

A BILL FOR

**AN ACT TO ESTABLISH THE NIGERIAN BUILDING AND ROAD RESEARCH
INSTITUTE (NBRRI) TO BUILD CAPACITY, CONDUCT INTEGRATED APPLIED
RESEARCH AND DEVELOPMENT IN ROADS, BUILDINGS, AND ENGINEERING
MATERIALS SECTORS AND FOR RELATED MATTERS.**

Sponsor: Senator Uche Ekwunife (Anambra Central)

**NIGERIAN BUILDING AND ROAD
RESEARCH INSTITUTE (NBRRI) (Establishment) BILL,
2020**

A BILL FOR
AN ACT TO ESTABLISH THE NIGERIAN BUILDING AND ROAD RESEARCH INSTITUTE (NBRI) TO
BUILD CAPACITY, CONDUCT INTEGRATED APPLIED RESEARCH AND DEVELOPMENT IN ROADS,
BUILDINGS, AND ENGINEERING MATERIALS SECTORS AND FOR RELATED MATTERS.

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SCHEDULE

A

BILL FOR

AN ACT TO ESTABLISH THE NIGERIAN BUILDING AND ROAD RESEARCH INSTITUTE (NBRRRI) TO BUILD CAPACITY, CONDUCT INTEGRATED APPLIED RESEARCH AND DEVELOPMENT IN ROADS, BUILDINGS, AND ENGINEERING MATERIALS SECTORS AND FOR RELATED MATTERS.

[] Commencement

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

PART I

ESTABLISHMENT OF THE NIGERIAN BUILDING AND ROAD RESEARCH INSTITUTE AND ITS GOVERNING BOARD

1. Establishment of the Nigerian Building and Road Research Institute (NBRRRI)

- (1) There is established an Institute to be known as Nigerian Building and Road Research Institute (in this Act referred to as “the Institute”).
- (2) The Institute -
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold and dispose of any movable or immovable property and enter into a contract or any other transaction for the purpose of its functions under this Act.

2. Establishment and Composition of the Governing Board of the Institute

- (1) There is established for the Institute a Governing Board (in this Act referred to as “the Board”).
- (2) The Board shall consist of -
 - (a) The Chairman who shall be person with requisite knowledge and experience in matters relating to the road sector and built environment’ to be appointed by the President;
 - (b) a representative, who shall not be below the Directorate Cadre, of the following Federal Ministries responsible for-
 - (i) Science and Technology,
 - (ii) Power, Works and Housing; and
 - (iii) Industry, Trade and Investment.
 - (c) President of the Council for the Regulation of Engineering in Nigeria (COREN);
 - (d) President or Chairman of one of the following professional bodies, who shall serve for two years only, on rotational basis-
 - (i) Council of Registered Builders of Nigeria (CORBON),
 - (ii) Architect Registration Council of Nigeria (ARCON),

- (iii) Quantity Surveyors Registration Council of Nigeria,
 - (iv) Town Planners Registration Council (TOPREC),
 - (v) Land Surveyors Registration Council of Nigeria, or
 - (vi) Estate Surveyors Registration Council of Nigeria;
 - (e) Two persons to be appointed by the President; and
 - (f) The Director-General of the Institute who shall be Secretary to the Board.
- (3) The supplementary provision set out in the Schedule to this Act shall apply with respect to the proceedings of the Board and other matters contained therein.

3. Tenure of office

- (1) Members of the Board-
- (a) other than the Director General/CEO shall hold office on part-time basis; and
 - (b) who are not ex-officio members shall hold office for a term of three years and may be eligible for re-appointment on satisfactory performance for another term of three years and no more.
- (2) Subject to any other provisions of this Act, a member of the Board shall hold office on the terms and conditions specified in his letter of appointment.

4. Emolument, allowances and benefits

The Chairman and members of the Board shall be paid such emoluments, allowances and benefits as the Federal Government may from time to time approve.

