21

REPORT OF THE COMMITTEE ON AGRICULTURAL COLLEGES AND INSTITUTIONS ON A BILL FOR AN ACT TO ESTABLISH FISHERIES AND AQUATIC STUDIES RESEARCH INSTITUTE, DARKI, WUDIL, KANO STATE TO PROVIDE FOR THE INSTRUCTION, TRAINING AND RESEARCH INTO THE FIELD OF FISHERY AND AQUATIC STUDIES IN NIGERIA INCLUDING THE CONSERVATION OF FISH HUSBANDRY AND COMMERCIAL FISHERIES IN NIGERIA AND FOR RELATED MATTERS (HB.1210)

PROVISION OF THE PRINCIPAL ACT	PROVISIONS OF THE BILL	COMMITTEE RECOMMENDATIONS
Long title. An Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A. 12 Laws of the Federation of Nigeria, 2004 to reconstitute the Membership of the Board, make Provisions for Effective Operations of the Council and for Related Matters	**Long title.** A Bill for an Act to Establish Fisheries and Aquatic Studies Research Institute, Darki, Wudil, Kano State to Provide for the Instruction, Training and Research into the Field of Fishery and Aquatic Studies in Nigeria Including the Conservation of Fish Husbandry and Commercial Fisheries in Nigeria and for Related Matters	A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A. 12 Laws of the Federation of Nigeria, 2004 (as amended) to Establish Fisheries and Aquatic Studies Research Institute, Darki, Wudil, Kano State to Provide for the Instruction, Training and Research into the Field of Fishery and Aquatic Studies in Nigeria Including the Conservation of Fish Husbandry and Commercial Fisheries in Nigeria and for Related Matters.

	ENACTED by the National Assembly of the Federal Republic of Nigeria	
	PART 1 - ESTABLISHMENT OF THE FISHERIES AND AQUATIC STUDIES RESEARCH INSTITUTE, (DARKI), WUDIL KANO STATE AND THE GOVERNING BOARD **Establishment of the Institute** 1. (1) There is established a body to be known as the Fisheries and Aquatic Studies Research Institute, (Darki), Wudil Kano State (in this Bill referred to as "the Institute"). (2) The Institute shall: (a) be a body Corporate with perpetual succession and a common seal and may sue and be sued in its corporate name; and (b) acquire, hold, mortgage, purchase and deal howsoever with property, whether movable or immovable, real or personal. (3) The Institute shall have its principal office located at Darki,Wudil,Kano Stateand such other liaison, operations and coordinating branch offices,	**1. Amendment of the Agriculture Research Council of Nigeria Act, 2024 (as amended)** The Agricultural Research Council of Nigeria Act, 2024 (as amended) (herein after referred to as "the Principal Act") is amended as set out in this Bill.

	units and research or observation centres as the Institute may require or determine for the proper discharge or performance of its functions under this Bill, within and outside Nigeria.	
THIRD SCHEDULE *(Section 17)* **FEDERAL COLLEGES OF AGRICULTURE** **S/No. Name of College** **1.** Federal College of Agriculture, Akure, Ondo State. **2.** Federal College of Agriculture, Ibadan, Oyo State. **3.** Federal College of Agriculture, Ishiagu, Ebonyi State. **4.** Federal College of Animal Health and Production Technology, Ibadan, Oyo State. **5.** Federal College of Animal Health and Production Technology, Vom, Plateau State. **6.** Federal College of Freshwaters	**Establishment and constitution of the Governing Council Board of the Institute** 2. (1) There is established for the management of the affairs of the Institute a Governing Board (in this Bill referred to as "the Board"). (2) The Board shall consist of: (a) a Chairman, who shall be a person with requisite knowledge in agricultural research and development, with not less than fifteen years cognate experience; (b) 2 representative not below the rank of a Deputy Director of the Ministries in charge of- i. Agriculture; ii. Science and Technology; iii. Finance; iv. Nigeria Export Promotion Council; (c) one representative each of the— i. Six geo-political zones in Nigeria;and ii. the Director General who shall be the secretary.	**2. Amendment of the Third Schedule** The Third Schedule to Principal Act is Amended by introducing a new paragraph "17": ***(17)" Fisheries and Aquatic Studies Research Institute, Darki, Wudil, Kano State ".***

