

**NATIONAL RESEARCH AND INNOVATION COUNCIL (ESTABLISHMENT)
BILL, 2022.**

A Bill

For

An Act to establish the National Research and Innovation Council and National Research and Innovation Foundation to set national priorities on research, innovation and development; and for related matters, 2022 (758).

Sponsor: Sen. Ibezim, Frank Chukwuma (*Imo North*).

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Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria—

PART I - ESTABLISHMENT OF THE NATIONAL RESEARCH AND INNOVATION COUNCIL

1. There is established the National Research and Innovation Council (in this Bill referred to as “the Council”).
Establishment of National Research and Innovation Council.
2. (1) The Council shall consist of –
Membership of the Council.
 - (a) the President of the Federal Republic of Nigeria, as the Chairman;
 - (b) Vice-President of the Federal Republic of Nigeria, as the Vice Chairman;
 - (c) relevant Ministers of the Government of the Federal Republic of Nigeria as may be appointed into the Council by the President;
 - (d) a representative of the Manufacturers Association of Nigeria (MAN);
 - (e) President, Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture (NACCIMA);
 - (f) Executive Secretary, National Research and Innovation Foundation;
 - (g) President, Nigerian Society of Engineers;
 - (h) President, Academy of Science;
 - (i) representative of Committee of Vice Chancellors of Nigerian Universities;

(j) a representative of the Committee of Directors of Research Institutes (CODRI);

(k) a representative of the National Association of Small Scale Industrialists (NASSI);

(l) Minister charged with the responsibility for science and technology to serve also as the Secretary of the Council; and

(m) 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 performance of its functions.

(2) The person recommended for appointment under subsection 1 (g) shall have -

(a) a minimum qualification of a university degree or its equivalent in relevant disciplines;

(b) a proven track record of contribution to research and development;

(c) necessary skills and abilities; and

(d) cognate experience, professional or specialised knowledge to make special contributions to the work of the Council.

(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.

(4) The 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.

(5) All other members of the Council shall -

(a) hold office for a maximum period of four years, subject to renewal for another four years; and

(b) may be removed by the President in the interest of the public, on the grounds of non-performance or misconduct.

3. (1) The Council may regulate its own proceedings and make standing orders for that purpose.

Proceedings of the Council.

(2) The Council shall meet at least four times in a year or at such times as may be convened by the President.

(3) The quorum at meetings shall be one-third of members of the Council.

(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 is not entitled to vote or be counted in forming the quorum.

4. (1) The Council shall -

Functions of the Council.

(a) set national priorities on research, innovation and development ;

(b) set directions to coordinate research and innovations generally (including research and development) in line with national priorities;

(c) recommend to the President, the establishment of additional research institutes or the reform and strengthening of existing ones;

(d) facilitate fund raising activities to support innovation in areas of national needs and priorities;

(e) facilitate sectoral, state and local level innovations by encouraging Federal Ministries, State and Local Governments to establish sectoral, State and Local Innovation Councils respectively;

(f) explore new strategies and alternatives for innovations and collaborations;

(g) identify ways and means to scale and sustain innovations;

(h) encourage universities, polytechnics, research and development institutions, centres of excellence, colleges of education, monotechnics, States, Local Governments and Ministries, Departments and Agencies (MDAs) to innovate;

(i) encourage all important sectors of the economy to innovate;

(j) encourage innovation in public service delivery; and

(k) encourage multidisciplinary and globally competitive approach to innovation.

(2) The Council shall formulate a roadmap for innovation and create a framework for-

(a) evolving a Nigerian model of innovation with focus on inclusive growth;

- (b) institutionalising innovation as a culture in Nigeria from the lowest level up;
- (c) delineating policy initiatives within the Government aimed at promoting innovation;
- (d) developing and championing innovation attitudes and approaches with special focus on youths;
- (e) creating appropriate environment to foster inclusive innovation;
- (f) exploring new strategies and alternatives for innovations and collaborations;
- (g) identifying ways and means to scale and sustain innovations;
- (h) encouraging State, Local, Small and Medium Enterprises (SMEs) to innovate;
- (i) facilitating innovations by (SMEs);
- (j) encouraging innovation in public service delivery;
- (k) encouraging multidisciplinary and globally competitive approaches for innovations;
- (l) convening an annual Nigeria Innovation Round Table or Summit;
- (m) carrying out such other activities connected with its functions to develop and enforce codes in order to give full expression to the general intentment of this Act; and
- (n) facilitating the establishment of sectoral Innovation Committees by heads of various Ministries, Departments and Agencies at their various offices.

