

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL INSTITUTE OF INDUSTRIAL RESEARCH, TO CONDUCT INDUSTRIAL RESEARCH FOR THE DEVELOPMENT OF MICRO, SMALL, MEDIUM AND LARGE INDUSTRIES, AIMED AT RAPID INDUSTRIALIZATION AND SOCIO-ECONOMIC DEVELOPMENT OF NIGERIA AND FOR OTHER RELATED MATTERS

Sponsored by Hon. Moses Oluwatoyin Fayinka

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE FEDERAL INSTITUTE OF INDUSTRIAL
2 RESEARCH AND THE GOVERNING BOARD

3 1.-(1) There is established a body to be known as the Federal
4 Institute of Industrial Research (hereinafter in this Act referred to as "the
5 Institute").

Establishment
of the Federal
Institute of
Industrial Research

6 (2) The Institute-

7 (a) shall be a corporate body with perpetual succession and a
8 common seal;

9 (b) may sue or be sued in its corporate name; and

10 (c) may for the purposes of performance of its functions under this
11 Act, acquire, hold movable or immovable property and enter into contract or
12 any other transaction for the purposes of carrying out any of its functions.

13 2. The objects of this Act shall be to-

The Object

14 (a) conduct industrial research up to pilot scale level and establish
15 Catalytic Model Factories for the development of the micro, small, medium
16 and large scale industries in Nigeria;

17 (b) assist in accelerating the industrialization of the Nigeria
18 economy through research programmes and technology development;

19 (c) identify, characterize, develop and utilize available raw

1 materials into forms suitable for utilization by Industries into forms suitable for
2 utilization by industries;

3 (d) promote the establishment and growth of intermediate product
4 industries;

5 (e) identify indigenous technologies in the areas of foods, non-foods
6 processing and develop them into modern technology;

7 (f) assists in the transfer, adaptation and utilization of technologies by
8 industries through organized technology transfer and techno-entrepreneurship
9 development programmes and other means that will ensure the end results of
10 research carried out get to the relevant end users for rapid industrialization and
11 socio-economic growth of Nigeria;

12 (g) conduct research and development into Foods and Agro-Allied
13 processing technology;

14 (h) conduct research and development into Pulp and Paper
15 technology;

16 (i) conduct research and development into product design and
17 packaging;

18 (j) conduct research and development in design and fabrication of
19 processing equipment;

20 (k) render consultancy services to evaluate the technical and
21 economic viability of technology based enterprises;

22 (l) provide technical assistance services for the growth of indigenous
23 services; and

24 (m) carry out appropriate research to ensure compliance with
25 standards and specifications designated by the Institute and approved by other
26 regulatory authorities in Nigeria for effective control of quality of foods and
27 other Industrial products.

Establishment
of the Governing
Board of the the
Institute

28 3. There is established for the Institute a Governing Board
29 (hereinafter in this Act referred to as "the Board"), which shall formulate policy
30 for the Institute.

- 1 **4.** The Governing Board of the Institute shall consist of-
- 2 (a) Chairman, appointed by the President on the recommendation
- 3 of the Minister with requisite knowledge and experience in matters relating
- 4 to global industrial research and development;
- 5 (b) the Minister charged with the responsibility of Science and
- 6 Technology or his representative;
- 7 (c) a representative of the Manufacturers Association of Nigeria
- 8 (MAN);
- 9 (d) a representative of the Nigerian Association of Small Scale
- 10 Industrialists (NASSI);
- 11 (e) a representative of the Nigerian Association of Small and
- 12 Medium Enterprises (NASME);
- 13 (f) the Minister charged with the responsibility of Trade and
- 14 Investment or his representative;
- 15 (g) a representative of the Nigerian Society of Engineers (NSE);
- 16 (h) a representative of the Academy of Science;
- 17 (i) a representative of Nigerian Institute of Foods, Science and
- 18 Technology (NIFST);
- 19 (j) a representative of the Nutrition Society of Nigeria (NSN);
- 20 (k) the Minister charged with the responsibility of Agriculture &
- 21 Rural Development or his representative;
- 22 (l) a person appointed by the President on the recommendation of
- 23 the Minister to represent the civil society organizations; and
- 24 (m) the Director-General of the Institute, who shall be the Board's Secretary.
- 25 **5.-(1)** The Chairman of the board shall hold office for a period of
- 26 2years and shall be eligible for re- appointment for another period of 2years
- 27 and no more.
- 28 (2) A member of the Board, who is not an ex-officio member, shall
- 29 hold office for a period of 2years and shall be eligible for re-appointment for
- 30 another period of 2years and no more