Fisheries Technology, New Bussa, Niger State. 7. Federal College of Freshwaters Fisheries Technology, New Baga, Borno State. 8. Federal College of Fisheries and Marine Technology, Lagos, Lagos State. 9. Federal College of Veterinary and Medical Laboratory Technology, Vom, Plateau State. 10. Federal College of Agricultural Produce Technology, Kano, Kano State. 11. Federal College of Horticulture, Dadin Kowa, Gombe State. 12. Federal Co-operative College, Ibadan. 13. Federal Co-operative College, Kaduna 14. Federal Co-operative College, Oji River. 15. Federal College of Land Resources Technology, Owerri. 16. Federal College of Land Resources Technology, Kuru-Jos.	(4) The Chairman and Members of the Board from the six geo-political zones shall be appointed by the President of the Federal Republic of Nigeria (5) The Board shall from time to time elect from among its members a Vice-Chairman, who shall in the absence of the Chairman have all the powers and duties of the Chairman, and if neither the Chairman nor the Vice-Chairman is available, the Board shall nominate a person from among themselves to preside at that meeting. (6) A member of the Board shall- (a) have at least 10 years cognate experience in agricultural research and development or related area; (b) be a person of unquestionable character and proven integrity. (7) The supplementary provision set out in the Schedule to this Bill shall have effect with respect to the proceeding of the Board and other related matters.	

	Tenure of office of Members of the Board 3. (1) A Member of the Board shall hold office for a term of four years renewable for another four years only. (2) No person shall be appointed as a member of the Board if the person: (a) is an undischarged bankrupt; (b) fails to comply or is not capable of fully complying with a judgment or order, including an order for costs, given against such a person by a court of law in a civil case; (c) in the preceding 10 years has been convicted of an offence of which fraud, violence, dishonesty, extortion or intimidation is an element; (d) is not a permanent resident of the Federal Republic of Nigeria.	**3. Short title** This Bill may be cited as the Agriculture Research Council of Nigeria Act (Amendment) Bill, ***2026.***
	Cessation of membership 4. (1) A Member of the Board shall vacate office, if the person- (a) becomes subject to a disqualification under clause 3(2) of this Bill; (b) becomes of unsound mind; (c) is absent without the leave of the secretary for more than two consecutive meetings of the Board	**EXPLANATORY NOTE** This Bill seeks to establish the Fisheries and Aquatic Studies Research Institute Darki, Wudil Kano State, to Provide for the Instruction, Training and Research into the Field of Fishery and Aquatic Studies in Nigeria including the Conservation of Fish

		Husbandry and Commercial Fisheries in Nigeria and for Related Matters.
	Allowances of members of the Board 5. There shall be paid to every member of the Board such allowances as the Institute may from time to time determine.	***Deleted***
	PART II: FUNCTIONS OF THE INSTITUTE **Functions of the Institute** 6. The Institute shall: (a) formulate and implement policies, guidelines and strategies for the instruction, training and researchinto the field of fisheries and aquatic studies in Nigeria including theconservation of fish husbandry and commercial fisheries in Nigeria; (b) promote, improve and support research and learning in ichthyology and the controlled cultivation and harvesting of aquatic animals such as fishes and crustaceans in natural or pseudo natural environments; (c) facilitate the engagement of all tiers of government, all relevant sectors and stakeholders on the promotion of the research, production, processing	***Deleted***