5. (1) There is established the Technical Advisory Committee of the Bill (in this Bill referred to as the “Advisory Committee”).

(2) The Advisory Committee shall consist of the following as may be appointed by the Council –

- (a) the Executive Secretary of the Foundation as a Member;
- (b) ten technocrats drawn from relevant Ministries, Departments, Agencies, organised private sector and professional regulatory bodies as may be approved by the Council;
- (c) five renowned home based Nigerian researchers and

Establishment and composition of the Technical Advisory Committees Council.

innovators one of whom shall be Chairman;

- (d) three internationally acclaimed Nigerian researchers or innovators in the diaspora;
- (e) Special Adviser to the President on research and innovation as a member; and
- (f) any other individual expert or group that may be recommended as a member by the Advisory Committee and appointed by the Council.

(3) The Advisory Committee shall provide expert advice to the Council on strategies to accomplish its mandate.

(4) In compliance with subsection 3, the Advisory Committee shall –

- (a) prepare a memorandum for the consideration and approval of the Council;
- (b) develop the national research and innovation priority agenda for consideration and adoption by the Council;
- (c) recommend, for approval of the Council, operational guidelines and annual work plans of Sectoral Innovation Committees; and
- (d) monitor and report on activities of Sectoral Innovation Committee to the Council.

(5) The tenure of the Advisory Committee shall be five years subject to renewal for another five years and no more.

PART II - ESTABLISHMENT OF THE NATIONAL RESEARCH AND INNOVATION FOUNDATION AND ITS GOVERNING BOARD

6. (1) There is established the National Research and Innovation Foundation (in this Bill referred to as “the Foundation”) to raise, manage, disburse, and monitor funds, grants, assets as intervention for research , innovation and development activities and carry out other functions in connection with the policies of the Council as provided in this Bill.

Establishment of the National Research and Innovation Foundation and its Governing Board.

(2) The Foundation –

- (a) is a body corporate with perpetual succession and a common seal; and
- (b) may sue and be sued in its corporate name.

(3) The Headquarters of the Foundation shall be in the Federal Capital Territory, Abuja with field offices in the six geo-political zones of the Federation.

7. (1) The Foundation shall -

Functions of the Foundation.

- (a) raise funds for innovation, research and development from legitimate means as stipulated under this Bill;
- (b) implement the 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;
- (c) provide synergy to facilitate the dissemination 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 nation's research profile;
- (d) organise annual research conferences or other events to review and evaluate progress made on the promotion of research, innovation, and invention;
- (e) announce and publicise calls for research proposals;
- (f) establish and maintain accurate and comprehensive research database, containing information about research activities, facilities, competencies and skills of the nation;
- (g) 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;
- (h) analyse research management data of the nation for decisions on areas of need;
- (i) 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;
- (j) provide support for applications by innovators and inventors for the protection of the property rights of innovations or inventions based on national research agenda;
- (k) identify innovations and inventions that have high potential for commercialisation, and display operational prototypes of such innovations and inventions in the National Technology Parks;
- (l) promote commercially viable prototype to products in collaboration with the Ministry of Science and Technology;
- (m) source and provide funds for the establishment of Science and

Innovation Parks to create markets where they do not exist, develop market and demonstrate the viability of innovations and promote sales of the national intellectual property;

- (n) monitor and assess research projects and product development processes to ascertain the quality and quantity of deliveries and adherence to relevant funding modelling guidelines;
- (o) source and provide financial support to existing Research, Development and Innovation Institutes to ensure their contribution to the realisation of the national research agenda;
- (p) promote relative merit and professionalism in both academic and innovative research;
- (q) enter into collaborative and cooperative agreements or arrangements with agencies, foundations and bodies with similar objectives within and outside Nigeria;
- (r) submit annual report of its incomes, expenditure and activities to the National Assembly; and
- (s) carry out such activities as are necessary or expedient for the performance of its functions under the Bill.

(2) The Foundation shall have administrative and financial autonomy to execute its functions independently, free from external control and influence.

8. (1) There is for the Foundation an Executive Secretary who shall be appointed by the President on the recommendation of the Board. Appointment of Executive Secretary.

(2) The Executive Secretary shall hold office for a term of four years and may be re-appointed for a further term of four years and no more.