Composition of
the Governing
Board of the
Institute

Tenure of the
Members of the
Governing Board
of the Institute

Remuneration
of Members of
the Governing
Board of the
Institute

1 **6.** The Chairman and other members of the Board shall be paid such
2 allowances and expenses in accordance with such rates as may be approved by
3 the Federal Government of Nigeria, from time to time.

Removal of the
Chairman or any
member of the
Governing Board
of the Institute

4 **7.**-(1) Where it appears that the Chairman or any member of the
5 Board, other than an ex-officio member, should be removed from office on the
6 grounds of misconduct or inability to perform the functions of his office, the
7 Board shall make a recommendation through the Minister to the President for
8 approval.

9 (2) Where the President, after making such inquiries as he considers
10 necessary, approves the recommendation made through the Minister by the
11 Board, the Secretary to the Government of the Federation shall, in writing
12 declare the position of such member vacant.

13 (3) Notwithstanding the provision of subsection (1) of this Section,
14 the President may remove any member of the governing board, where he is
15 satisfied that it is in the interest of the Institute and the public to do so.

Resignation by
member of the
Board

16 **8.** A member of the Governing Board other than an ex-officio member
17 may, at any time by a notice in writing addressed to the President through the
18 Minister, resign from being a member of the Governing Board of the Institute.

Cessation of
Members of the
Board from office

19 **9.** Notwithstanding the provisions of Section 4 of this Act, a member
20 of the Board shall cease to hold office as a member, where-

21 (a) he resigns his appointment as a member of the Board;

22 (b) by notice under his hand addressed to the President of the Federal
23 Republic of Nigeria; or

24 (c) he becomes of unsound mind; or

25 (d) he becomes bankrupt; or

26 (e) he is convicted of a felony or any other offence involving
27 dishonesty or corruption; or

28 (f) he becomes incapable of carrying on the functions of his office
29 either arising from an infirmity of mind or body; or

30 (g) the President of the Federal Republic of Nigeria is satisfied that it

1 is not in the interest of the Institute or in the interest of the public for the
2 person to continue in office; or

3 (h) he has been found guilty under the Code of Conduct or serious
4 misconduct in relation to his duties; or

5 (i) in the case of a person who becomes a member by virtue of the
6 office he occupies cease to hold such office.

7 **10.** In the event of death or resignation by a member of the
8 Governing Board or where the office of a member of the board becomes
9 vacant under Section (3), a replacement shall be by appointment by the
10 President of the Federal Republic of Nigeria.

Filling of
Vacancies

11 PART III - POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE

12 **11.** The Governing Board shall have power to-

Powers of the
Board

13 (a) formulate policies and ratify short and long-term plan of the
14 Institute;

15 (b) ratify the annual budget and estimates of the Institute;

16 (c) approve research and academic programmes of the Institute;

17 (d) approve investment plan of the Institute.

18 (e) consider and approve the capital development plans of the
19 Institute;

20 (f) receive and consider proposals, recommendations and
21 suggestions of the Director-General or any Committee of the Governing
22 Board on matters relating to the functions of the Institute under this Act;

23 (g) constitute any committee that may be necessary to discharge
24 any of the function assigned to it under this Act;

25 (h) attract funds by way of donations and contributions to the
26 Institute and put in place mechanisms for collection and utilization of such
27 funds;

28 (i) Invest surplus funds of the Institute in profit-yielding ventures;
29 and

30 (j) carry out or exercise any other powers that may be necessary for

Functions of the
Institute

1 the attainment of the objects of this Act.

