



**THE SENATE
FEDERAL REPUBLIC OF NIGERIA**

**REPORT OF THE JOINT COMMITTEE ON SCIENCE AND
TECHNOLOGY AND JUDICIARY, HUMAN RIGHTS AND
LEGAL MATTERS**

ON

**A BILL FOR AN ACT TO PROVIDE FOR THE
ESTABLISHMENT OF THE NATIONAL RESEARCH AND
INNOVATION COUNCIL, NATIONAL RESEARCH AND
INNOVATION FOUNDATION; AND FOR MATTERS RELATED
THERE TO.**

JUNE, 2017

REPORT OF THE JOINT COMMITTEE ON SCIENCE AND TECHNOLOGY, AND JUDICIARY, HUMAN RIGHTS AND LEGAL MATTERS ON A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL RESEARCH AND INNOVATION COUNCIL, NATIONAL RESEARCH AND INNOVATION FOUNDATION; AND FOR MATTERS RELATED THERETO

1.0 Introduction

The National Research and Innovation Council (Est. etc) Bill, 2016 was sponsored by *Senator David Umaru (Niger East Senatorial District)* and Sixty (60) other Co-sponsors (list attached herewith). The Bill was read for the *First Time* on Wednesday, 23rd March, 2016.

At the Plenary Sitting of Wednesday, 5th October, 2016, the Senate deliberated on the general principles of the Bill. After extensive deliberations on the merits of the Bill by Distinguished Senators, it was read for the *Second Time*, and it was referred to the Senate Committees on Science and Technology and Judiciary, Human Rights and Legal Matters, for further legislative action (*Vide Order of Referral dated Wednesday, 5th October, 2016*) and to report back with its recommendations.

Committee Composition

Senate Committee on Science and Technology

- | | | |
|---------------------------------------|----------|----------------------|
| 1. Senator Robert A. Boroffice | - | Chairman |
| 2. Senator Yusuf A. Yusuf | - | Vice Chairman |
| 3. Senator Solomon O. Adeola | - | Member |
| 4. Senator Samuel N. Anyanwu | - | - |
| 5. Senator Peter O. Nwaoboshi | - | - |
| 6. Senator Mustapha Bukar | - | - |
| 7. Senator Joseph Obinna Ogba | - | - |
| 8. Senator Mao O. Ohuabunwa | - | - |

Senate Committee on Judiciary, Human Rights and Legal Matters

- | | | |
|--|----------|----------------------|
| 1. Senator David Umaru | - | Chairman |
| 2. Senator Godswill Akpabio | - | Vice Chairman |
| 3. Senator Bala Ibn Na'allah | | member |
| 4. Senator James E. Manager | | - |
| 5. Senator Joshua M. Lidani | | - |
| 6. Senator Babjide C. Omoworare | | - |
| 7. Senator Abdullahi Adamu | | - |
| 8. Senator Chukwuka G. Utazi. | | - |
| 9. Senator Ovie omo-Agege | | - |
| 10. Senator Suleiman Adokwe | | - |
| 11. Senator Atai Aidoki | | - |

2.0 Methodology

Upon receipt of the said referral, the Committee held several meetings whereby it deliberated and agreed on the following legislative framework, in furtherance of this assignment, to wit:

- ii. Conduct a public hearing.
- iii. Consult widely with stakeholders.
- iv. Consider matters incidental there to, that would be of assistance, in the discharge of its assignment.

3.0 Objectives of the Bill

The objectives of the Bill in the Committee's view, among other things, are as follows –

- i. Set national priorities on Research, Innovation and Development;
- ii. Promote the gains of the application of the outputs of research and innovation to industrialization and overall economic development of Nigeria in the 21st century;
- iii. Set directions for sectoral synergy between existing research councils, MDAs and research institutes in line with national priorities;
- iv. Facilitate fund raising activities to support science, technology, and innovation activities in areas of national needs and priorities ;and

- v. Give legal backing to the activities of the National Research and Innovation Council inaugurated by the Federal Government as the apex policy body to ensure synergy amongst the various MDAs and research institutes, etc

4.0 Committee Legislative Action

As part of the legislative framework, the Committee held several meetings whereby it deliberated on the merits and justifications of the bill. In the course of its deliberations, the Committee had regard to views expressed by Distinguished Senators during debates on the general principles of the bill at its second reading stage. Accordingly, the Committee resolved to conduct a public hearing in order to avail stakeholders and the general public the opportunity to make their inputs on the proposed legislation.

The Committee placed advertisements in the print and electronic media and invited memoranda from stakeholders and the general public with a view to sensitising them on the provisions of the proposed legislation, ahead of the public hearing.

The following organisations and individuals appeared during the public hearing, namely:

1. National Information Technology Development Agency.
2. Academic Union of Research Institutes (NASENI Branch).
3. Nigerian Society of Engineers (NSE)
4. Professor Anthony Makun, Director Research, Innovation and Development, Federal University of Technology, Minna.

5. NGO Network – in consultation with the Federal Ministry of Science and Technology Development.
6. Academic Staff Union of Research Institutions(representing the Interest of all researchers in all Federal Research Institutions, Agencies and allied Colleges.
7. Professor S. T. Bogoro, former Executive Secretary, TetFund.
8. NGOs, CSOs
9. Federal University of Technology, Minna.
10. The General Public.

5.0 Public Hearing

The Joint Committee conducted a public hearing on Monday, 12th December, 2016 at the Senate Conference Hall Room 231, New Senate Wing of the National Assembly, and Abuja in line with its resolution. The purpose was to elicit views of stakeholders and the general public on the merits of the proposed legislation, for possible enactment as an Act of the National Assembly.

5.1 Opening

The President of the Senate, *Senator (Dr.) Abubakar Olubukola Saraki, CON*, who was represented by *Senator Philip Aduda*, the Minority Whip of the Senate, declared the Public Hearing opened. In his keynote address, he commended the foresight of the sponsor and co-sponsors of the bill, stressing that the bill addresses the issue of research and innovation which is

the fulcrum of any emerging economy. He further declared that the 8th Senate as part of its legislative agenda is committed to passing legislations that will usher in a regime of economic and technological development in line with the nation's renewed quest for a knowledge-based economy. He stressed that the proposed bill is in sync with this legislative agenda and would impact on the lives of citizens by stimulating an effective national research and innovation system.

5.2 Proceedings

Mr. President, Distinguished Colleagues, I wish to state that the public hearing attracted a large turnout of stakeholders and members of the general public. This, in fact underscores the importance which Nigerians attach to this piece of legislation. There were presentations for and against the passage of the bill.

The highlight of presentations by stakeholders who supported the passage of the bill, are as follows:

Firstly, stakeholders stated that the bill is a welcome development and it will give impetus to research and innovation in the country.

They observed that establishment of the National Research and Innovation Council would accelerate growth of innovation based entrepreneurship in Nigeria and create suitable condition for commercialization of recent and future research findings would catapult Nigeria into sustainable economic prosperity, and from economic recession to economic development.

Secondly, it was observed by stakeholders that the idea of a national research agenda and National Research and Innovation Fund contained in the proposed bill is commendable. They stressed that the contemplation of

funding research will no doubt facilitate the preservation and protection of intellectual products from the university system and other research institutes. Thirdly, the intendment of this bill is to maximise Nigeria's research, innovation and development potentials by giving legal impetus to the recommendations of the revised National Science , Technology and Innovation policy , 2012 adopted by the Federal Government;

Fourthly, the bill does not seek to establish any new research institute or agency but rather seeks to ensure greater policy synergy amongst the various MDAs on the issue of R & D through the National Research and Innovation Council;

Finally, majority of the stakeholders at the public hearing spoke in support of the passage of the bill because it will address the major issues militating against R&D in Nigeria that reflect our national priority needs etc;

Mr. President, Distinguished colleagues, permit me at this juncture, to point out that while the majority of presentations at the Public Hearing were in favour of the passage of the bill. The National Information Technology Development Agency (NITDA); Academic, Staff Union of Research Institutes (NASeni Branch), whom, in no uncertain terms, opposed the passage of the Bill on the following grounds:

Firstly, they averred that some of the statutory functions of the Foundation are a duplication of those that are carried out by other existing research agencies, hence it would amount to a duplication if the bill is passed into law particularly sections 6(h), 6(k) and 7(1) NITDA Act 2007.

Furthermore, it was contended that the setting up of the International Advisory Board under Clause 4(1)(m) without any specified function and

the establishment of another Advisory Committee in Clause 5(1) without functions, is unwieldy.

Similarly, it was argued that the administration of the proposed Council will be cumbersome considering the numerous administrative organs placed in the bill particularly in Clauses 12.