5. Cessation of membership

A person shall cease to hold office as a member of the Board where-

- (a) his term of office expires;
- (b) he resigns from office by a notice in writing under his hand addressed to the President;
- (c) in case of an ex officio member, he ceases to hold the office on the basis of which became a member;
- (d) he is removed from office; or
- (e) he dies.

6. Removal from the Board

A person shall be removed as a member of the Board where-

- (a) he becomes bankrupt,
- (b) he is convicted of a felony or any offence involving dishonesty or fraud;
- (c) he becomes of unsound mind or his incapable of carrying out his duties;
- (d) he is guilty of a serious misconduct in relation to his duties;
- (e) he possesses professional qualification and he is disqualified or suspended from practicing his profession in Nigeria by an order of a competent authority; or

- (f) the President is satisfied that it is not in the interest of the Institute or of the public for the person appointed to continue in office.

7. Filling of Vacancies

- (1) Where a vacancy occurs in the Board pursuant to the provision of section 5 or 6 or any other provision of this Act, the President shall appoint a person to fill the vacancy.
- (2) A person appointed pursuant to subsection (1) of this section to replace a member who is not an ex-officio member, shall hold office for the remainder of the term of office of his predecessor whose exit created the vacancy.
- (3) Notwithstanding the provisions of subsection (2) of this section, a member filling a vacancy created by the exit of a member of a professional body shall-
 - (a) hold office for the unexpired term of office of his predecessor in office;
 - (b) be nominated by the same professional body as his predecessor where his predecessor has not completed his term of office; and
 - (c) shall represent the same interest in the Board as that of his predecessor.

8. Powers and Functions of the Board

- (1) The Board shall have power to-
 - (a) approve rules and regulations relating to the appointment, promotion and disciplinary measures of staff of the Institute;
 - (b) fix the remuneration, allowances and benefits of staff of the Institute, Subject to the approval of the National Salaries, Incomes and Wages Commission; and
 - (d) regulate its proceedings and make standing orders with respect to its meetings, notices to be given, the keeping of minutes of its proceedings and such other matters as the Board may, from time to time determine.
- (2) The Board shall-
 - (a) formulate and provide policy guidelines for discharging the functions of the Institute;
 - (b) review and approve the strategic plan of the Institute in the areas of:
 - (i) capacity building, research and development, in the areas connected with building, road, engineering materials and allied construction,
 - (ii) methods of construction, and
 - (iii) environmental factors that affect road and building performances in the Nigeria;
 - (c) ensure the implementation of policies and programs of the Institute; and
 - (d) carry out such other functions that are necessary and expedient for the efficient performance of the functions of the Institute under this Act.

9. Powers of the Institute

The Institute shall have power to-

- (a) formulate the guidelines for the implementation of the Provisions of this Act;
- (b) collaborate with relevant project implementing agencies to monitor and assess the effective utilization of the construction and engineering materials researched and developed by the Institute for the construction sector;
- (c) develop code of practice for locally produced and emerging materials for the construction sector and to determine the most effective and economic methods of their utilization;
- (d) enter any construction site with the approval of the project implementing agency for the purpose of carrying out its functions under this Act;
- (e) liaise, with relevant establishments within and outside Nigeria in pursuance of its functions under this Act;
- (f) invest surplus funds of the Institute in profit-yielding ventures;
- (g) collaborate with relevant regulatory agencies in the development of codes design criteria and specifications for conventional engineering materials, roads and safety measures and;
- (h) carry out such other activities as are necessary and expedient for the performance of its functions under this Act.

10. Functions of the Institute

(1) The Institute shall build capacity and conduct applied integrated research and development on building, road and engineering construction materials and methods, and socio-economic aspects and impacts of construction and environmental factors that affect building and road performances in the country; and in these regards, it shall carry out research on-

- (a) the suitability or otherwise of building, road, and construction materials,
- (b) architectural design of buildings to suit Nigerian climatic conditions with respect to lighting ventilation, thermal comfort and humidity,
- (c) the design and performance of functional units in building including electrical installations, plumbing, painting, drainage, ventilation and air-conditioning systems;
- (d) local construction and building operations and methods to increase their effectiveness;
- (e) structural design of buildings and bridges and the development of the design criteria, specifications and codes of practice;
- (f) transportation schemes including occurrence of accidents and safety measures;
- (g) geotechnical issues including soil conditions and recommending appropriate solutions; and
- (h) the system and processes for the conversion of raw or semi-finished materials into engineering materials of various shape, gauges, forms and performance.