2 **12.** The functions of the Institute shall be to:

3 (a) conduct, review and supervise from time to time Research and
4 Development, programs and projects in local foods and agro-allied processing;
5 pulp and paper processing; product design and packaging technologies; design
6 and fabrication of prototype processing equipment; and other raw materials
7 processing programmes of industrial nature;

8 (b) liaise with relevant establishments within and outside Nigeria in
9 pursuance of the functions of the Institute;

10 (c) establish and operate world class laboratories and workshops as
11 centres of excellence for cutting edge research in all aspects industrial
12 research;

13 (d) establish demonstration factories, Spin-off companies and
14 industrial parks to ensure rapid commercialization of its research and
15 development output as well as providing necessary avenues for training and re-
16 training of skilled labour and manpower, including students of tertiary
17 institutions on Industrial Attachment;

18 (e) encourage and promote the commercialization of research and
19 development innovation results through patents;

20 (f) establish and operate Zonal, State and Regional Offices for
21 effective delivery and deployment of its services in Nigeria, Africa and other
22 continents of the world;

23 (g) provide technical consultancy services and industrial
24 troubleshooting to industries for revenue generation and for quality control;

25 (h) Conduct techno-economic evaluation study on its developed
26 technologies with a view to provide justifications for investments and attract
27 entrepreneurs to invest in such technologies.

28 (i) Collaborate with relevant bodies especially tertiary institutions to
29 develop curricula or modules for appropriate technology transfer and techno-
30 entrepreneurship training programmes.

- 1 (j) Achieve a high research and development output and revenue;
- 2 (k) make the desired impact on national economic and social
3 development;
- 4 (l) the Institute shall be a member of any relevant International
5 Scientific bodies.
- 6 (m) publish research results of its activities and collaborate with
7 educational institutions and other relevant Government Institutes,
8 Organizations, Agencies, Councils and Industries in research and
9 development ; and
- 10 (n) carry out such other activities as are necessary or expedient for
11 the performance of its functions under this Act.

12 **13.**-(1) The Institute shall have its headquarters in Lagos, a liaison
13 office or Directorate in Abuja and Zonal offices in each of the six geo-
14 political zones of Nigeria, which include-

The structure of
the Institute

- 15 (a) North West;
- 16 (b) North East;
- 17 (c) North Central;
- 18 (d) South East;
- 19 (e) South West; and
- 20 (f) South-South.
- 21 (2) The Institute shall operate a departmental structure with
22 directorate or any other structure as may be considered necessary for the
23 performance of its functions and delivery of its services under this Act.
- 24 (3) The head of Research Directorate shall be designated as head of
25 Department and headed by a Director.
- 26 (4) The head of Research Department shall hold office for 3 years at
27 the first instance and renewable for another 3 years and no more.
- 28 (5) Notwithstanding the provision of subsection (3) of his section,
29 in the absence of a Director to head a Research Directorate, the most senior
30 research officers may be appointed in acting capacity on the

1 recommendation of the Director-General of the Institute to the Board.

2 (6) A department shall have not more than five divisions, with each
3 division headed by Deputy Director and Division may consists of Sections,
4 headed by Chief Research or Scientific Officer and Section may also be
5 composed of Units for effectiveness.

6 (7) Zonal Offices shall be headed by Zonal a Coordinator.

7 PART IV - APPOINTMENT OF THE DIRECTOR-GENERAL AND OTHER

8 STAFF OF THE INSTITUTE

Appointment
of the Director-
General of the
Institute

9 **14.**-(1) There shall be appointed for the Institute a Director-General,
10 who shall be the Chief Executive Officer and Accounting Officer of the
11 Institute.

12 (2) The Director-General shall be-

13 (a) appointed by the President on the recommendation of the
14 Minister;

15 (b) responsible to the Board for the management of the affairs of the
16 Institute;

17 (c) responsible for the execution of the policy and the day-to-day
18 administration of the affairs of the Institute;

19 (d) entitled to earn a remuneration and allowances as may be specified
20 in his letter of appointment;

21 (e) a person with cognate experience and skills of not less than 15
22 years post qualification as a professional in the relevant discipline that relates
23 to the operation of the Institute or other criteria as may be stipulated;

24 (d) hold office for a period of four years at the first instance and
25 eligible for re-appointment for another period of four years on such terms and
26 conditions as may be specified in his letter of appointment and no more; and

27 (e) shall be the Secretary to the Institute and the Governing Board, but
28 not a member of the Board.