	and exportation of aquatic animals such as fishes and crustaceans; (d) create awareness on the cultivation, processing and exportation of aquatic animals ; (e) promote and coordinate partnerships and collaborations with national and international organizations on fish husbandry; and (f) perform such other functions as may be prescribed by the Board to give effect to the provisions of this Bill. 7. The Board shall have powers to- (a) manage and superintend the affairs of the Institute; (b) provide leadership and advocacy for the research, cultivation, processing and exportation of aquatic animals in Nigeria; (c) facilitate funding for the purpose of this Bill; (d) provide intergovernmental and multisectoral coordination; (e) facilitate the formation and development of national and international partnerships and collaboration for the purpose of implementing the objectives of the Bill; (f) establish committees or specialized departments for the purpose of effective regulation	***Deleted***

	and discharge of the Institute's functions under the Bill; (g) review, from time to time, the extent of the implementation of the strategic framework for the promotion of research, cultivation, processing and exportation of aquatic animals by the Institute; (h) subject to the provisions of this Bill, make, alter, implement, enforce and revoke policies, rules and regulations for carrying out the functions of the Institute; (i) investigate breaches of the provisions of this Bill; (j) use every legal and appropriate means of enforcement to recover all costs or penalties imposed on any person for the purpose of administration of this Bill; (k) appoint either on transfer, secondment or leave of absence from any public service of the Federation or private sector, such number of employees as may, in the opinion of the Board be required to assist the Institute in the discharge of any of its functions under this Bill, and shall have power to pay such employees remunerations including allowances as the Board may from time to time determine; (l) accept gifts of land, money or other	***Deleted***

	testamentary dispositions, donations, endowments and contributions on such terms and conditions, if any, as may be specified by the donor of the gift (provided that the Institute shall not accept any gift if the conditions attached thereto by the donor are inconsistent with the functions of the Institute); (m) delegate to any staff or officer of the Institute or any other person any of its powers and functions under this Bill as it may deem necessary; (n) make rules and regulations relating generally to the appointment, promotion, discipline and conditions of service of employees of the Institute; (o) do such other thing which in the opinion of the Board and directives of the Minister are necessary and expedient to ensure the efficient discharge of the functions of the Institute.	***Deleted***
	PART III: GOVERNMENT AND PRIVATE PARTICIPATION 8. Any government, private person or group in or outside the Federation may, subject to any requirement under this Bill, participate in the research, cultivation, processing and exportation of aquatic animals in Nigeria, in the manner provided for in this Bill.	***Deleted***

	Government and Private Sector involvement and participation. 9. (1) In furtherance of the objectives of this Bill, the Institute with the approval of the Minister may accredit reputable public and private organization in the research, cultivation, production, processing and promotion of fish husbandry in Nigeria. Accreditation of Organisations (2) In accrediting any organization under this clause, the Institute shall ensure that equal numbers of organizations are accredited in each geo-political zone of the Federation. (3) No action or claim shall lie against the Institute for any refusal to accredit any organization under this Bill. 10. The accreditation by the Institute of any organization under this Bill may be withdrawn or cancelled where such organization- (a) does not satisfactorily perform its functions or those assigned to it by the Institute under this Bill; (b) has become affected by any of the disqualifications from accreditation under this Bill or was not qualified for accreditation under this Bill at the time it was accredited;	***Deleted***

	(c) diverts to its private use or is found to be unfair in the administration of any material or any part thereof made available or donated to it; (d) is in breach of or acts contrary to any clear provisions of this Bill or any of the terms of its accreditation under this Bill, or (e) is in breach of any of its functions, duties or the terms of any specific or special functions assigned to it by the Institute under this Bill.	***Deleted***
	PART IV: STRUCTURE AND STAFF OF THE INSTITUTE **Withdrawal of accreditation** 11. (1) Subject to this Bill, the Institute may be structured into any number of Departments and Divisions, as the Board may deem appropriate for the effective administration of the Institute and proper discharge of its functions. Structure of the Institute (2) The Board may create additional Departments and Committees based on management recommendation and prevailing circumstances. (3) Each Department shall be managed by a Director who is charged with the responsibility of coordinating the functions of such Department as	***Deleted***