(3) The Executive Secretary shall be a person –

- (a) with a minimum of 15 years demonstrable research experience in science and technology, engineering, medicine and other relevant disciplines and professions, at doctorate level, and shall demonstrate or show capacity for innovation and creativity;
- (b) who has at least 10 years cognate working experience post Master's Degree; and
- (c) who has proven record of cognate experience in research management.

(4) A candidate who has won and managed research grants shall have an added advantage.

(5) The Executive Secretary shall be –

- (a) the Chief Accounting Officer of the Foundation;
- (b) responsible for the execution of programmes as approved by the Board of the Foundation and take charge of the day-to-day administration of the Foundation;
- (c) responsible for general direction and superintendence of the affairs of the Foundation;
- (d) facilitate and support the efficient running of the activities of Sectoral Research or Innovation Councils;
- (e) ensure proper dissemination of decisions of the Board or to appropriate bodies, institutions or authorities; and
- (f) carry out such other functions and duties as the Council may assign to him.

9. There shall be for the Foundation the Directorates as listed in the Second Schedule to this Act for the effective performance of its functions under this Bill.

Directorates of the Foundation.

Second Schedule.

10. The Foundation may, subject to the approval of the Board, appoint such other staff as it may consider necessary-

Other staff of the Foundation.

- (a) for the efficient performance of the Foundation's functions; and
- (b) on such terms and conditions as may be specified by the Board.

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.

Conditions of service of employees of the Foundation.

12. (1) There is established for the Foundation a governing board (in this Bill referred to as "the Board").

Establishment and membership of the Governing Board of the Foundation.

(2) The Board shall consist of –

- (a) a chairman who -
 - (i) is appointed by the President on the recommendation of the panel under subsection 3 (a) of this section,
 - (ii) shall hold a minimum qualification of a university degree in either engineering, science, technology or other related discipline, and
 - (iii) has made outstanding contributions in the areas of applied

research and innovation.

- (b) at least nine but not more than 11 other members, appointed by the Council; and
- (c) the Executive Secretary of the Foundation.

(3) For the purposes of appointing 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.

(4) The panel shall compile the shortlist after following transparent and competitive processes which includes advertising existing vacancies on the Board in at least two national newspapers, receiving and scrutinising curricula vitae submitted by interested applicants in response to news advertisements and conducting oral interviews for shortlisted applicants.

(5) Members of the Board shall 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.

(6) 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-

- (a) universities and Federal Government constituted research institutes and allied Colleges;
- (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.

(7) The supplementary provisions set out in the First Schedule to this Act shall have effect with respect to the proceedings of the Board and related matters. First Schedule.

13. (1) Subject to the provisions of section 14 of this Bill, a person appointed to be a member of the Board shall hold office for a term of four years from the date of his appointment and may be eligible for re-appointment for another term of four years and no more. Tenure of office.

(2) At least one third of the Board members shall, at all times, consist of reappointed members to ensure continuity in the leadership of the Board.

(3) A person appointed in accordance with section 12 (3) 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 serve for the unexpired term of his predecessor.

14. (1) Notwithstanding the provisions of section 8 of this Bill, a member of the Board ceases to hold office if the member – Cessation of membership.

- (a) resigns his appointment by notice signed by him and 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 any offence involving dishonesty or corruption; or
- (e) becomes incapable of performing the functions of his office either arising from an infirmity of mind, body or any other cause.

(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.

(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.

15. The Chairman and members of the Board are paid such emoluments, allowances, and benefits as may be determined by the Revenue Mobilization, Allocation and Fiscal Commission. Remuneration of members of the Board.

16. The Board shall have power to – Powers and functions of the Board.

- (a) approve annual estimates, reports and statements of accounts of the Foundation;
- (b) determine the terms and conditions of service of the employees

of the Foundation;

- (c) recommend 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;
- (d) approve the award of research grants to be given by the Foundation in line with national priorities;
- (e) consider and approve the creation of additional Directorates as may be necessary and in accordance with the provisions of this Act
- (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;
- (g) consider and recommend to the Council, innovators and outstanding researchers deserving of award and special recognition;
- (h) consider and approve the annual activities of the Foundation and cause same to be presented to the President and National Assembly; and
- (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.

PART III - FINANCIAL PROVISIONS

17. (1) The Foundation shall establish and maintain a Research and Innovation Fund (in this Act referred to as ("the Fund") into which shall be paid and credited-

Establishment of the National Research and Innovation Fund.