The duties of the
Director-General
of the Institute

29 **15.** The Director-General shall-

30 (a) be the head of Administrative organ of the Institute, in charge of

- 1 the general administration;
- 2 (b) prepare the minutes of meetings of the Governing Board and
3 any of its committees;
- 4 (c) keep and secure all records of the Governing Board;
- 5 (d) issue notice of meetings of the Governing Board as may be
6 directed by the Chairman;
- 7 (e) be responsible for the implementation of the resolutions of the
8 Governing Board;
- 9 (f) coordinates the preparation of income and expenditure
10 estimates and development plans for the Governing Board consideration;
- 11 (g) have custody of the seal of the Institute; and
- 12 (h) perform such other functions as may be assigned by the Board
13 from time to time.

14 **16.-(1)** The Principal Officers of the Institute shall include-

Principal Officers
of the Institute

- 15 (a) Directors;
- 16 (b) Head of Departments;
- 17 (c) Zonal Coordinators;
- 18 (d) Head of Servicom Office;
- 19 (e) Chief Internal Auditor;
- 20 (f) Head of Pension Office;
- 21 (g) Head of Legal;
- 22 (h) Head of Procurement; and
- 23 (I) Chief Librarian.

24 (2) The Directors, Heads of Departments or Zonal Coordinators
25 shall assist the Director-General in the day-to-day management of the
26 Institute.

27 (3) Directors or Zonal Coordinator shall-

- 28 (a) head each of the Directorate of the Institute;
- 29 (b) implement the policies of the Institute as they apply to the
30 directorate;

	1	(c) prepare draft expenditure estimate and development plans of his
	2	directorate;
	3	(d) serve on Scientific or Technical Advisory Committee of the
	4	Institute and;
	5	(e) perform such other functions as may be determined by the
	6	Director-General/Chief Executive Officer from time to time.
Other staff of the Institute	7	17. The Board may from time to time, appoint or employ such other
	8	persons as members of staff of the Institute on the recommendation of the
	9	Director-General as may be necessary, subject to the Extant Rules and
	10	Conditions of Service of the Institute.
Remuneration of employees of the Institute	11	18. Salaries and benefits of the staff of the Institute shall be in
	12	accordance with the conditions and scheme of service in Research Institutes in
	13	Nigeria or as may be approved by the Board of the Institute.
Staff Regulation, etc.	14	19. -(1) The Board may make staff Regulations or adopt staff
	15	Conditions of Service that is independent of the Civil Service of the Federation
	16	that may provide for:
	17	(a) the remuneration and tenure of office of members of staff of the
	18	Institute;
	19	(b) appointment, promotion, fringe benefits and incentive, for
	20	members of staff of the Institute; and
	21	(c) appeal procedure for members of staff of the Institute against
	22	dismissal or other disciplinary measures.
	23	(2) The Board shall have power to amend Regulations made under
	24	this Act, provided that the proposal for is passed by two-thirds majority of the
	25	Board members.
	26	(3) All Regulations made by the Board subject to the provisions of this
	27	Act, may be published in the Official Gazette of the Government of Nigeria.
Removal and discipline of staff in the Institute	28	20. -(1) The Principal Officers of the Institute may be removed from
	29	office by the Board with the approval of the Minister.
	30	(2) Any other senior member of staff of the Institute may be removed

1 from office by the Director-General with the approval of the Board.

2 (3) The removal from office of any junior staff shall be with the
3 approval of the Director-General.

4 **21.**-(1) Service in the employment of the Institute, shall be as
5 approved service under the Pensions Reform Act, accordingly, employees
6 of the Institute shall, in respect of their services be entitled to pension and
7 other retirement benefits as are prescribed in the Act.

Application of
the Pensions
Reform Act

8 (2) Notwithstanding the provisions of subsection (1) of this
9 Section, nothing in this Act, shall prevent the appointment of a person to any
10 office on terms, which preclude the grant of a pension and gratuity in respect
11 of that office.

12 (3) For the purpose of the application of the Pensions Reform Act,
13 any power exercisable thereunder by the President or authority other than
14 the Federal Government (not being the power to make Regulations under
15 Section 33 of this Act), shall be vested in and exercisable by the Institute.

