authorised to be served on the Council under the provision of this Act or any other enactment or law, may be served by: (a) delivering same to the Director-General; or (b) sending it by registered post addressed to the Director-General at the head office of the Council. (4) In any action or suit against the Council, no execution or attachment or process of any nature thereof, shall be issued against the Council, but any sum of money which may, by the judgment of the court, be paid from the general reserve of the Council.	(b) <i>Retained</i> (c) <i>Retained</i> (d) <i>Retained</i> (3) <i>Retained</i> (a) <i>Retained</i> (b) <i>Retained</i> (4) <i>Retained.</i>	
25.	25. Restriction on execution against the property of the Council In any action or suit against the Council, no execution or attachment or process in the nature thereof shall be issued against the Council, but any sums of money which may, by the judgment of the court, be awarded against the Council shall, subject to any directions given by the Council, be paid from the general reserve fund of the Council.	21. Restriction on execution against the property of the Council <i>Retained.</i>	

26.	26. Indemnity of officers of the Council A member of the Board, Director-General or employee of the Council shall be indemnified out of the assets of the Council against any proceedings brought against him in his capacity as a member of the Board, Director-General, officer or employee of the Council where the act complained of is not ultra vires his power.	22. Indemnity of officers of the Council <i>Retained.</i>	
27.	27. Repeal The Raw Materials Research and Development Council Act 2004 is hereby repealed.	23. Repeal The Raw Materials Research and Development Council <i>Act Cap. R3, Laws of the Federation of Nigeria, 2004 is repealed.</i>	<i>Amended</i>
28.	28. Savings (1) A person who at the commencement of this Act was a member of staff or an employee of the Raw Materials Research and Development Council, shall as from the commencement of this Act become a member of staff or employee of the Council with the status, rank, designation and functions which corresponds as far as possible to those which appertained to him as a member of staff or employee of the Raw Materials Research and Development Council. (2) All assets, rights, liabilities and obligations which immediately before the commencement of this Act were assets, rights, liabilities and obligations of the Raw Materials Research and Development Council shall by virtue of this Act, be taken over by the Council.	24. Savings (1) <i>Retained.</i> (2) <i>Retained.</i>	

29.	(3) Anything made or done or having effect before the commencement of this Act by the Raw Materials Research and Development Council and having any resulting or continuing effect shall be treated as from the commencement of this Act, as if it were made or done by the Council. 29. Duty of secrecy —— (1) A member of the Board or the Director General or any other officer of the Agency shall:- (a) not, for his personal gain, make use of any information which has come to his knowledge in the exercise of this power or is obtained by him in the ordinary course of his duty as a member of the Board or as a Director General or officer of the Agency; (b) treat as confidential any information which has come to his knowledge in the exercise of his power or is obtained by him in the performance of his duties under this Act; and (c) not disclose any information referred to under paragraph (b) of this subsection, except when required to do so by a court or in such other circumstances as may be prescribed by the Board from time to time. (2) Any person who contravenes the provisions of subsection (1) of this section commits an offence and is liable on conviction to a fine of not less than N100,000.00 or imprisonment for a term not exceeding 2 years or to both such fine and imprisonment.	(3) <i>Retained.</i>	Deleted
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30.	30. Interpretation “President” - means the President of the Federal Republic of Nigeria. “Council” - means the Raw Materials Research and Development Council. “Board” - means the Governing Board of the Council. “Chairman” - means the Chairman of the Board. “Minister” - means the Minister charged with the responsibility for Science and Technology. “Member” - means any Member of the Board including the Chairman. “Local raw material”- means any unprocessed or processed material indigenous to Nigeria that can be converted by manufacture, processing or combination into a new and useful product.	25. Interpretation “President” - means the President of the Federal Republic of Nigeria; “Council” - means the Raw Materials Research and Development Council <i>established under this Bill</i>; “Board” - means the Governing Board of the Council. “Chairman” means the Chairman of the Board; “Minister” means the Minister charged with the responsibility for science and technology; “Member” means any Member of the Board including the Chairman; “local raw material”- means any unprocessed or processed material indigenous to Nigeria that can be converted by manufacture, processing or combination into a new and useful product.	Amended
31.	31. Short title This Act may be cited as the Raw Materials Research and Development Council Act 2018.	26. Short title This Act may be cited as the Raw Materials Research and Development Council <i>Bill</i>, 2018.	Amended