On the appropriateness of the Foundation proposed under the bill, it was contended that the Foundation should not have regulatory functions and its nature properly defined since a Foundation in ordinary parlance connotes a non-governmental organization with an endowment. It was further submitted that even though majority of research in Nigeria takes place in our tertiary institutions, yet most of the provisions fail to involve the academia as representatives in the Foundation.

7.0 Legislative Summary

Mr. President, Distinguished colleagues, we have endeavoured to provide a legislative summary of the bill hereunder. The summary seeks to provide a detailed clause – by – clause analysis of the key provisions of the bill. It also provides the reason or justification for the introduction of new provisions, deletion of contentious provisions and the basis for sustaining some provisions of the bill. It should be mentioned here also that the fears raised by some stakeholders who opposed the bill have been addressed. The summary no doubt provides the underline reasoning for our observations, findings and recommendations which are also in line with the recommendation of the revised National Science, Technology

and Innovation Policy, 2012 as major step towards a seamless acceleration of research and innovation. The highlights are as follows;

Clause 1

Clause 1 establishes the National Research and Innovation Council the Joint Committee retained this clause because apart from the various sectoral councils on Agriculture, Health, Pharmaceuticals, Medical Sciences etc, there is no extant legislation establishing an apex policy body to streamline sectoral research policies on research and innovation to meet national priority needs and provide backing to their activities thereof.

Clause 2

Clause 2 deals with the membership of the Council. The Joint Committee retained this clause but amended sub-clause (1b) and introduced new paragraphs “ (f)”, “(g)”, and “ (h)”, accordingly. The membership is now enlarged to include other critical stakeholders. By this amendment, the President has the leeway to appointment more members into the Council, in deserving circumstances. Similarly, a new sub-clause (3) of clause 2 is introduced to eliminate any ambiguity regarding the tenure of the President and Vice President, as members of the Council.

Clause 3

Deals with the proceedings of the National Research and Innovation Council. Amended 3(1), 3(2) and 3(3).

Clause 4

Clause 4 deals with the functions of the National Research and Innovation Council. Clause 4(1) paragraph (c) was recommended for clarity since the

Council is not to establish research institutes but could recommend their establishment where necessary. Similarly, paragraphs (f), (h), and (i) are redrafted for elegance and clarity. A new paragraph '(n)' was also introduced to allow for effective facilitation of Sectoral Innovation Committees by the Council. Paragraph (m) which recommends the establishment of an International Advisory Board by the Council was deleted to prevent unnecessary exposure of indigenous intellectual property to expatriates. This adequately addressed the fear thereto expressed by some stakeholders.

Clause 5

Clause 5 establishes the Technical Advisory Committee, the technical arm of the Council. The Joint Committee made consequential amendments on functions of the Technical Advisory Committee as indicated in the attached table have been provided for. The changes are far-reaching and have addressed concerns of some stakeholders about the size of the Council being unwieldy.

Clause 6

Clause 6 establishes the National Research and Innovation Foundation under the presidency in line with the recommendation of the revised National Science, Technology and Innovation, 2012. Clause (6) (1) was however redrafted for elegance and clarity.

Clause 7

Clause 7 deals with the functions of the Foundation. The Committee retained this clause because there is no conflict between the functions of the Foundation and existing research institutions. The Foundation has no regulatory function but like any other Foundation whether private or public,

its focus is to promote research and innovation through the management of the research and innovation funds provided under the bill to discharge the stipulated functions.

Clause 8

Clause 8 establishes the office of the Executive Secretary, National Research and Innovation for day to day running of the affairs of the Foundation proposed under the Bill. The Committee retained this clause, but proposed some changes which have been reflected in the report.

8.0 Observations / Findings

Flowing from the foregoing observations, we hereby make the following findings –

1. That the Bill is laudable, commendable and a major concrete step towards given legal backing to the implementation of the recommendations of the revised National Science, Technology and Innovation policy, 2012 adopted by the Federal Government;
2. That the bill will for the first time establish the National Research and Innovation Council as a creation of an Act of the National Assembly as the apex policy body to ensure research policy harmony, prioritization of research endeavours, sectoral collaboration, and most importantly promote a paradigm shift from the prevailing culture of research publications to a new quest for increased patented research products that addresses the pressing needs of the nation;
3. That there is no ambiguity regarding the legal status and functions of the proposed National Research and innovation council in view of the

view of the provisions of clauses 6(1) and 7(1) of the Bill, as can be seen in the attached table;

4. That the argument against the inclusion of the International Advisory Board as an appendage of the proposed Council is valid especially considering the need to protect indigenous intellectual property;
5. That there is no conflict between the functions of the National Research and Innovation Foundation proposed under this Bill and the statutory functions of NOTAP, NASENI, NITDA, the Federal Ministry of Industry, Trade and Investment or any extant legislation;
6. That the conferment on the Federal Ministry of Science and Technology of the mandate to manage the National Research and Innovation Fund failed to take into consideration the recommendation of the National Science, Technology and Innovation policy 2012 regarding the use and management of the National Research and Innovation Fund;
7. There is no confusion regarding the role played by the Governing Board of the Foundation in making recommendation for appointments into the Council since such a role is played jointly with the Technical Advisory Committee in the light of clause 2(1) paragraph (h) and with regard to clause 13(1) paragraph (b);
8. The National Research and Innovation Foundation is public foundation and therefore a juristic person saddled with the responsibility of managing the National Research and Innovation Fund provided under the bill primarily for promoting research, innovation and development;

9.0 Joint Committee Recommendation

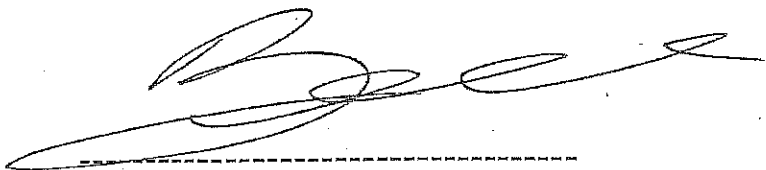
The Joint Committee on Science and Technology and Judiciary, Human Rights and Legal Matters to which was referred a Bill for an Act to provide for the Establishment of the National Research and Innovation Council, National Research and Innovation Foundation; and for matters relating thereto, having considered same, recommends as follows-

“That the Senate of the Federal Republic of Nigeria do consider and pass the National Research and Innovation bill, 2017 as amended.”

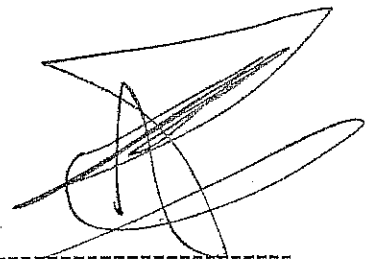
We so move.

10.0 Conclusion

On behalf of the Joint Committee, we wish to express our gratitude for the opportunity to serve you, our colleagues and our Nation.



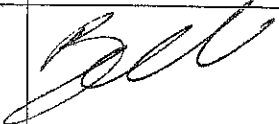
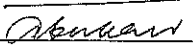
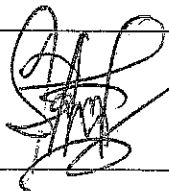

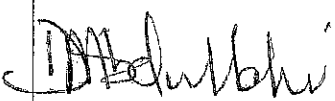
Sen. (Prof) Robert A. Boroffice OON
Chairman



Sen. David Umaru
Co-Chairman

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 MUSTAPHA BUKAR	Member	
4.	SENATOR SAMUEL N. ANYANWU	Member	
5.	SENATOR SOLOMON ADEOLA	Member	
6.	SENATOR PETER NWAOBOSHI	Member	
7.	SENATOR MAO OHUABUNWA	Member	
8.	SENATOR OBINNA OGBA	Member	
9.	MUSA D. ABDULLAHI	Comm. Clerk	

**SENATE COMMITTEE ON JUDICIARY, HUMAN RIGHTS
AND LEGAL MATTERS**

SIGNATURE PAGE

S/N	NAME	DESIGNATION	SIGNATURE
1.	SENATOR DAVID UMARU	Chairman	
2.	SENATOR GODSWILL AKPABIO	Vice Chairman	
3.	SENATOR BALA IBN NA'ALLAH	Member	
4.	SENATOR JAMES E. MANAGER	Member	
5.	SENATOR JOSHUA M. LIDANI	Member	
6.	SENATOR BABAJIDE C. OMOWORARE	Member	
7.	SENATOR ABDULLAHI ADAMU	Member	
8.	SENATOR CHUKWUKA G. UTAZI	Member	
9.	SENATOR OVIE OMO-AGEGE	Member	
10.	SENATOR SULEIMAN ADOKWE	Member	
11.	SENATOR ATAI A. AIDOKI	Member	
12.	CHARLES LURI BALA ESQ	Comm. Clerk	