(a) 5% of the annual **fund accruing** to the following organisations-

- (i) Raw Materials Research and Development Council;
- (ii) **National Automotive design and Development Council Fund;**
- (iii) **National Communications Development Fund of National Communications Commission (NCC);**
- (iv) **National Information Technology Development Fund;**
- (v) Ecological Fund;
- (vi) **National Lottery Trust Fund;**
- (vii) **National Sugar Development Council Fund;**
- (viii) Industrial Training Fund;
- (ix) Petroleum Technology Development Fund (PTDF);
- (x) Organised Private Sector (OPS) – 0.5% of Technology Transfer Fee; and
- (xi) Solid Mineral Development Fund.

(b) 5% of loanable funds from development finance institutions such as the Bank of Industry (BOI), Nigerian Export – Import Bank (NEXIM), the Development Bank of Nigeria (**DBN**) and the **Bank of Agriculture (BOA)**;

(c) foreign aid or assistance from bilateral or multilateral agencies;

(d) other internally generated revenues of the Foundation; and

(e) all other sums accruing to the Foundation by way of gifts, grants, emolument or bequest.

(2) All monies standing to the credit of the Foundation shall be paid directly into the Fund.

18. The Foundation shall apply the funds to –

Expenditure of the Foundation.

(a) the administration of the Foundation;

(b) the performance of its functions;

(c) the payment of emoluments and entitlements of members of the Council, and the members of the Board;

(d) the payment of personnel, overhead, allowances, benefits and other administrative costs;

(e) the cost of maintaining the head office, field offices and operating the Directorates and other interventions concerning the Sectorial Innovation Councils;

(f) the training of members of staff of the Foundation;

(g) the publication and promotion of research and innovation results from public and private sector research and development institutes;

(h) the support of national research, innovation and development bodies and for the payment of contributions to international organizations to which the Foundation subscribes; and

(i) any other expenditure in connection with all or any of the functions of the Foundation under this Bill.

19. (1) The Foundation is exempt from the payment of tax on any income accruing from investments made by the Foundation.

Exemption from tax.

(2) The provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Foundation.

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. Investment of income.

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 Fund for the next succeeding year. Annual estimates, income and expenditure.

22. (1) The Foundation shall keep proper accounts in respect of each year and proper records in relation to it and audit the account. Accounts and audit.

(2) The accounts of the Foundation shall be audited, not later than six months after the end of the year to 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.

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 auditor's report for the immediate preceding year. Annual reports.

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 money required by the Foundation for meeting its obligations and performing its functions under this Bill. Borrowing powers.

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 organisation making the gift. Power to accept gifts.

(2) The Board shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the objectives of the Foundation under this Bill.

PART IV - LEGAL PROCEEDINGS

26. (1) A suit shall not commence against the Foundation 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 state the –

Limitations of suits.

- (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.

(2) The notice referred to in subsection (1) and any summons, notice or other documents required or authorised to be served upon the Council under this Bill or any other enactment or law may be served by-

- (a) delivering it to the Executive Secretary; or
- (b) sending it by registered post addressed to the Executive Secretary at the head office of the Foundation.

27. (1) In any action or suit against the Foundation, execution or attachment of process shall not be issued against the Foundation except-

Restriction on execution against property of the Council.

- (a) a three month notice of intention to execute or attach has been given to the Foundation; and
- (b) a written consent of the Attorney-General of the Federation is obtained and at least three months.

(2) Any sum of money which by the Judgment of any court has been awarded against the Foundation 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.

PART V - MISCELLANEOUS

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 premises for efficient performance of its functions under this Bill.

Power to purchase or take property on lease.

Cap. L5, LFN, 2004.

29. The Foundation may, subject to the Land Use Act, sell or lease out any land or office belonging to the Foundation.

Power to sell or lease out property.

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

Indemnity.

against him in his capacity as a member of the Board, Executive Secretary of the Foundation, officer or other employees of the Foundation under this Bill.

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 facilitating the performance of the functions of the Foundation.

Power to make regulations and issue guidelines.

(2) The Council may issue guidelines to give effect to the respective relevant provisions of this Bill.

(3) Regulations made shall be published in the Federal Government Gazette and in such other manner as the Foundation may prescribe.

32. In this Bill -

Interpretation.