(2) The Institute shall-

- (a) publish the results of its research on building, road and engineering materials in the construction sector;
 - (b) encourage and promote the commercialization of research and development innovation in the construction sector;
 - (c) promote the practice of research and development and accordingly it shall-
 - (i) consider applications for research and development grants made by institution, corporate bodies and individuals for building, road and engineering materials on the basis of criteria to be determined by the Institute, and
 - (ii) develop facilities and capabilities through its Centres for research and development in building, road and engineering materials, chemical materials, scientific equipment, engineering manpower training.
 - (d) collaborate with higher educational institutions and other relevant Government Institutions, organizations, agencies, councils and commercial industries in the research and development of building materials and in scientific and engineering manpower training.
- (3) The Institute shall-
- (a) develop, run and manage modern laboratories in Nigeria for research and development in the construction sector;
 - (b) provide consultancy and scientific services, in areas relating to building, road and engineering materials in construction sector;
 - (c) establish an academy and in collaboration with other relevant bodies, develop curricula for manpower development for the construction sector;
 - (e) proffer advise to professional and regulatory bodies towards the development of curriculum for training of artisans, craftsmen, workmen in related disciplines for the construction sector; and
 - (f) Undertake such other activities which are necessary for the performance of its functions under this Act.

PART II

STRUCTURE OF THE INSTITUTE

11. Structure of the Institute

- (1) The Institute shall have-

- (a) the following special Research Directorates-
 - (i) Engineering Materials Research Directorate,
 - (ii) Building Research Directorate,
 - (iii) Road Research Directorate,
 - (iv) Applied Mathematics, Computer and Pure Science Research and Development Support Services Directorate,
 - (iv) Cement, Cement Substitutes and Alternative Construction Materials Directorate; and
 - (vi) such other Research Directorates as it may consider necessary for the efficient performance of its functions under this Act;
 - (b) Such Training Centres as may be established pursuant to section 13 of this Act;
 - (c) Zonal Offices and Laboratories to be established in such places in Nigeria as may be considered appropriate by the Institute with the approval of the Board;
 - (d) the following Departments, to be headed by Directors, which shall be responsible for-
 - (i) Human Resources Management,
 - (ii) Finance and Accounts,
 - (iii) Planning and Information Technology,
 - (iv) Consultancy and Extension Services,
 - (v) Procurement, Development and Maintenance, and
 - (vi) Legal Services; and
 - (e) power to set up such Units, Technical Committees and Working Groups as the Institute may require to assist it in the performance of its duties and functions.
- (2) There shall be appointed for each of the Units, Technical Committees and Working Groups set up pursuant to subsection (1)(e) of this section, an Officer-In-Charge who shall be known by such designation as the Institute may determine.
 - (3) The Institute may, with the approval of the Board, make changes to its structure.

12. Technical Advisory Committee

- (1) The Institute may establish a Technical Advisory Committee in areas of Building, Road and Engineering Material Research for the effective performance of its functions.
- (2) Members of a Technical Advisory Committee appointed by the Institute shall be persons with requisite expertise and experience in the relevant areas of Building, Road and Engineering sectors.