	<p>Nigeria appointed in accordance with the provisions of the 1999 Constitution;</p> <p>(c) a representative of the Manufacturers Association of Nigeria (MAN);</p> <p>(d) President, Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture (NACCIMA);</p> <p>(e) Executive Secretary, National Research and Innovation Foundation as the Secretary of the Council; and</p> <p>(f) Such other number of persons not exceeding five appointed by the President on the joint recommendation of the Governing Board of the Foundation and the Technical Advisory Committee to further assist the Council in the discharge of its functions.</p> <p>(2). The persons recommended for appointment under subsection 1 (f) shall be persons who have –</p> <p>(a) a minimum qualification of a university degree or its equivalent in relevant</p>	<p>Federal Republic of Nigeria as may be appointed into the Council by the President;</p> <p>(c). Retained</p> <p>(d). Retained</p> <p>(e). Retained</p> <p><i>(f). President, Nigerian Society of Engineers;</i></p> <p><i>(g) President , Academy of Science ;</i></p> <p><i>(h) representative of Committee of Vice Chancellors of Nigerian Universities;</i></p> <p><i>(i) Minister charged with the responsibility of Science and Technology who shall also serve as the secretary of the Council; and</i></p> <p><i>(j) such other number of persons not exceeding five appointed by the President on the joint recommendation of the Governing Board of the Foundation and the Technical Advisory Committee to further assist the Council in the discharge of its functions.</i></p> <p>(2). Retained</p> <p>(a). Retained</p>	<p><i>governance make it mandatory to specify ministers.</i></p> <p><i>Redrafted</i></p> <p><i>New Insertions (g - j). This enlarges the membership of the Council to include other critical stakeholders.</i></p>
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	<p>disciplines;</p> <p>(b) a proven track record of contribution to research and development;</p> <p>(c) necessary skills and abilities;</p> <p>(d) Cognate experience, professional or specialized knowledge, to make special contributions to the work of the Council.</p> <p>Proceedings of the Council</p> <p>3. (1) The Council shall have power to regulate its own proceedings and may make standing orders for that purpose and, subject to such standing orders, may function notwithstanding any vacancy in its membership or the absence of any member.</p>	<p>(b). Retained</p> <p>(c). Retained</p> <p>(d). Retained</p> <p><i>(3) The President and Vice –President shall respectively be the chairman and Vice-Chairman of the Council during the subsistence of their offices as the President and Vice –President of the Federal Republic of Nigeria.</i></p> <p><i>(4) Cabinet Ministers appointed into the Council by the President shall cease to be members of the Council in case of removal or vacation of offices as ministers of the Federal Republic of Nigeria.</i></p> <p><i>(5) All other members of the Council shall hold office for a maximum period of 4 years, subject to renewal for another 4 years but may be removed by the President in the interest of the public or on the grounds of non – performance or misconduct.</i></p> <p>Proceedings of the Council</p> <p>3. (1) <i>The Council shall have power to regulate its own proceedings and may make standing orders for that purpose.</i></p>	<p><i>New Insertions (3 – 5)</i></p> <p><i>This eliminates any ambiguity regarding the tenure of the President, Vice President and other members of the Council.</i></p> <p><i>Redrafted</i></p>
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	<p>(2) The Council shall meet at least twice every year for the due performance of its functions under this Bill.</p> <p>(3) Nine members shall form a quorum at any meeting of the Council.</p> <p>(4) Where the Council desires to obtain the advice of any person on any particular matter, the Council may co-opt that person to be a member for as many meetings as may be necessary and that person while so co-opted shall have all the privileges of a member except that he shall not be entitled to vote and shall not be counted in forming the quorum.</p>	<p>(2) The Council shall meet <i>not less than four times in a year, or at such times as may be convened by the President</i></p> <p>(3) <i>The quorum at meetings shall be 1/3 of members of the Council.</i></p> <p>(4). Retained</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
<p>4.</p>	<p>Functions of the Council</p> <p>4. (1) The functions of the Council are to -</p> <p>a). set national priorities on research, innovation and development ;</p> <p>b). set directions to coordinate research and innovations generally (including research and development) in line with national priorities;</p> <p>c). establish new research institutes and strengthen existing ones as may be necessary;</p> <p>d). facilitate fund raising activities to support innovation activities in areas of national needs and priorities;</p> <p>e) facilitate sectoral, state and local level innovations by encouraging Federal Ministries, State and Local</p>	<p>Functions of the Council</p> <p>4. (a). Retained</p> <p>(b). Retained</p> <p>(c) <i>recommend to the President, the establishment of additional research institutes or the reform and strengthening of existing ones.</i></p> <p>(d) <i>facilitate fund raising activities to support innovation in areas of national needs and priorities.</i></p> <p>(e). Retained</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p>