16 (4) Subject to subsection (2) of this Section, the Pensions Reform
17 Act, shall in its application of subsection (3) of this section, have effect as if,
18 the office were in the public service of the Federation within the meaning of
19 the Constitution of the Federal Republic of Nigeria, 1999 (as Amended).

20 PART V - STRUCTURE AND CONSTITUTION OF COMMITTEE

21 OF THE INSTITUTE

22 **22.**-(1) The Institute may establish Scientific/Technical Advisory
23 Committee (hereinafter in this Act referred to as 'the Committee' in the areas
24 of research to assist the Institute in various aspects of its responsibilities.

Constitution of
Scientific/Technical
Advisory Committee

25 (2) The members of a Scientific/Technical Advisory Committee
26 shall be persons with requisite expertise and experience in the relevant areas
27 of interest to the Institute.

28 **23.**-(1) The Institute may with the approval of the President,
29 establish Demonstration Factories, Spin-off Companies and Industrial
30 Parks in any of the six-geo-political zones of Nigeria, based on the

Establishment of
Demonstration
Factories, Spin-off
Companies and
Industrial Parks

1 availability of raw materials and other factors of production of relative
2 advantage in such zones.

3 (2) The Institute shall provide for-

4 (a) the location of the factories or companies or Industrial parks;

5 (b) the field in which the factories, companies and industrial parks are
6 to conduct its work and manpower training where applicable;

7 (c) the transfer to the centre by mutual agreement of any existing
8 Federal, State and Local Government facilities;

9 (d) the establishment and constitution of senior officers of the
10 Institute to manage the affairs of the factories, Companies and Industrial parks;

11 (e) the demonstration Factories, Spin-off Companies and Industrial
12 parks shall be fully equipped to carryout training and research and
13 development activities; and

14 (f) a suitable association and collaboration of the Demonstration
15 factories, Spin off companies and Industrial parks with universities, other
16 institutions of higher learning and commercial industries.

Establishment
of FIIRO Consult

17 24. The Institute may with the approval of relevant authorities
18 establish and operate FIIRO Consult, which shall be a semi-autonomous body
19 to commercialize inventions and innovations of the Institute.

20 PART VI - FINANCIAL PROVISIONS

Establishment
of Fund for the
Institute

21 25.-(1) The Institute shall establish and maintain a fund which shall be
22 applied towards the promotion of the objectives specified in this Act.

23 (2) There shall be paid and credited to the fund established in
24 pursuance of subsection (1) of this section-

25 (a) such sums as may be provided by the Government of the
26 Federation or appropriated by the National Assembly for payment into the
27 Fund of the Institute;

28 (b) two per cent (2%) surcharged on all imported foods, pulp and
29 paper, packaging materials and processing machinery and equipment;

30 (c) fees charged for services rendered by the Institute; including

1 royalties on Institute's technologies ceded to the Industries for national
2 development.

3 (d) all sums accruing to the Institute by way of gifts, testamentary
4 dispositions, endowments or contributions from philanthropic persons or
5 organizations.

6 (e) contributions from the organized privates sector;

7 (f) foreign aids and assistance from bilateral and multilateral
8 Agencies; and

9 (g) proceeds from commercialization of research and development
10 products of the Institute.

11 (3) Notwithstanding the provision of Subsection (2) of the Section,
12 every application for registration into the Institute's Journal, shall attract a
13 fee, which shall be credited and maintained in a separate account of the
14 Institute, part of which shall be used for the publication of the Institute's
15 journal.

16 **26.** The Institute shall apply the funds established under this Act to-

Expenditure of
the Institute

17 (a) sponsor research and development activities in the capital
18 project of the Institute;

19 (b) maintain the Head Office and establish zonal offices for the
20 Institute;

21 (c) pay allowances and expenses of members of the Board;

22 (d) sponsor local and international conferences, seminars,
23 workshops for members of staff of the Institute;

24 (e) provide scholarship and award for specialized training for
25 personnel;

26 (f) publicize and promote the activities of the Institute;

27 (g) support national and international scientific bodies and pay
28 annual dues and other contributions to scientific organizations, in which
29 Nigeria is a member; and