PART III

ESTABLISHMENT OF BUILDING, ROAD AND ENGINEERING MATERIALS TRAINING CENTRES

13. Establishment of Training Centres

- (1) The Institute may, from time to time, on the recommendation of the Director-General/CEO with the approval of the Governing Board, established a Building, Road and Engineering Materials Training Centre (in this Act referred to as “Training Centre”) which shall be located in such geo-political zones in Nigeria as may be specified in the Order.
- (2) An Order establishing a Training Centre pursuant to the provisions of this Act may contain supplementary or incidental provisions relating to the Training Centre, including provisions for-
 - (a) the designation of the Centre;
 - (b) the area of specialization covered by the training at the Training Centre;
 - (c) transfer of any existing facility belonging to Federal, State or Local Government to the Training Centre by mutual agreement;
 - (d) the establishment and constitution of senior research officers to manage the affairs of the Centre;
 - (e) the Training Centre to be fully equipped to carryout training on Building, Road, and Engineering Materials;
 - (f) association and collaboration of the Training Centre with universities, other institutions of higher learning and commercial industries; and
 - (g) The Training Centre shall report for its day-to-day operations to the Director-General/CEO.

PART IV

APPOINTMENT OF DIRECTOR-GENERAL/CEO AND OTHER STAFF OF THE INSTITUTE

14. Appointment, functions and tenure of the Director-General/Chief Executive Officer

- (1) There shall be appointed by the President on the recommendation of the Minister, a Director-General/CEO for the Institute, who shall have not less than 15 years post qualification experience in the **built environment** and particularly in building, road, geotechnical engineering and construction sector.
- (2) The Director-General/CEO shall be-
 - (a) the Chief Executive and Accounting Officer; and

- (b) responsible for the day-to-day administration and execution of the policy of the Institute.
- (3) The Director-General/CEO shall, as Secretary to the Board-
 - (a) prepare minutes of the meetings of the Board;
 - (b) keep and secure the corporate record of the Board and the Institute;
 - (c) issue notices of the meetings of the Board as may be directed by the Board;
 - (d) be in custody of the seal of the Institute; and
 - (e) perform such other duties as the Board may, from time to time assign.
- (4) The Director-General/CEO shall hold office for a term of four years and may upon satisfactory performance of his duties, be re-appointed for another term of four years and no more.

15. Appointment and tenure of Principal Officers of the Institute

- (1) The Institute shall have the following Principal Officers-
 - (a) a Head of Department who shall be of the rank of a Director of Research in the Institute for each of the Research Directorates provided under section 11 of this Act and in the absence of a person of the rank of a Director, the most Senior Research Officer in the Directorate who shall not be below the rank of a Principal Research Officer shall be appointed on acting capacity;
 - (b) A Director to head each of the Non-Research Directorates as may be established by the Institute; and
 - (c) a Coordinating Director for each Laboratory and Training Centre established by the Institute under this Act.
- (2) The appointment of the Principal Officers under this section shall be made by the Board on the recommendation of the Director-General.
- (3) A Principal Officer appointed under subsections (1) (a) or (c) shall hold office for a term of two years and may be eligible for re-appointment upon satisfactory performance of his duties, for another term of two years after which he may be retained as an officer in the Institute where he has not attain the retirement age of 65 years.

16. Functions of the Principal Officers

The Principal Officers appointed in this Act shall-

- (a) be answerable to the Director-General for the day to day administration of their respective Directorates, Laboratories, Training Centres or offices;
- (b) implement the policies of the Institute as they apply to the Directorate, Centre or office which he heads or coordinates; and
- (c) perform such other functions as may be assigned by the Director-General from time to time.

17. Other Staff of the Institute

- (1) The Board may appoint for the Institute, directly or request for the deployment from the Public Service of the Federation, such number of staff as may be necessary for the proper and efficient performance of its functions under this Act.
- (2) The terms and conditions of service, including remuneration, allowances and benefits of staff of the Institute shall be as determined by the Board in consultation with the National Salaries, Income and Wages Commission, subject to relevant extant laws.
- (3) The employment, discipline and removal of staff of the Institute shall be subject to such terms and conditions as may, from time to time, be stipulated by the Board and contained in the letters of appointment of the staff of the Institute.