	<p>Governments to establish sectoral, State and Local Innovation Councils respectively;</p> <p>f). explore new strategies and alternatives for innovations and collaborations;</p> <p>g). identify ways and means to scale and sustain innovations;</p> <p>h) encourage States, Local Governments and MDAs to innovate;</p> <p>i). encourage universities, research and development institutions to innovate;</p> <p>j). encourage all important sectors of the economy to innovate;</p> <p>k). encourage innovation in public service delivery;</p> <p>l). encourage multidisciplinary and globally competitive approach to innovation;</p> <p>m). set up the International Advisory Board (in this Bill referred to as the “ Advisory Board”) of seasoned personalities from at least top six leading Innovation countries of the world and representatives of development partners on such matters that may require international collaboration from time to time.</p> <p>(2) To facilitate the attainment of its objectives under section 1 of this Bill, the Council shall formulate a roadmap for innovation and create a framework for-</p> <p>(a) evolving a Nigerian model of innovation with focus on inclusive growth;</p> <p>(b) institutionalizing innovation as a culture in Nigeria from the lowest level up;</p> <p>(c) delineating policy initiatives within the Government aimed at promoting innovation;</p> <p>(d) developing and championing innovation attitudes and approaches with special focus on youths;</p>	<p>(f). Retained</p> <p>(g). Retained</p> <p>(h) encourage universities, polytechnics, Research and Development Institutions, Centres of Excellence, Colleges of Education, Monotechnics, States, Local Governments and MDAs to innovate.</p> <p>(i) encourage <i>all important sectors of the economy</i> to innovate.</p> <p>(j). Deleted</p> <p>(k). Retained</p> <p>(l). Retained</p> <p>(m). Deleted</p> <p>(2). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>(c). Retained</p> <p>(d). Retained</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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<p>5.</p>	<p>(e) creating appropriate environment to foster inclusive innovation;</p> <p>(f) exploring new strategies and alternatives for innovations and collaborations;</p> <p>(g) identifying ways and means to scale and sustain innovations;</p> <p>(h) encouraging State, Local and Small and Medium Enterprises (SMEs) to innovate;</p> <p>(i) facilitating innovations by Small and Medium Enterprises (SMEs);</p> <p>(j) encouraging innovation in public service delivery;</p> <p>(k) Encouraging multidisciplinary and globally competitive approaches for innovations;</p> <p>(l) Convening an annual Nigeria Innovation Round Table or Summit; and</p> <p>(m) Carrying out such other activities connected with its functions in order to give full expression to the general intendment of the Bill;</p> <p>Establishment, Composition, etc., of the Technical Advisory Committees of the Council</p> <p>5. (1) There is established a technical arm of the Council known as the Technical Advisory Committee (in this Bill referred to as the "Advisory Committee").</p> <p>(2) The Advisory Committee shall comprise of -</p>	<p>(e). Retained</p> <p>(f). Retained</p> <p>(g). Retained</p> <p>(h). Retained</p> <p>(i). Retained</p> <p>(j). Retained</p> <p>(k). Retained</p> <p>(l). Retained</p> <p>(m). Carrying out such other activities connected with its functions <i>to develop and enforce codes</i> in order to give full expression to the general intendment of the Bill;</p> <p><i>(n) facilitate the establishment of Sectoral Innovation Committees by heads of various Ministries, Departments; and Agencies at their various offices.</i></p> <p>Establishment, Composition, etc., of the Technical Advisory Committees of the Council</p> <p>5. (1) There is <i>hereby</i> established a technical arm of the Council known as the Technical Advisory Committee (in this Bill referred to as the "Advisory Committee").</p> <p>(2) The Advisory Committee shall comprise of <i>the following as may be appointed by the Council.</i></p>	<p><i>Redrafted</i></p> <p><i>New Insertion (n)</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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	<p>(a) the Executive Secretary of the Foundation as the Chairman;</p> <p>(b) professionals representing all the Federal Ministries and organized private sector as may be approved by the Council;</p> <p>(c) representatives of global development partners and respected researchers and innovators in Nigeria, and individual Nigerian experts in the diaspora;</p> <p>(d) representatives of Nigerian experts, researchers and innovators in the Diaspora as may be determined by the Council; and</p> <p>(e) any other individual expert or group that may be appointed as a member by the Advisory Committee by the Council.</p> <p>(3) The Technical Committee shall provide expert advice to the Council on modalities to accomplish its mandate.</p>	<p>(a) the Executive Secretary of the Foundation as a Member.</p> <p>(b) <i>ten technocrats drawn from relevant Ministries, Departments, Agencies, Organized Private Sector and professional regulatory bodies as may be approved by the Council.</i></p> <p>(c) <i>five renowned home based Nigerian researchers and innovators on of whom shall be Chairman.</i></p> <p>(d) <i>Three internationally acclaimed Nigerian researchers or innovators in the diaspora.</i></p> <p>(e) <i>Special Adviser to the President on Research and Innovation shall be a member.</i></p> <p>(f) <i>Any other individual expert or group that may be appointed as a member by the Advisory Committee by the Council.</i></p> <p>(3) The Technical Committee shall provide expert advice to the Council on <i>strategies</i> to accomplish its mandate.</p> <p>(4) <i>In compliance with subsection 3 of this section, the Advisory Committee shall –</i></p> <p>(a) <i>prepare memos for the consideration and approval of the Council;</i></p> <p>(b) <i>develop the national research and innovation priority agenda for consideration and adoption by the Council;</i></p> <p>(c) <i>recommend for approval of the Council, operational Guidelines and Annual Work Plans of Sectoral Committees ; and</i></p> <p>(d) <i>monitor and report on activities of Sectoral Innovation Committee to the Council.</i></p> <p>(5) <i>Tenure of the Technical Advisory Committee shall be five (5) years subject to renewal for another 5 years and no more.</i></p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>New Insertion (f)</i></p> <p><i>Redrafted</i></p> <p><i>New Insertion (4)(a-d)</i></p> <p><i>New insertion (5)</i></p>
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<p>6.</p>	<p>PART II <i>Establishment of the National Research and Innovation Foundation Governing Board, Etc.</i></p> <p>Establishment of the Foundation</p> <p>6. (1) There is established the National Research and Innovation Foundation (in this Bill referred to as the "Foundation") to manage competitive grants for research and carry out other functions in connection with the policies of the Council as provided in this Bill.</p> <p>(2) The Foundation shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.</p> <p>(3) The headquarters of the Foundation shall be in the Federal Capital Territory, Abuja with such State field offices as may be approved by the Board.</p>	<p>PART II <i>Establishment of the National Research and Innovation Foundation Governing Board, Etc.</i></p> <p>6. (1) There is established the National Research and Innovation Foundation (in this Bill referred to as the "Foundation") to <i>raise, manage, disburse, and monitor funds, grants, assets as intervention for research , innovation and development activities</i> and carry out other functions in connection with the policies of the Council as provided in this Bill.</p> <p>(2). Retained</p> <p>(3). The headquarters of the Foundation shall be in the Federal Capital Territory, Abuja with <i>field offices in the six (6) geo-political zones of the federation.</i></p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
<p>7.</p>	<p>Functions of the Foundation</p> <p>7. (1) The functions of the Foundation are to -</p> <p>(a) raise funds for innovation, research and development from legitimate means as stipulated under this Bill;</p> <p>(b) develop robust mechanisms to attract International Funding for research and development and Innovation in Nigeria;</p> <p>(c) draw up a national research agenda based on the needs of the nation, make grants from the research fund and constitute Research Proposals Evaluation Committee to process and approve applications for grants in accordance with the national research policy;</p>	<p>Functions of the Foundation</p> <p>7. (1) The functions of the Foundation are to -</p> <p>(a). Retained</p> <p>(b). Deleted</p> <p>(c). <i>implement the national research</i> agenda based on the needs of the nation, make grants from the research fund and constitute Research Proposals Evaluation Committee to process and approve applications for grants in accordance with the national research policy;</p>	<p><i>Redrafted</i></p>