	1	(h) undertake any other activity in connection with the object of this
	2	Act.
Annual estimates, accounts and audit	3	27. -(1) The Institute shall not later than 30th September of each year,
	4	submit to the Board for approval its estimates of income and expenditure for
	5	the next financial year.
	6	(2) The Institute shall-
	7	(a) keep proper records of all accounts of its income and expenditure;
	8	and
	9	(b) prepare statement of account in respect of each financial year.
	10	(3) The Institute shall, not later than 30th June of each financial year,
	11	submit its accounts to auditors appointed from the list of qualified auditors in
	12	accordance with guidelines laid down by the Auditor-General of the Federation
	13	and the auditors fees and expenses shall be paid from the Funds of the Institute.
Annual Report	14	28. -(1) The Institute shall not later than 30th June of each financial
	15	year, submit to the Board, in respect of the preceding financial year, an annual
	16	report on the activities of the Institute in such form as the Board may direct.
	17	(2) The report referred to in subsection (1) of this section shall
	18	include-
	19	(a) information on the activities of the Institute for the year;
	20	(b) a copy of the audited accounts of the Institute for that year together
	21	with the Auditor-General's report on the accounts of the Institute; and
	22	(c) such other information as the Board may request.
	23	(3) The Director-General shall provide such information on the affairs
	24	of the Institute as the Board may from time to time request.
Exemption from Income Tax	25	29. All income derived by the Institute from the sources specified in
	26	section 23 subsection (2) of this Act shall be exempted from income tax and all
	27	contributions to the fund of the Institute shall be tax deductible.
Capital Production Income	28	30. Subject to the approval of the Board, the Institute may invest in
	29	profitable productions of capital goods by joint venture, partnership, share-
	30	holding or as sole proprietor or as the case may be, the net income generated

1 connected with the Institute; or

2 (b) for the effective implementation of any of the provisions of this
3 Act.

Limitation of suit
against the Institute

4 **35.**-(1) Subject to the provisions of this Act, the provisions of the
5 Public Officers Protection Act shall apply to any suit instituted against the
6 Institute, an officer of the Institute or employee of the Institute.

7 (2) No suit shall lie or be instituted in any court against the Institute, a
8 member of the Board or any principal officer or employee of the Institute for an
9 action carried out in pursuance to the execution of this Act or any enactment, or
10 of any public duty in respect of any alleged neglect or default in the execution
11 of this Act or duty or authority, unless it is commenced -

12 (a) within three months of such act, neglect or default complained
13 thereof; or

14 (b) in the case of a continuation of damages or injury, within six
15 months after the ceasing of the act, neglect or default.

16 (3) No suit shall be commenced against the Institute, a member of the
17 Board or any principal officer or employee of the Institute before the expiration
18 of a period of one month after written notice of the intention to commence the
19 suit has been served on the Institute by the intending plaintiff or his agent.

20 (4) The notice referred to in subsection (3) of this Section shall
21 clearly state the cause of action, particulars of the claim, the name and place of
22 abode of the intending plaintiff and the relief sought.

Service of Notice

23 **36.**-(1) Any notices or other document required or authorized to be
24 served on or given to any person for the purposes of this Act, may be served or
25 given by delivering it to that person, or by leaving it at his usual or last known
26 place of residence or business or at the address specified by him in any notice,
27 application or other document made, given or tendered to the Institute under
28 this Act, or by posting it by registered mail to him at that place of residence or
29 business or at that address.

30 (2) Where any of such notice or other document sent by registered

1 mail, unless the contrary is proved, it shall be deemed to have been delivered
2 to him when it would have been delivered in the ordinary course of posting a
3 mail unless the contrary is established and in proving the delivery, it shall be
4 sufficient to prove that there is return post office slip showing actual
5 delivery.

6 (3) Where for any purpose under this Act, a notice or document is
7 required to be served on a firm or company, the notice or document may be
8 served on the Secretary, Executive Officer, or other officer holding a similar
9 position in the organisation and the service unless otherwise directed by the
10 institute, be deemed to be served on all persons who are members of the
11 organization.

12 (4) Any Service of Notice or process on the Institute shall be by
13 proven registered post or by personal service on any Principal Officer of the
14 Institute.

15 **37.** The Minister of the Institute may give to the Institute, directives
16 of a general character relating to the policies and functions of the Institute
17 and shall comply with such directives.