18. Service in the Institute

- (1) Service in the Institute shall be Public Service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria.
- (2) Staff of the Institute shall, in respect of their services in the Institute, be entitled to such pension and other retirement benefits as are prescribed for persons holding equivalent grades in the Civil Service of the Federation under the Pension Reform Act, so however that nothing in this Act shall prevent the appointment of a person to an office on terms which preclude the grant of pension and other retirement benefit in respect of that office.

**PART V
FINANCIAL PROVISION**

19. Fund of the Institute

- (1) The Institute shall establish and maintain a fund (hereinafter referred to as ‘the Fund’) for its day-to-day administration, into which shall be paid-
 - (a) such money as may be appropriate to it by the National Assembly;
 - (b) fees charged for any consultancy service rendered by the Institute and trainings at the Training Centres;
 - (c) contributions from the organized private sector;

- (d) foreign aid and assistance from bilateral and multilateral agencies;
 - (e) fees charge in respect of commercialization of products by the Institute;
 - (f) all sums accruing to it by way of gifts, endowments or testamentary disposition;
 - (g) profits from investment entered into by the Institute; and
 - (h) such other funds as may from time to time accrue to the Institute.
- (2) Every applicant for registration in the Journal of the Institute shall pay a fee which shall be credited and maintained in a separate account by the Institute and part of the fees shall be used for the publication of the Journal.
- (3) The fees referred to in subsection (2) of this section shall be as determined from time to time by the Board.

20. Budget of the Institute

- (1) The Institute shall not later than 31st October in each financial year or any such time as may be required under the Financial Regulations of Nigeria, prepare and submit to the National Assembly, through the Minister an estimate of its income and expenditure for the next financial year.
- (2) Notwithstanding the provisions of subsection (1) of this section, the Institute may also, in any financial year, submit supplementary or adjusted statements of estimated income and expenditure through the Minister to the National Assembly.

21. Expenditure of the Institute

Subject to the provisions of section 20 of this Act the Institute shall from time to time apply the proceeds of the Funds established under section 19 of this Act to-

- (a) meet the administrative and operating costs of the Institute;
- (b) pay salaries, wages, fees, allowances, retirement benefits including pensions and any other remuneration payable to the members of the Board and staff of the Institute;
- (c) publicize and promote the activities of the Institute;
- (d) purchase or acquire property and make other approved capital expenditure and to maintain any property acquired or purchased;
- (e) meet the investment need of the Institute and the profit generated shall be paid into the Fund of the Institute; and
- (f) undertake any other activity in connection with all or any of the functions of the Institute.

22. Disposal of Surplus Funds

- (1) The Institute may, subject to the approval of the Ministry of Finance Incorporated (MOFI) and the Financial Regulations of Nigeria, invest any surplus funds in profit-yielding ventures

(2) The Board may subject to subsection (1) of this section, issue to the Institute, directives as may be deemed necessary as to the disposal of any such funds.

23. Exemption from Income Tax

Incomes derived by the Institute from the sources specified under section 19 of this Act shall be exempted from income tax.

24. Accounts and Audit

The Institute shall-

- (a) keep proper accounts and records of its receipts, payments, assets and liabilities and prepare in respect of each financial year a statement of accounts in such forms as may be directed by the Auditor-General for the Federation; and
- (b) cause its accounts to be audited within six months from the end of each financial year by auditors whose appointment shall be approved by the Board provided that such auditors are on the list of auditors approved from time to time by the Auditor-General for the Federation.

25. Annual Report

- (1) The Institute shall, not later than six months after the expiration of each financial year, prepare and submit to the Minister through the Board an annual report on its activities and operations during the previous year and shall include in such report, a copy of its audited accounts and the auditor's report for the year.
- (2) The Institute shall not later than 30th September in each year, submit to the Board the annual report of each of its Training Centre for the preceding year.
- (3) The Board shall submit the annual report referred to in subsection (2) of this section to the Minister within two months after its receipt of the report.

26. Power to accept gifts

The Institute may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the donor of the gift, provided that the terms and conditions are not contrary to the objectives and functions of the Institute.