	<p>(d) to disseminate research information including landmark research achievements and breakthroughs at the local, national and international levels in the media and other fora in order to boost the nations research profile;</p> <p>(e) organize Annual Research Summit and draw up and review the national research agenda;</p> <p>(f) announce and publicize research calls;</p> <p>(g) compile and maintain a research database, containing information about research activities of the nation in as accurate and comprehensive form as possible;</p> <p>(h) publicise the activities of the Foundation on the National Research website and other media platforms to be hosted by the Foundation and regularly update same;</p> <p>(i) compile an Annual Research Report and publish an Annual Magazine containing a summary of the nature and scope of the main research activities in a given year;</p> <p>(j) analyse Research Management data of the Nation for decisions on areas of need;</p> <p>(k) provide strategic pre and post award support (technical and administrative) to researchers in the public and private sectors in accordance with the National Research policy;</p> <p>(l) provide support for applications by innovators and inventors for the protection of the property rights of Innovations/inventions;</p>	<p>(d) <i>to provide synergy to facilitate the dissemination</i> of research information including landmark research achievements and breakthroughs at the local, national and international levels in the media and other fora in order to boost the nations research profile;</p> <p>(e) Organize Annual Research <i>Conferences or other events to review and evaluate progress made on the promotion of research, innovation, and invention.</i></p> <p>(f) Announce and publicize <i>calls for research proposals.</i></p> <p>(g) <i>Establish</i> and maintain accurate and comprehensive research database, containing information about research activities, <i>facilities, competencies, skills</i> of the nation.</p> <p>(h). Deleted</p> <p>(i). Retained</p> <p>(j). Retained</p> <p>(k). Retained</p> <p>(l) provide support for applications by innovators and inventors for the protection of the property rights of Innovations/inventions <i>based on national research agenda.</i></p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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	<p>(m) identify innovations and inventions that have high potential for commercialization, display operational prototypes of such innovations and inventions in the National Technology Parks;</p> <p>(n) source funds within the National Research, Innovation and Development Fund, public or private organizations for manufacturing of commercially viable prototypes to products;</p> <p>(o) create markets where they do not exist to demonstrate viability of innovations that others will not necessarily adopt and therefore promote sales of the national intellectual properties;</p> <p>(p) monitor and assess research projects and product development processes to ascertain the quality and quantity of deliveries and adherence to funding guidelines;</p> <p>(q) facilitate and coordinate research and innovation activities in all the sections of the economy;</p> <p>(r) promote merit and professionalism in both academic and innovative research;</p> <p>(s) compile and publish relevant data resulting from the reinforcement of the functions of the Foundation;</p> <p>(t) sponsor such national and international conferences as it may consider appropriate;</p> <p>(u) liaise with relevant establishments within and outside Nigeria, in pursuance of the functions of the Foundation;</p> <p>(v) establish and maintain a federal innovation web portal for the purpose of publicising landmark innovation activities in Nigeria;</p>	<p>(m) identify innovations and inventions that have high potential for commercialization, <i>and</i> display operational prototypes of such innovations and inventions in the National Technology Parks.</p> <p><i>(n). promotion of commercially viable prototype to products in collaboration with the Ministry of Science and Technology.</i></p> <p><i>(o). source and provide funds for the establishment of Science and Innovation Parks to create markets where they do not exist to develop market and demonstrate the viability of innovations that others will not necessarily adopt and therefore promote sales of the national intellectual property.</i></p> <p>(p). monitor and assess research projects and product development processes to ascertain the quality and quantity of deliveries and adherence to <i>relent funding modelling</i> guidelines;</p> <p><i>(q) source and provide financial support to existing Research, Development and Innovation Institutes to ensure their contribution to the realization of the national research agenda.</i></p> <p>(r). promote <i>relative</i> merit and professionalism in both academic and innovative research;</p> <p>(s). Deleted</p> <p>(t). Deleted</p> <p>(u). Deleted</p> <p>(v). Deleted</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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<p>8.</p>	<p>(w) enter into collaborative and cooperation agreements or arrangements with agencies, foundations and bodies with similar objectives within and outside Nigeria;</p> <p>(x) submit annual report of its incomes, expenditure and activities to the National Assembly; and</p> <p>(y) carry out such activities as are necessary or expedient for the performance of its functions under the Bill.</p> <p>(2) The Foundation shall have administrative and financial autonomy to execute its functions independently, free from external control and influence.</p> <p>Appointment of Executive Secretary</p> <p>8. (1) There is for the Foundation an Executive Secretary who shall be appointed by the President on the recommendation of the Board and subject to ratification by the Senate.</p> <p>(2) The Executive Secretary shall hold office for a term of five years and may be re-appointed for a further term of five years and no more.</p> <p>(3) The Executive Secretary shall be a person –</p> <p>(a) with 15 years demonstrable research experience in either Science and Technology, Engineering, Education, Medicine, Humanities, Law or other related subjects preferably at doctoral level and must be knowledgeable in the field of Innovation;</p> <p>(b) who has at least ten years cognate working experience post Master’s Degree; and</p> <p>(c) who has proven record of cognate experience in Research Management.</p>	<p>(w) now (s). Retained</p> <p>(x) now (t). Retained</p> <p>(y) now (u). Retained</p> <p>(2). Retained</p> <p>Appointment of Executive Secretary</p> <p>8. (1) There is for the Foundation an Executive Secretary who shall be appointed by the President on the recommendation of the Board.</p> <p>(2) The Executive Secretary shall hold office for a term of <i>four</i> years and may be re-appointed for a further term of <i>four</i> years and no more</p> <p>(3) Retained</p> <p>(a) <i>with the minimum of 15 years demonstrable research experience in science and technology, engineering, medicine and other relevant disciplines and professions, preferably at doctorate level, and must demonstrate or show capacity for innovation and creativity.</i></p> <p>(b). Retained</p> <p>(c). Retained</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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<p>9.</p>	<p>(4) A candidate who must have won and managed research grants shall have an added advantage.</p> <p>(5) The Executive Secretary shall be –</p> <p>(a) the Chief Accounting Officer of the Foundation;</p> <p>(b) responsible for execution of the policies and programmes of the Board and take charge of the day to day administration of the Foundation;</p> <p>(c) responsible for general direction and superintendence of the affairs of the Foundation;</p> <p>(d) facilitate the efficient performance of the activities of the Sectoral, State, Regional and Local Innovation Councils;</p> <p>(e) carry out such other duties as may be assigned to him by the Council or the Board;</p> <p>(f) ensure proper dissemination of the decisions of the Council to the appropriate persons, institutions or authorities; and</p> <p>(g) carry out such other functions and duties as the Council may assign to him.</p> <p>Directorates of the Foundation.</p> <p>9. There shall be for the Foundation the Directorates as listed in the <i>Second Schedule</i> to this Bill for the effective implementation of its functions under this Bill.</p>	<p>(4). Retained</p> <p>(a). Retained</p> <p>(b). shall be responsible for the execution of programmes as approved by the Board <i>of the Foundation</i> and take charge of the day to day administration of the Foundation.</p> <p>(c). Retained</p> <p>(d) Facilitate <i>and support</i> the efficient performance of the activities of Sectoral Research or Innovation Councils.</p> <p>(e). carry out such other duties as may be assigned to him by the <i>Board of the Foundation</i>.</p> <p>(f). ensure proper dissemination of decisions of the <i>Board of the Foundation</i> to appropriate bodies, institutions or authorities.</p> <p>(g). Retained.</p> <p>Directorates of the Foundation.</p> <p>9. Retained</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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<p>10.</p>	<p>Other staff of the Foundation.</p> <p>10. The Foundation may subject to the approval of the Board, appoint such other staff as may consider necessary-</p> <ul style="list-style-type: none"> (a) for the efficient performance of the Foundation's activities; and (b) On such terms and conditions as may be specified from time to time by the Board. 	<p>Other staff of the Foundation.</p> <p>10. Retained</p> <ul style="list-style-type: none"> (a). Retained (b). Retained 	
<p>11.</p>	<p>Conditions of service of employees of the Foundation.</p> <p>11. The Foundation shall develop and implement appropriate staff conditions of service for its employees with particular regard to the issues of remuneration, pension scheme, and other fringe service benefits sufficient to attract and retain quality and high calibre manpower for the Foundation.</p>	<p>Conditions of service of employees of the Foundation.</p> <p>11. Retained</p>	
<p>12.</p>	<p>Establishment and membership of the Governing Board of the Foundation.</p> <p>12. (1) There is established for the Foundation a Governing Board (in this Act referred to as "the Board").</p> <p>(2) The Board shall consist of—</p> <ul style="list-style-type: none"> (a) a chairman- <ul style="list-style-type: none"> (i) whose appointment shall be made by President on the recommendation of the panel referred to in subsection 3(a) of this section, (ii) who must hold a minimum qualification of a university degree in either engineering, science, technology or other related discipline, and (iii) who has made outstanding contributions in the areas 	<p>Establishment and membership of the Governing Board of the Foundation.</p> <p>12. (1). Retained</p> <p>(2). Retained</p>	