	SCHEDULE Section 4(3) SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD Proceedings of the Board 1. Subject to this Act and to section 27 of the Interpretation Act (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the person presiding to have a second or casting vote), the Board may make standing orders regulating the proceedings of the Board and any committee thereof. 2. Every meeting of the Board shall be presided over by the Chairman or if the Chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their member to preside at that meeting. 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; and if the Chairman is required to do so by notice given to him by not less than three other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.	SCHEDULE Section 4 (3) SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD Proceedings of the Board 1. <i>Retained.</i> 2. <i>Retained.</i> 3. The Board shall meet <i>at least two</i> times in each year and, subject thereto, the Board shall meet whenever it is summoned by the Chairman; and if the Chairman is required to do so by notice given to him by not less than three other members, he shall summon a meeting of the Board to be held within <i>14</i> days from the date on which the notice is given.	<i>Amended</i>
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	4. The quorum of the Board shall consist of the Chairman (or, in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and six other members and the quorum of any committee of the Board shall be determined by the Board. 5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it deems fit; but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum. 6. Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister. Committee 7. (1) Subject to its standing orders, the Board may appoint one or more committees to carry out on behalf of the Board such of its functions as the Board may determine. (2) Every committee appointed under the provisions of sub-paragraph (1) of this Paragraph, shall consist of such number of persons (not necessarily all members of Board) as may be determined by the Board and a person other than a member of the Board shall hold office on the committee in accordance with the terms of his appointment. (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.	4. <i>Retained.</i> 5. <i>Retained.</i> 6. <i>Retained.</i> Committee 7. (1) <i>Retained.</i> (2) <i>Retained.</i> (3) <i>Retained.</i>	
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	Miscellaneous	Miscellaneous	
	8. The fixing of seal of the Council shall be authenticated by the signature of the Director-General and any other staff authorised generally or specially by the Board to act for that purpose.	8. <i>Retained</i>	
	9. 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 Council by the Director-General or any person generally or specifically authorised by the Board to act for that purpose.	9. <i>Retained</i>	
	10. Members of the Board shall be paid such remuneration or allowances as may be approved from time to time by the President.	10. <i>Retained</i>	
	11. The validity of any proceedings of the Board or of a committee thereof shall not be adversely affected by: (1) any vacancy in the membership of the Board; or (2) any defect in the appointment of a member of the Board or committee; or (3) reason that a person not entitled to do so, took part in the proceedings.	11. The validity of any proceedings of the Board or of a committee thereof shall not be adversely affected by: (a) <i>any vacancy in the membership of the Board;</i> (b) <i>any defect in the appointment of a member of the Board or committee; or</i> (c) <i>reason that a person not entitled to do so, took part in the proceedings.</i>	<i>Amended</i>

	12. Any member of the Board and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a committee thereof shall forthwith disclose his interest to the Board or committee and shall not vote on any question relating to the contract or arrangement. EXPLANATORY MEMORANDUM <i>(This note does not form part of the above Act but is intended to explain its purport)</i> A Bill for an Act to repeal and re-enact the Raw Materials Research and Development Council, 2018 to develop local raw materials and co-ordinate research efforts especially in relation to raw materials acquisition, exploitation, conservation and development.	12. <i>Retained.</i> EXPLANATORY MEMORANDUM This Bill seeks to repeal and re-enact the Raw Materials Research and Development Council <i>Act Cap. R.3, Laws of the Federation of Nigerian, 2004</i> to develop local raw materials and co-ordinate research efforts especially in relation to raw materials acquisition, exploitation, conservation and development.	Amended
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