	spelt out in the Administrative Manual of the Institute.	
	12. (1) There shall be a Director-General for the Institute who shall be appointed by the President on the recommendation of the Minister. Appointment of Director-General of the Institute (2) The Director General shall be the Chief Executive and Accounting Officer of the Institute and be responsible for the general administration of the Institute. (3) The Director General shall be- (a) a fit and proper person with at least 12 years post-qualification experience in the relevant industry; and (b) of proven integrity and ability. (4) The Director General shall keep the records of proceedings and decisions of the Council and such other functions as the Council may from time to time direct. (5) The Director-General shall hold office for four years renewable once, on such terms and conditions as are specified in his or her letter of appointment.	***Deleted***
	13. (1) The Board shall appoint for the Institute such number of employees,as may in the opinion of	***Deleted***

	the Board be expedient and necessary for the proper and efficient performance of the functions of the Institute. Other Staff of the Institute (2) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of the employees of the Institute shall be as determined by the Board after consultation with the Federal Civil Service Commission.	
	14. Service in the Institute to be pensionable under the subsisting Pensions Act.	***Deleted***
	PART V: FINANCIAL PROVISIONS **Pension** 15. (1) There shall be established and maintained by the Institute, a Fund into which shall be paid and credited- (a) all allocations from the Federal Government; (b) such monies as may, from time to time, be lent, deposited or granted to the Institute by the Government of the Federation or of a State; (c) all grants received from both local and international organizations for the purpose of the Institute; (d) fees, levies, penalties, charges, administrative costs of proceedings, and other moneys payable to the Institute in pursuance of this Bill;	***Deleted***

	(e) all monies received by the Institute as gifts, loans, contributions, testamentary deposition or donations; and (f) all other monies and assets which may accrue to the Fund from time to time. Fund of the Institute (2) The Fund shall be managed in accordance with rules made by the Minister and without prejudice to the generality of the power to make rules under this sub-clause, the rules shall in particular, contain provisions- (a) specifying the manner in which the assets of the Fund are to be held and regulating the making payments into and out of the Fund; and (b) requiring the keeping of proper accounts and records for the purposes of the Fund in such form as may be specified in the rules.	
	16. The Institute shall apply the proceeds of the fund established pursuant to clause 15 of this Bill to- (i) cost of administration of the Institute; (ii) payment of salaries, fees, remuneration, bills, rent; (iii) cost of maintenance of any property acquired or vested in the Institute;	***Deleted***

	(iv) capital expenditure approved by the Institute; (v) allowances, salaries, remuneration, pensions and gratuities payable to the Members of the Board specified in Clause 2 of this Bill or any Committee of the Board and the employees of the Institute, so however that no payment of any kind under this paragraph (except such as may be expressly authorized by the Board) shall be made to any person who is in receipt of emolument from the government of the Federation or a State; (vi) the payment for all contracts, including mobilization, fluctuations, variations, legal fees and cost on contract administration; (vii) to the payment for all purchases; and (viii) to undertaking such other expenses and activities as are connected with all or any of the functions of the Institute under this Bill.	***Deleted***
	Expenditure of the Institute 17. The Institute may, subject to the provisions of this Bill, receive donations from persons, organizations, bodies or governments for the purpose of the Bill.	***Deleted***
	Donations to the Institute 18. The Institute shall not accept any donation or gift if the conditions attached by the	***Deleted***

	person or organizations making the gift are inconsistent with the functions of the Institute under this Bill.	
	Restriction on donations 19. The Institute may, with the approval of the Minister, borrow, on such terms and conditions as the Institute may require in the exercise of its functions under this Bill.	***Deleted***
	20. (1) The Board shall, not later than 30th September of each year, submit to the Minister, an estimate of the expenditure and income (including payments to the Institute' Fund) for the next succeeding year. Annual estimates and expenditure (2) The Board shall cause to be kept proper accounts of the Institute in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than 6 months after the end of each year by auditors appointed from the list in accordance.	***Deleted***
	guidelines supplied by the Auditor-General of the Federation.	***Deleted***