	<p>of applied research and innovation.</p> <p>(b) not less than nine and not more than eleven other members, appointed by the Council; and</p> <p>(c) The Executive Secretary of the Foundation.</p> <p>(3) (a) For the purposes of appointing the members of the Board referred to in subsection (2) (b) , the Council shall appoint a panel comprising eminent scientists which shall compile a shortlist of candidates of not more than 20 persons;</p> <p>(b) The panel shall compile the shortlist after following transparent and competitive processes including advertising existing vacancies on the Board of the Foundation in at least two national newspapers; receiving and scrutinizing curricula vitae submitted by interested applicants in response to news advertisements, and conducting oral interviews for shortlisted applicants, etc.,</p> <p>(4) Members of the Board must be persons who have achieved distinction in the field of science, technology and innovation, research and technology management, business and entrepreneurship, public affairs or civil society.</p> <p>(5) Without prejudice to the principle of federal character as enshrined in the Nigerian Constitution, Members of the Board referred to in subsection (2)(b) shall be appointed by the Council after consideration of the shortlist of candidates, but the Council must ensure that they are broadly representative of the following sectors –</p> <p>(a) Universities and other higher institutions of learning;</p>	<p>(3). Retained</p> <p>(4) Members of the Board must be persons who have achieved distinction in the field of science, technology and innovation, research and technology management, engineering, business and entrepreneurship or public affairs.</p> <p>(5) Without prejudice to the principle of federal character as enshrined in the Nigerian Constitution, Members of the Board referred to in subsection (2)(b) shall be appointed by the President broadly representing the following sectors.</p> <p>(a). Universities and Federal government constituted Research Institutes and Allied colleges.</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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<p>13.</p>	<p>(b) Agricultural and environmental sciences; (c) Natural resources management; (d) Information and communication technologies; (e) Natural sciences and engineering; (f) Social sciences and humanities; (g) Business and industrial growth; (h) Building and construction; (i) National security; (j) Nuclear science and biotechnology; (k) Energy; and (l) Health.</p> <p>(6) The supplementary provisions set out in the First Schedule to this Bill shall have effect with respect to the proceedings of the Board and related matters.</p> <p>Tenure of office</p> <p>13. (1) (a) Subject to the provisions of section 15 of this Bill, a person appointed to be a member of the Board of the Foundation shall hold office for a period of four years from the date of his appointment and shall be eligible for re-appointment for another four years and no more.</p> <p>(b) To ensure continuity in the leadership of the Board, at least one third of the Board must at all times consist of reappointed members.</p> <p>(c) A person appointed in accordance with section 15(3) of this Bill to fill a casual vacancy on the Board shall be appointed from the same constituency and interest group as that of his</p>	<p>(b). Retained (c). Retained (d). Retained (e). Retained (f). Retained (g). Retained (h). Retained (i). Retained (j). Retained (k). Retained (l). Retained</p> <p>(6) Retained</p> <p>Tenure of office</p> <p>13. (1) (a) Subject to the provisions of <i>section 14</i> of this Bill, a person appointed to be a member of the Board of the Foundation shall hold office for a period of four years from the date of his appointment and shall be eligible for re-appointment for another four years and no more.</p> <p>(b). Retained</p> <p>(c) A person appointed in accordance with section <i>12(3)</i> of this Bill to fill a vacancy on the Board shall be appointed from the same constituency and interest group as that of his predecessor and shall be entitled</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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<p>14.</p>	<p>predecessor and shall be entitled to only serve out the unexpired term of his predecessor irrespective of whether the casual vacancy so filled occurred in the first or second term of his predecessor's membership of the Board.</p> <p>Cessation of Membership</p> <p>14. (1). Notwithstanding the provisions of section 8 of this Bill, a member of the Board shall cease to hold office if the member –</p> <ul style="list-style-type: none"> (a) resigns his appointment by notice under his hand addressed to the President; (b) becomes of unsound mind; (c) becomes bankrupt or makes a compromise with his creditors; (d) is convicted of a felony or of any offence involving dishonesty or corruption; (e) becomes incapable of carrying out the functions of his office either arising from an infirmity of mind or body or any other cause. <p>(2) Where the Council is satisfied that it is not in the interest of the Foundation or the public for a member to continue in office, the President may remove that member from the Board.</p> <p>(3) Where a vacancy occurs in the membership of the Board, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor and the successor shall represent the same interest, discipline or constituency as his predecessor.</p>	<p>to only serve out the unexpired term of his predecessor.</p> <p>Cessation of Membership</p> <p>14. Retained</p>	
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<p>15.</p>	<p>Remuneration of members of the Board</p> <p>15. The Chairman and members of the Board shall be paid such emoluments, allowances, and benefits as may be determined by the Revenue Mobilization, Allocation and Fiscal Commission.</p>	<p>Remuneration of members of the Board</p> <p>15. Retained</p>	
<p>16.</p>	<p>Powers and Functions of the Board</p> <p>16. The Board shall have power to –</p> <p>(a) approve annual estimates, reports and statements of accounts of the Foundation;</p> <p>(b) determine the terms and conditions of service of the employees of the Foundation;</p> <p>(c) approve the creation of research institutes and laboratories to be designated as National facilities for research required for efficient performance of the functions of the Foundation;</p> <p>(d) approve the award of research grants to be given by the Foundation in line with national priorities;</p> <p>(e) consider and approve the creation of additional Directorates as may be necessary and in accordance with the provisions of this Bill;</p> <p>(f) carry out such other activities as may, in the opinion of the Board be necessary for the advancement of science, technology and innovations in Nigeria.</p> <p>(g) consider and recommend to the Council, innovators and outstanding Researchers deserving of award and special recognition;</p> <p>(h) consider and approve the annual activities of the Foundation and cause same to be presented to the President and National Assembly .</p>	<p>Powers and Functions of the Board</p> <p>16. The Board shall have power to –</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>c). <i>recommend</i> the creation of research institutes and laboratories to be designated as National facilities for research required for efficient performance of the functions of the Foundation;</p> <p>(d). Retained</p> <p>(e). Retained</p> <p>(f). Retained</p> <p>(g). Retained</p> <p>(h). Retained</p> <p><i>(i) approve intervention fund for such other activities as may, in the opinion of the Board, be necessary for the advancement of science, engineering, technology, entrepreneurship and innovation in Nigeria.</i></p>	<p><i>Redrafted</i></p> <p><i>New Insertion</i></p>