“Board” means Governing Board of the Foundation established under this Bill;

“geopolitical zone” means North East, North West, North Central, South East, South West and South South geopolitical zones of the Federation;

“innovation” means the act or process of innovating or introducing a new product, technology or method;

“national facilities” means facilities designated as such by the Foundation pursuant to the provisions of this Bill;

“public officer” means any person working in the Public Service of the Federation or State as defined in the Constitution of the Federal Republic of Nigeria, 1999;

“research” means a process intended to create new or improved technology that can provide competitive advantage at the business, development, national or global level;

“development” means systematic utilisation of knowledge or understanding gained from research towards the production of materials, devices, systems, or methods and includes design and development of prototypes and processes;

“research institution” includes any organisation practising research as recognised by this Act or any Act of the National Assembly;

“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; and

“Science” includes any system of knowledge attained by verifiable means and the organised body of knowledge humans have gained by research;

33. This Bill may be cited as the National Research and Innovation Council (Establishment) Bill, 2022.

Schedules

First Schedule

Section 12 (7)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

1. Subject to this Act and section 27 of the Interpretation Act, the Board may make standing orders regulating the proceedings of the Board and any of its committees.
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 them to preside at the meeting.
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 and six other members).
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 the person is not entitled to vote or count towards a quorum.

Committees

5. (1) Subject to its standing orders, the Board may set up such number of standing and ad hoc committees as it deems fit to consider and report on any matter with which the Foundation is concerned.
(2) Every committee set up under the provisions of subparagraph (1) 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.
6. The decision of a committee is of no effect until it is confirmed by the Foundation.

Miscellaneous

7. The affixing of the seal of the Foundation shall be authenticated by the signature of the Chairman and the Executive Secretary of the Foundation or such other member authorised generally or specifically by the Board to act for that purpose.
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 any other person generally or specifically authorised by the Board to act for that purpose.
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.
10. The validity of a proceeding of the Board or a committee shall not be adversely

affected by-

- (a) any vacancy in the membership of the Board;
- (b) any defect in the appointment of a member of the Board or committee; or
- (c) reason that a person not entitled to do so took part in the proceeding.

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.

SUPPLEMENTARY PROVISIONS RELATING TO THE DIRECTORATES OF FOUNDATION

1. (1) The Foundation shall have -

- (a) a Research Policy and Strategy Directorate to be headed by a director;
- (b) a Research and Innovation Fund Directorate to be headed by a Director;
- (c) a Finance and Administration Directorate to be headed by a Director who shall also be the Secretary to the Foundation;
- (d) a Research Directorate to be headed by a director;
- (e) an Innovation and Product Development Directorate to be headed by a Director;
- (f) a Monitoring and Evaluating Directorate to be headed by a Director;
- (g) a Coordinating Directorate for Sectors, Regions, States, LGAs, Industries and other Stakeholders to be headed by a director;
- (h) Legal Services Directorate to be headed by a director; and
- (i) such other Directorates as may be approved by the Board for the proper performance of the functions of the Foundation.

2. The Board shall, on the recommendation of the Executive Secretary, appoint Directors who shall be in charge of the Directorates as provided under section 9 of this Bill.

3. (1) The Director charged with responsibility for the Finance and Administration Directorate shall possess a university degree or its equivalent and at least 12 years experience in the field of finance, accounting, administration or related expertise.

(2) The Director of Finance and Administration shall;

- (a) prepare draft expenditure estimates and budget;
- (b) be the Secretary of the Board; and
- (c) perform such other functions as may be assigned to him by the Executive Secretary.

4. (1) The Director charged with responsibility for 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 12 year experience.

(2) The Director Research, Policy and Strategy Directorate shall-

- (a) be the head of the Research Policy and Strategy Directorate of the Foundation;
- (b) formulate a National Research Policy for the country and devise strategies to implement the policies and ensure compliance with the policy document;
- (c) receive feedback from stakeholders and take same into consideration in the review of the National Research Policy document.

5. (1) The Director charged with responsibility for Research and Innovation Fund shall possess a university degree or its equivalent in accounting, economics or other relevant qualification and at least 12 years.

(2) The Director of Research and Innovation Fund shall be –

- (a) be vested with the responsibility of initiating and coordinating fund raising activities for the Foundation as provided under this Act;
- (b) establish a unit each to attend to each source of fund; and
- (c) perform such other functions as may be assigned to him by the Executive secretary.

6. (1) The Director charged with responsibility for the Research Directorate shall possess-

- (a) at least 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;
- (b) at least 10 years cognate working experience post Master Degree; and
- (c) proven record of cognate experience in research management.

(2) A candidate who must have won and managed research grants shall have an added advantage.