Power to give
directives by the
Minister

18 **38.**-(1) The Institute shall be exempted from the payment of
19 income tax in any income accruing from investment made by the Institute.

Exemption from
Tax accruing from
Investment

20 (2) The provision of any enactment relating to the taxation of
21 companies or trust funds shall not apply to the Institute.

22 **39.** The Institute shall impose conditions and set targets for the
23 formation of joint ventures or partnerships between multinational services,
24 Research Institute, Institution or service companies in all sector of the
25 economy and certified indigenous services companies for the purpose of
26 technological training and acquisition.

Joint Venture targets
for technology
acquisition

27 **40.** The Institute shall make regulations with requirement and
28 targets for the growth of Research and Development in the areas of Foods,
29 Non-Food and Agro- Allied Raw Materials but not limited thereof as may be
30 reviewed by the Institute; in particular Nigerian industry.

Research targets
and development
of research products

Interpretation	1	41. In this Act, unless the context otherwise requires-
	2	"Board" means the Governing body of the Institute;
	3	"Capital Goods" means machinery, equipment and spare parts;
	4	"Chairman" means the Chairman of the Governing Board of the Institute;
	5	"Fund" means the fund of the Institute as established under Section 25 of this
	6	Act;
	7	"Institute" means Federal Institute of Industrial Research Oshodi (FIIRO);
	8	"Minister" means Minister responsible for Science and Technology;
	9	"Member" means a member of the Board and this includes the Chairman;
	10	"President" means President of the Federal Republic of Nigeria;
	11	"Principal Officer" means the Directors and other officers as specified in
	12	Section 15 of this Act;
	13	"Public Service" has the meaning assigned to it in the Constitution of the
	14	Federal Republic of Nigeria, 1999;
	15	"Secretary" means the Secretary to the Board of the;
Short title	16	42. This Bill may be cited as the Federal Institute of Industrial
	17	Research Bill, 2024.

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SCHEDULE 1

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

1. Subject to this Act and Section 42 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.

2. The quorum of the Board shall be the Chairman or person presiding the meeting and five other members of the Board and the quorum of any committee of the Board shall be as determined by the Board.

3. The Board shall meet not less than four times in each year and subject thereto, the Board shall meet whenever it is summoned by the Chairman or where the Chairman is required to do so by a notice given to him by not less than 4 other members, he shall summon a meeting of the Board to be held within 28 days from the date on which the notice is given.

4. At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.

5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt such person for such period as it deems fit, but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum:

6. The Board may appoint one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.

7. A committee appointed under this paragraph shall consist of such number of persons as may be determine by the Board. And a person shall hold office on the committee in accordance with the term of his appointment.

8. A decision of a committee shall be of no effect until it is confirmed by the Board.

1 9. The validity of any proceedings of the Board or of a committee thereof shall
2 not be affected by any vacancy in the membership of the Board or of a
3 committee.

4 10. Any member of the Board or any person holding office on a
5 committee of the Board, who has personal interest in any contract or
6 arrangement shall disclose his interest to the Board and shall not vote on any
7 matter relating to the contract or arrangement.

8 *Miscellaneous*

9 11. The fixing of the seal of the Board shall be authenticated by the
10 signature of the Director-General/Chief Executive Officer or any person
11 generally or specifically authorized by the Board to act for that purpose.

12 12. Any contract or instrument which, if made or executed by a person
13 not being a body corporate, would not be required to be under seal, may be
14 made or executed on behalf of the Board by the Director-General/CEO or any
15 person generally or specifically authorized by the Board to act for that purpose.

16 13. Any document purporting to be a document duly executed under
17 the seal of the Board shall be received in evidence and shall, unless and until the
18 contrary is proved, be presumed to be so executed.

19 14. The validity of any proceeding of the Board or a committee shall
20 not be affected by-

21 (a) vacancy in the membership of the Board or committee;

22 (b) defect in the appointment of a member of the board or committee;

23 © reason that a person not entitled to do so took part in the
24 proceedings of the Board or committee.

EXPLANATORY MEMORANDUM

The Bill seeks to among other things to put in place a Legal framework for the continuous growth of Federal Institute of Industrial Research.