<p>17.</p>	<p>PART III</p> <p><i>Financial Provisions</i></p> <p>Establishment of the National Research and Innovation Fund</p> <p>17. (1) The Foundation shall establish and maintain a Research and Innovation Fund to which the following sources of funds shall be paid and credited-</p> <p>(a) 1% of the National Gross Domestic Product (GDP) to be sourced from the Federal Government;</p> <p>(b) 5% of the annual allocation to the following organizations-</p> <p>(i) Raw materials Research and Development Council,</p> <p>(ii) Tertiary Education Trust (TET) Fund,</p> <p>(iii) Automotive Development Fund (ADF),</p> <p>(iv) National Communications Development Fund (NCDF),</p> <p>(v) Information Technology and Development Fund,</p> <p>(vi) Agricultural Development Fund,</p> <p>(vii) Ecological Fund,</p> <p>(viii) Lottery Fund,</p> <p>(ix) Sugar Development Fund,</p> <p>(x) Industrial Training Fund,</p> <p>(xi) Development and Donor Agencies, etc,</p> <p>(xii) Petroleum Technology Development Fund (PTDF), and</p> <p>(xiii) Organized Private Sector (OPS) - 0.5% of Technology Transfer fee;</p> <p>(c) 5% of loanable funds from development finance Institutions such as the Bank of Industry,</p>	<p>PART III</p> <p><i>Financial Provisions</i></p> <p>Establishment of the National Research and Innovation Fund</p> <p>17. Retained</p>	
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<p>18.</p>	<p>Nigerian Export – Import Bank (NEXIM), set aside for manufacturing industries;</p> <p>(d) foreign aid or assistance from bilateral or multilateral agencies;</p> <p>(e) Other Internally generated revenues of the Foundation; and</p> <p>(f) all other sums accruing to the Foundation from time to time by way of gifts, grants, emolument or bequest.</p> <p>(2) All monies standing to the credit of the Foundation shall be paid directly into the Fund's Bank Account.</p> <p>Expenditure of the Foundation</p> <p>18. (1). The Foundation shall apply the Fund established under Section 26 of this Bill to –</p> <p>(a) the administration of the Foundation;</p> <p>(b) the performance of its functions;</p> <p>(c) the payment of emoluments and entitlements of members of the Council, and the members of the Board of the Foundation.</p> <p>(d) the payment of personnel, overhead, allowances, benefits and other administrative costs;</p> <p>(e) the cost of maintaining the head office, field offices and operating the Directorates and other interventions concerning the Sectorial, Regional, State, Local Innovation Councils;</p> <p>(f) the training of members of staff of the Foundation</p> <p>(g) the publication and promotion of research and innovation results;</p> <p>(h) the support of national research, innovation and development bodies and for the payment of</p>	<p>Expenditure of the Foundation</p> <p>18. (1). The Foundation shall apply the Fund established under Section 17 of this Bill to -</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>(c). Retained</p> <p>(d). Retained</p> <p>(e). the cost of maintaining the head office, field offices and operating the Directorates and other interventions concerning the Sectorial <i>Innovation Councils</i>;</p> <p>(f). Retained</p> <p>(g). the publication and promotion of research and innovation results <i>from public and private sector research and development institutes.</i></p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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	<p>contributions to international organizations to which the Foundation subscribes; and</p> <p>(i) undertake any other expenditure in connection with all or any of the functions of the Council Under this Bill.</p> <p>Exemption from Tax</p> <p>19. (1) The Foundation shall be exempt from the payment of tax on any income accruing from investments made by the Foundation.</p> <p>(2) The provisions of any enactment relating to the taxation of companies or Trust Funds shall not apply to the Foundation.</p> <p>Investment of Income</p> <p>20. Subject to the approval of the Board, the Foundation may invest its income in profitable production of goods by Joint Venture, Partnerships, or Shareholding as the case may be and the net income so generated shall be paid into the fund of the Foundation.</p> <p>Annual estimates, Income and Expenditure</p> <p>21. The Foundation shall, not later than 30th September in each year, submit to the Board for approval, its programme of work and estimate of its income and payments into the Foundation's Fund for the next succeeding year.</p> <p>Accounts and Audits</p> <p>22. (1) The Foundation shall keep proper accounts in respect of each year and proper records in relation thereto and cause same to be audited.</p> <p>(2) The Accounts of the Foundation shall be audited not later than 6 months after the end of the year to</p>	<p>(h). Retained</p> <p>(i) Undertake any other expenditure in connection with all or any of the functions of the <i>Foundation</i> under this Bill.</p> <p>Exemption from Tax</p> <p>19. Retained</p> <p>Investment of Income</p> <p>20. Retained</p> <p>Annual estimates, Income and Expenditure</p> <p>21. Retained</p> <p>Accounts and Audits</p> <p>22. Retained</p>	<p><i>Redrafted</i></p>
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	<p>which they relate by Auditors appointed by the Foundation from a list of Auditors supplied and in accordance with the guidelines issued by the Auditor-General of the Federation.</p> <p>(3) The Foundation shall prepare and submit to the Board not later than 30th September in each year, a report on the activities of the Foundation, the Audited Accounts of the Foundation and the Auditor's report for the immediate preceding year.</p> <p>Annual Reports</p> <p>23. The Foundation shall prepare and submit to the Board not later than 30th September in each year, a report on its activities, the Audited Accounts of the Foundation and the auditor's report for the immediate preceding year.</p> <p>Borrowing powers</p> <p>24. The Foundation may with the approval of the Board or in accordance with any general guidelines approved by the Board , borrow by way of loan, or overdraft from any source, any monies required by the Foundation for meeting its obligations and discharging its functions under this Bill.</p> <p>Power to Accept Gifts</p> <p>25. (1) The Foundation may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.</p> <p>(2) The Board shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the objectives of the Foundation under this Bill.</p>	<p>Annual Reports</p> <p>23. Retained</p> <p>Borrowing powers</p> <p>24. Retained</p> <p>Power to Accept Gifts</p> <p>25. Retained</p>	
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<p>26.</p>	<p>PART IV</p> <p><i>Legal Proceedings</i></p> <p>Commencement of suit or action and service of notice</p> <p>26. (1) A Suit shall not be commenced against the Council, before the expiration of one month, after a written notice of intention to commence the suit have been served upon the Council by the intending plaintiff or his agent, and the notice shall clearly and explicitly state the –</p> <ul style="list-style-type: none"> (a) cause of the action; (b) particulars of claim; (c) name and place of the abode of intending plaintiff; and (d) Relief which he claims. <p>(2) The notice referred to in subsection (1) of this section and any summons, notice or other documents required or authorized to be served upon the Council under this Bill or any other enactment or law, may be served by-</p> <ul style="list-style-type: none"> (a) delivering same to the Executive Secretary; or (b) Sending it by registered post addressed to the Executive Secretary at the head office of the Foundation. <p>Restriction on execution against property of the Council</p> <p>27. (1). In any action or suit against the Council, execution or attachment of process shall not be issued against the Foundation except-</p>	<p>PART IV</p> <p><i>Legal Proceedings</i></p> <p>Commencement of suit or action and service of notice</p> <p>26. (1) A Suit shall not be commenced against the Council, before the expiration of one month, after a written notice of intention to commence the suit have been served upon the <i>Foundation</i> by the intending plaintiff or his agent, and the notice shall clearly and explicitly state the –</p> <ul style="list-style-type: none"> (a). Retained (b). Retained (c). Retained (d). Retained <p>(2). Retained</p> <ul style="list-style-type: none"> (a). Retained (b). Retained <p>Restriction on execution against property of the Council</p> <p>27. (1). In any action or suit against the <i>Foundation</i>, execution or attachment of process shall not be issued against the Foundation except-</p>	<p><i>Redrafted</i></p> <p><i>Redrafted</i></p>
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	<p>(a) a three month notice of Intention to execute or attach has been given to the Foundation;</p> <p>(b) a written Consent of the Honourable Attorney – General of the Federation and Minister of Justice is obtained and not less than three months.</p> <p>(2) Any sum of money which by the Judgment of any court has been awarded against the Council shall, subject to the directives given by the court, where notice of appeal against the judgments has been given, be paid from the funds of the Foundation.</p> <p>PART V <i>Miscellaneous</i></p> <p>Power to purchase or take on lease property</p> <p>28. The Foundation may, subject to the Land Use Act, purchase, lease any interest in land, building or property, or build, equip and maintain such other offices and premise for efficient performance of its functions under this Bill.</p> <p>Power to sell or lease out property</p> <p>29. The Foundation may, subject to the Land Use Act, sell or lease out any land, or office belonging to the Foundation.</p> <p>Power to sell or lease out property</p> <p>30. The Executive Secretary or any officer or employee of the Foundation shall be indemnified out of the assets of the Foundation against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member of the Board, Executive</p>	<p>(a). Retained</p> <p>(b). Retained</p> <p>(2) Any sum of money which by the Judgment of any court has been awarded against the <i>Foundation</i> shall, subject to the directives given by the court, where notice of appeal against the judgments has been given, be paid from the funds of the Foundation</p> <p>PART V <i>Miscellaneous</i></p> <p>Power to purchase or take property on lease</p> <p>28. Retained</p> <p>Power to sell or lease out property</p> <p>29. Retained</p> <p>Indemnity</p> <p>30. Retained</p>	<p><i>Redrafted</i></p>
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	<p>Secretary of the Foundation, officer or other employees of the Foundation under this Bill.</p>		
<p>31.</p>	<p>Power to make regulations</p> <p>31. (1) The Foundation may with the approval of the Board, make such regulations generally for the purpose of giving full effect to the Provisions of this Bill, and in facilitating the discharge of the functions of the Foundation.</p> <p>(2) The Council may issue guidelines to give effect to the respective relevant provisions of this Bill.</p> <p>(3) Regulations made shall be published in the Federal official Gazette and in such other manner as the Foundation may prescribe.</p>	<p>Power to make regulations</p> <p>31. Retained</p>	
<p>32.</p>	<p>Interpretation</p> <p>32. In this Bill-</p> <p>“innovation” - means the act or process of Innovating, or introducing a new product, technology, or method;</p> <p>“ research” - means a process intended to create new or improved technology that can provide competitive advantage at the business, development, national or global level;</p> <p>“development” - means systematic utilization of knowledge or understanding gained from research towards the production of materials, devices, systems, or methods, including design and development of prototypes and processes;</p> <p>“Geopolitical”- means the six political zones as they exist in the country;</p>	<p>Interpretation</p> <p>32. In this Bill-</p> <p>Retained</p> <p>Retained</p> <p>Retained</p> <p><i>“Board” means Governing Board of the Foundation established under this Bill.</i></p> <p><i>“Geopolitical zone”- means North East, North West, North Central, South East, South West and South South geopolitical zones of the Federation.</i></p>	<p><i>New Insertion</i></p> <p><i>Redrafted</i></p>