(3) The Director of Research shall –

- (a) draw out a national research agenda, make grants from research fund, established under this Act, 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;

(b) perform such other functions as may be assigned to him by the Executive Secretary.

7. (1) The Director charged with responsibility for Innovation and Product Development Directorate shall possess -

(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;

(b) at least 10 years cognate working experience post Master Degree; and

(c) proven record of cognate experience in innovation and product Development.

(2) A candidate who has patented and developed research product or has proven product development managerial skills shall have an added advantage.

(3) The Director Innovation and Product Development shall-

(a) be responsible for formulating and reviewing a National Innovation and Product Development Strategy;

(a) intellectual property right policy and ensure compliance by Innovators to the document;

(c) provide administrative support for applications by innovators or inventors for protection of property rights of the innovations or Inventions from the National Office of Technology Acquisition and Promotion (NOTAP); and

(d) perform such other functions as may be assigned to him by the Executive Secretary;

8. (1) The Director charged with responsibility for Monitoring and Evaluation Directorate must be well qualified and experienced to hold the office of the Director Monitoring and Evaluation of the Foundation.

(2) The Director Monitoring and Evaluation shall-

(a) monitor and assess research projects and products development processes to ascertain the quality and quantity of deliverables and adherence to funding guidelines;

(b) submit satisfactory progress report and monitoring and evaluation report of evaluators to guarantee the release of funds after the first instalment and winning subsequent awards; and

- (c) perform such other functions as may be assigned to him by the Executive Secretary.

9. The Director charged with responsibility for 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.

10. The Coordinating Director for Sectors, Regions, States, LGAs, Industries and other Stakeholders shall-

- (a) perform such other functions as may be assigned to him by the Executive Secretary.

11. (1) The Director charged with responsibility for the Legal Services Directorate Shall possess-

- (a) at least 12 years demonstrable experience in product development management and patent registration;
- (b) a Ph.D in Law preferably in intellectual property law or related fields; and
- (c) at least 10 years cognate working experience post Master Degree;

(2) The Director Legal Services Directorate shall-

- (a) have oversight responsibility over all legal and compliance related matters of the Foundation;
- (b) serve as the Legal Adviser and Secretary of the Foundation as well as the Secretary of the governing board and therefore coordinate all matters having legal content including legal publications, Regulations and Litigations involving the Foundation;
- (c) Provide legal advice on all matters in which the Foundation has interest;
- (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;
- (e) drafting of regulations of the Foundation or that of its Governing Board;
- (f) drafting and vetting of all agreements in which the Foundation is a party or an interested party;

(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;

(h) perform such other functions as may be assigned to him by the Executive Secretary.

EXPLANATORY MEMORANDUM

This Bill establishes the National Research and Innovation Council and 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.

NATIONAL RESEARCH AND INNOVATION COUNCIL (ESTABLISHMENT) BILL, 2022

Arrangement of Sections

Section:

PART I – ESTABLISHMENT OF THE NATIONAL RESEARCH AND INNOVATION COUNCIL

1. Establishment of the National Research and Innovation Council.
2. Membership of the Council.
3. Proceedings of the Council.
4. Functions of the Council.
5. Establishment, composition, etc., of the technical advisory committees of the Council.

PART II – ESTABLISHMENT OF THE NATIONAL RESEARCH AND INNOVATION FOUNDATION GOVERNING BOARD, ETC.

6. Establishment of the National Research and Innovation Foundation Governing Board, etc.
7. Functions of the foundation.
8. Appointment of Executive Secretary.
9. Directorates of the foundation.
10. Other staff of the Foundation.
11. Conditions of service of employees of the Foundation.
12. Establishment and membership of the Governing Board of the foundation.
13. Tenure of office.
14. Cessation of membership.
15. Remuneration of members of the Board.
16. Powers and functions of the Board.

PART III – FINANCIAL PROVISIONS

17. Establishment of the National Research and Innovation Fund.
18. Expenditure of the Foundation.
19. Exemption from tax.
20. Investment of income.
21. Annual estimates, income and expenditure.
22. Accounts and audits.
23. Annual reports.
24. Borrowing powers.
25. Power to accept gifts.

PART IV – LEGAL PROCEEDINGS

26. Limitations of suits.
27. Restriction on execution against property of the Council.

PART V - MISCELLANEOUS

28. Power to purchase or take property on lease.
29. Power to sell or lease out property.
30. Indemnity.
31. Power to make regulations and issue guidelines.
32. Interpretation.
33. Citation.

Schedules