	21. (1) The Board shall prepare and submit to the Minister, not later than 30th June in each year, a report in such form as the President may direct on the activities of the Institute during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Institute for that year and auditor's report thereon. Annual Report (2) The Minister shall, upon receipt of the report referred to in sub clause (1) of this clause, cause a copy of the report and the audited accounts of the Institute and the auditor's report thereon to be submitted to the National Assembly.	***Deleted***
	PART VI: MISCELLANEOUS PROVISIONS **Directives by the President etc.** 22. The President may give directives of a general nature or relating generally to matters of policy with regard to functions of the Institute and it shall be the duty of the Institute to comply with the directives.	***Deleted***
	Power of the Minister to make Regulations 23. The Minister may make Regulations, as may be necessary or expedient for giving full effect to the provisions of this Bill and for the administration thereof.	***Deleted***

	Offices and Premises of the Institute 24. (1) For the purposes of providing offices and premises necessary for the performance of its functions under this Bill, the Institute may, subject to the Land Use Act- (a) purchase or take on lease any interest land, or other property; and (b) construct offices and premises and equip and maintain same. (2) The Institute may, subject to the Land Use Act, sell or lease out any office or premises held by it, which office or premises is no longer required for the performance of its functions under this Bill.	***Deleted***
	Limitations of Suits against the Institute 25. (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit against any member or Officer or employee of the Institute. (2) Notwithstanding anything contained in any other law or enactment, no suit shall lie against any member of the Board, the Chairman or any other officer or employee of the Institute for any Bill done in pursuance or execution of this Bill or any other law or enactment, or any alleged neglect or default in	***Deleted***

	the execution of this Bill or such law or enactment, duty or authority, shall lie or be Institute in any court unless- (a) it is commenced within three months after the act, neglect or default complained of; or (b) in the case of a continuation of damage or injury, within six months next after the leasing thereof. A notice, summons or other document required or authorized to be served upon the Institute under the provisions of this Bill or any other law or enactment may be served by delivering it to the office of the Director General. In any action or suit against the Institute, no execution or attachment of process shall be made against the Institute, unless not less than three months' notice of the intention to execute or attach has been given to the Institute.	
	Interpretation In this Bill unless the context otherwise requires- ***"Institute"*** means the Fisheries and Aquatic Studies Research Institute, Darki, Wudil Kano State; ***"Board"*** means the Governing Board of the Institute;	***Deleted***

	"member" means a Member of the Board and this includes the Chairman; ***"Minister"*** means the Minster in charge of Agriculture; ***"President"*** means the President of the Federal Republic of Nigeria;	
	Citation This Bill shall be cited as Fisheries and Aquatic Studies Research Institute, Darki, Wudil Kano State (Establishment) Bill, 2023 Services of documents	***Deleted***
	SCHEDULE *SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD* Proceedings of the Board 1. Subject to this Bill and Section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees. 2. The quorum of the Board shall be the Chairman and six other members and the quorum of	***Deleted***

	any committee of the Board shall be determined by the Board. 3. The Board shall meet not less than two 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 four 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. 4. At any meeting of the Board, the chairman shall preside, but if he is absent, the members present at the meeting shall appoint one of their numbers to preside at that meeting. 5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt such a person to the Board for such period as it thinks fit; but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum. Committees 6. 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.	***Deleted***

	7. A committee appointed under this paragraph shall consist of such number of persons not necessarily members of the Board) as may be determined by the Board; and a person other than a member of the Board shall hold office in the committee in accordance with the terms of his appointment. 8. A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.	***Deleted***
	Miscellaneous 9. The fixing of the Seal of the Institute shall be authenticated by the signature of the Chairman and the Secretary to the Board. 10. Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Institute by any person generally or specially authorised by the Institute for that purpose. 11. A document purporting to be a document duly executed under the Seal of the Institute shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.	***Deleted***

	EXPLANATORY MEMORANDUM This Bill seeks to establish the Fisheries and Aquatic Studies Research Institute Darki, Wudil Kano State, to Provide for the Instruction, Training and Research into the Field of Fishery and Aquatic Studies in Nigeria Including the Conservation of Fish Husbandry and Commercial Fisheries in Nigeria.	***Deleted***