<p>33.</p>	<p>“Public officer” - means any person working in the public service of the Federation or of a State as defined in the 1999 Constitution of the Federal Republic of Nigeria (as amended)</p> <p>“ Science” - includes any system of knowledge attained by verifiable means and the organized body of knowledge humans have gained by research.</p> <p>“Research Institution” - includes any organization practicing research as recognized by this Bill or any Act of the National Assembly.</p> <p>“National Facilities” means facilities designated as such by the Foundation pursuant to the provisions of this Bill.</p> <p>Citation 33. This Bill may be cited as the National Research and Innovation Bill, 2016.</p> <p>FIRST SCHEDULE [Section 12 (6)]</p> <p>SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD</p> <ol style="list-style-type: none"> 1. Subject to this Bill and section 27 of the Interpretation Act, 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 and if the Chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their members to preside at the meeting. 	<p>Retained</p> <p>Retained</p> <p>Retained</p> <p>Retained</p> <p><i>“Relevant Ministers” - means Ministers of Science and Technology, Finance, Agriculture, Health, Education, Works and Power, Industries, Trade and Investments, Communication Technology, Justice and such other ministers as may be determined by the president.</i></p> <p>Citation 33. This Bill may be cited as the National Research and Innovation Bill, <i>2017</i>.</p> <p>FIRST SCHEDULE [Section 12 (6)]</p> <p>SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD</p> <ol style="list-style-type: none"> 1. Retained 2. Retained 	<p><i>New Insertion</i></p>
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	<p>3. The quorum at a meeting 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.</p> <p>4. Upon any special occasion, the Board may co-opt any person to be member for as many meetings as may be necessary, and that person while so co-opted shall have all the rights and privileges of a member, except that he shall not be entitled to vote or count towards a quorum.</p> <p>Committees</p> <p>5. (1) Subject to its standing orders, the Board may appoint such number of standing and <i>ad hoc</i> committees as it thinks fit to consider and report on any matter with which the Foundation is concerned.</p> <p>(2) Every committee appointed under the provisions of sub-paragraph (1) of this paragraph shall be presided over by a member of the Board and shall be made up of such number of persons, not necessarily members of the Board, as the Board may determine in each case.</p> <p>6. The decision of a committee shall be of no effect until it is confirmed by the Foundation.</p> <p>Miscellaneous</p> <p>7. The fixing of the seal of the Foundation shall be authenticated by the signature of the Chairman and of the Executive Secretary of the Foundation or such other member authorized generally or specifically by the Board to act for that purpose.</p> <p>8. Any contract or instrument which, if made 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 Foundation by the Executive Secretary or by any other person generally or</p>	<p>3. Retained</p> <p>4. Retained</p> <p>Committees</p> <p>5 (1). Retained</p> <p>(2). Retained</p> <p>6. Retained</p> <p>Miscellaneous</p> <p>7. Retained</p> <p>8. Retained</p>	
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	<p>specifically authorized by the Board to act for that purpose.</p> <p>9. Any document purporting to be a contract, an instrument or other document signed or sealed on behalf of the Foundation shall be received in evidence and, unless the contrary is proved, be presumed, without further proof, to have been so signed and sealed.</p> <p>10. The validity of a proceeding of the Board or a committee thereof shall not be adversely affected-</p> <p>(a) by any vacancy in the membership of the Board; or (b) by any defect in the appointment of a member of the Board or committee; or (c) by reason that a person not entitled to do so took part in the proceeding.</p> <p>11. A member of the Board or committee who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or committee shall declare his interest and shall not vote on any question relating to the contract or arrangement.</p> <p>SECOND SCHEDULE</p> <p>SUPPLEMENTARY PROVISIONS RELATING TO THE DIRECTORATES OF FOUNDATION</p> <p>[Section 9]</p> <p>1. (1). The Foundation shall have -</p> <p>(a) a Research Policy and Strategy Directorate to be headed by a Director; (b) a Research and Innovation Fund</p>	<p>9. Retained</p> <p>10. Retained</p> <p>11. Retained</p> <p>SECOND SCHEDULE</p> <p>SUPPLEMENTARY PROVISIONS RELATING TO THE DIRECTORATES OF FOUNDATION</p> <p>[Section 9]</p> <p>1.(1). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p>	
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	<p>Directorate to be headed by a Director;</p> <p>(c) a Finance and Administration Directorate to be headed by a Director who shall also be the Secretary of the Foundation</p> <p>(d) a Research Directorate to be headed by a Director;</p> <p>(e) an Innovation and Product Development Directorate to be headed by a Director;</p> <p>(f) a Monitoring and Evaluating Directorate to be headed by a Director;</p> <p>(g) a Coordinating Directorate for Sectors , Regions, States, LGAs, Industries and other Stakeholders to be headed by a Director;</p> <p>(h) Legal Services Directorate to be headed by a Director; and</p> <p>(i) such other Directorates as may be approved by the Board for the proper performance of the functions of the Foundation.</p> <p>2. The Board shall on the recommendation of the Executive Secretary appoint Directors who shall be in charge of the Directorates provided under Section 9 of this Bill.</p> <p>3. (1) A Director who is in charge of the Finance and Administration Directorate shall possess a University degree or its equivalent and a minimum of twelve (12) year experience in the field of Finance, Accounting or Administration or related expertise.</p> <p>(2) The Director of Finance and Administration shall;</p> <p>(a) be the head of the Finance and Administration Directorate of the Foundation.</p> <p>(b) prepare draft expenditure estimates and budget;</p> <p>(c) be the Secretary of the Board; and</p>	<p>(c). Retained</p> <p>(d). Retained</p> <p>(e). Retained</p> <p>(f). Retained</p> <p>(g). Retained</p> <p>(h). Retained</p> <p>(i). Retained</p> <p>(2). Retained</p> <p>3 (1). Retained</p> <p>(2). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>(c). Retained</p>	
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	<p>(d) perform such other functions as may be assigned to him by the Executive Secretary.</p> <p>4. (1) A Director who is in charge of the Research, Policy and Strategy shall possess a university degree or its equivalent in either law, intellectual property rights policy or other relevant qualification in policy formulation and a minimum of twelve (12) year experience to hold the office of Director Research , Policy and Strategy Directorate of the Foundation.</p> <p>(2) The Director Research, Policy and Strategy Directorate shall-</p> <p>(a) be the head of the Research Policy and Strategy Directorate of the Foundation;</p> <p>(b) formulate a National Research Policy for the country and devise strategies to implement the policies and ensure compliance with the policy document;</p> <p>(c) receive feedback from Stakeholders and take same into consideration in the review of the national Research Policy document.</p> <p>5. (1) A Director who is in charge of the Research and Innovation Fund Shall possess a university degree or its equivalent in Accounting, Economics or other relevant qualification and a minimum of twelve (12) year experience to hold the office of Director Research and Innovation of the Foundation .</p> <p>(2). The Director of Research and Innovation Fund shall be -</p> <p>(a). be vested with the responsibility of initiating and coordinating funding raising activities for the Foundation as provided under this Bill;</p> <p>(b). establish a unit each to attend to each source of fund;</p>	<p>(d). Retained</p> <p>4. (1). Retained</p> <p>(2). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>(c). Retained</p> <p>5. (1) Retained</p> <p>(2). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p>	
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	<p>(c). perform such other functions as may be assigned to him by the Executive secretary.</p> <p>6. (1) A Director who is in charge of the Research Directorate shall possess-</p> <p>(a). 10 years demonstrable research experience in Science and Technology, Engineering, Education, Medicine, humanities, Law and other related subjects preferably at Ph.D. level and must be knowledgeable in the field of innovation;</p> <p>(b). at least 10 years cognate working experience post Master Degree;</p> <p>(c). proven record of cognate experience in Research Management. A candidate who must have won and managed research grants shall have an added advantage.</p> <p>(2) The Director of Research shall –</p> <p>(a) draw out a national research agenda, make grants from research fund, established under this Bill, constitute relevant units for the Directorate and constitute the Research Proposals Evaluation Committee to process and approve applications for grants in accordance with the national research policy;</p> <p>(b) perform such other functions as may be assigned to him by the Executive Secretary.</p> <p>7. (1). A Director who is in charge of Innovation and Product Development Directorate shall possess -</p> <p>(a). 10 years demonstrable research experience in either Science and Technology, Engineering, Education, medicine, humanities, Intellectual Property law preferably at doctoral level and must also be knowledgeable in the field of innovation;</p>	<p>(c). Retained</p> <p>6. (1) Retained</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>(c). Retained</p> <p>(2). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>7. Retained</p> <p>(a). Retained</p>	
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	<p>(b) at least 10 years cognate working experience post Master Degree;</p> <p>(c) proven record of cognate experience in innovation and product Development. A candidate who has patented and developed research product or has proven product development managerial skills shall have an added advantage.</p> <p>(2). The Director Innovation and Product Development shall-</p> <p>(a) be responsible for formulating and reviewing a national</p> <p>(b) Intellectual Property right policy and ensure compliance by Innovators to the document.</p> <p>(c) Provide administrative support for applications by innovators/Inventors for protection of property rights of the innovations/Inventions from the National Office of Technology Acquisition and Promotion (NOTAP).</p> <p>(d). perform such other functions as may be assigned to him by the Executive Secretary;</p> <p>8. (1). A Director who is in charge of Monitoring and Evaluation Directorate must be well qualified and experienced to hold the office of the Director Monitoring and Evaluation of the Foundation.</p> <p>(2). The Director Monitoring and Evaluation Shall-</p> <p>(a) monitor and assess research projects and products development processes to ascertain the quality and quantity of deliverables and adherence to funding guidelines;</p> <p>(b) submit satisfactory progress report and Monitoring and Evaluation Report of</p>	<p>(b) Retained</p> <p>(c) Retained</p> <p>(2). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>(c).Retained</p> <p>(d). Retained</p> <p>8. (1). Retained</p> <p>(2). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p>	
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	<p>evaluators to guarantee the release of funds after the first instalment and winning subsequent awards.</p> <p>(c). perform such other functions as may be assigned to him by the Executive Secretary;</p> <p>9. A Director who is in charge of the Directorate for Sectors, Regions, States, LGAs, Industries and other stakeholders must be well qualified and experienced to hold the office of the Directorate for Sectors, Regions, States, LGAs, Industries and other Stakeholders of the Foundation.</p> <p>10. The Coordinating Director for Sectors, Regions, States, LGAs, Industries and other Stakeholders shall-</p> <p>(a) perform such other functions as may be assigned to him by the Executive Secretary.</p> <p>11. (1). A Director who is in charge of in charge of the Legal Services Directorate Shall possess-</p> <p>(a). 12 years demonstrable experience in product development management and patent registration;</p> <p>(b). a Ph.D. in Law preferably in Intellectual Property Law or related fields;</p> <p>(c). at least 10 years cognate working experience post Master Degree;</p> <p>(2). The Director Legal Services Directorate shall-</p> <p>(a). have oversight responsibility over all legal and compliance related matters of the Foundation;</p> <p>(b). serve as the Legal Adviser and Secretary of the Foundation and therefore coordinate all matters having legal content including legal</p>	<p>(c). Retained</p> <p>9. Retained</p> <p>10. Retained</p> <p>(a). Retained</p> <p>11. (1) Retained</p> <p>(a). Retained</p> <p>(b). Retained</p> <p>(c). Retained</p> <p>(2). Retained</p> <p>(a). Retained</p> <p>(b). Retained</p>	
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	<p>publications, Regulations. Litigations involving the Foundation;</p> <p>(c). Provide legal advice on all matters in which the Foundation has interest;</p> <p>(d). provide legal advice regarding the making of regulations, offer legal opinions and interpretation of laws relating to patents , intellectual property and other related laws relevant to the mandate of the Foundation;</p> <p>(e). drafting of regulations of the Foundation or that of its Governing Board;</p> <p>(f). drafting/vetting of all agreements in which the Foundation is a party or an interested party;</p> <p>(g). advising the Foundation on all litigations in which the Foundation is a party Including appointment of external solicitors and coordinating and monitoring litigations involving the Foundation; and</p> <p>(h). be the Secretary of the Foundation</p> <p>(i). perform such other functions as may be assigned to him by the Executive Secretary.</p> <p>EXPLANATORY MEMORANDUM</p> <p>This Bill seeks to provide for the establishment of the National Research and Innovation Council; the National Research and Innovation Foundation to among other things, set national priorities on Research, Innovation and Development, promote the gains of the application of the outputs of research and innovation, set directions to coordinate innovation activities in line with national priorities, and facilitate fund raising activities to support science, technology and innovation activities in areas of national needs and priorities.</p>	<p>(c). Retained</p> <p>(d). Retained</p> <p>(e). Retained</p> <p>(f). Retained</p> <p>(g). Retained</p> <p>(h). Retained</p> <p>(i). Retained</p> <p>EXPLANATORY MEMORANDUM</p> <p>Retained</p>	
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