27. Utilization of Gifts

A gift intended by the donor of the gift to the Institute, Training Centre or project shall be made directly to the Institute which shall utilize the gift for its objects under this Act subject to any expressed wishes of the donor.

28. Financial year

The financial year of the Institute shall commence from 1st January of each year and end on 31st December of the same year.

PART VI

LEGAL ACTIONS AGAINST THE INSTITUTE

29. Limitations of Suit against the Institute

- (1) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Institute.
- (2) Notwithstanding anything contained in any other enactment or law, no suit shall lie or be instituted in any court against any member of the Board, the Director-General, the Secretary or any other Officer or employee of the Institute for any act done in pursuance or execution of this Act or any enactment or law, public duty or authority in respect of any alleged neglect, duty or authority or be instituted in any court unless it is commenced-
 - (a) within three months next after the act, neglect or default complained of; or
 - (b) in the case of continuation of damage or injury, within six months next after the cessation thereof.
- (3) No suit shall be commenced against any member of the Board, the Director-General, secretary, any officer or employee of the Institute before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Institute by the intending plaintiff or his agent.
- (4) The notice referred to in subsection (3) of this section shall clearly and explicitly state the-
 - (a) cause of action;
 - (b) particulars of the claim;
 - (c) name and place of abode of the intending plaintiff; and
 - (d) relief sought.

30. Service of Court Process

A notice, summons or other documents required or authorized to be served on the Institute under the provisions of this Act or any other law or enactment, may be served by delivering it to the Institute by registered post addressed to the Director-General of the Institute at the principal office of the Institute.

31. Restriction on execution against property of the Institute

In any action against the Institute, no execution or attachment of any nature thereof shall be issued against the Institute without the consent of the Honourable Attorney

General of the Federation and Minister of Justice unless at least three months' notice of the intention to execute or attach has been given to the Institute.

32. Indemnity of the Officials of the Institute

A member of the Board, the Director-General, Secretary, Officer or employee of the Institute shall be indemnified out of the assets of the Institute against any liability incurred by him in defending any proceedings, whether civil or criminal, where the proceedings is brought against him in his capacity as member of the Board, the Director-General, Secretary, Officer or employee of the Institute.

PART VII

MISCELLANEOUS

33. Power to give directives

- (1) The Minister may from time to time, give general policy guidelines to the Institute.
- (2) Notwithstanding the provisions of subsection (1) of this section, the Minister may give to the Institute directives of a general or specific nature relating generally to a particular matter or case, as the case may be.
- (3) The Institute shall comply with any policy guidelines or directive given to it by the Minister pursuant to subsection (1) or (2) of this section or cause them to be complied with.

34. Power to make Regulations

- (1) The Institute may, with the approval of the Minister make Regulations as it deems expedient for the purpose of giving full effect to the provisions of this Act.
- (2) The contravention of any regulation issued pursuant to any of the provisions of this Act shall constitute an offence and shall be punishable as prescribed in the particular regulation.

35. Amendments of the Research Institutes (Establishment, etc.) Order LN 54 of 1977

- (1) The Research Institutes (Establishment, etc.) Order LN 54 of 1977 (in this Act referred to as "the Order") made pursuant to the National Agency for Science and Engineering Infrastructure Act, Cap. N3 LFN 2004, is amended by deleting sections 1 (1) (e) and 6 of the Order.
- (2) Section 9 of the Order shall not apply to the Institute established under this Act; and
- (3) Any other reference to the Institute established under the Order is consequently deleted.

36. Savings provision

- (1) Without prejudice to the provisions of the interpretation Act nothing in this Act

shall invalidate or otherwise prejudicially after anything done or purported to be done under the amended sections of the Order.

- (2) As from the commencement of this Act all assets, rights, liabilities and obligations of the Institute established under the Order shall vest in the Institute established under this Act.
- (3) Notwithstanding the provisions of this Act and subject to such directions as may be issued by the Institute, any person who was an employee of the Institute established under the Order shall be deemed to be an employee of the Institute established under this Act.

37. Interpretation

In this Act,-

“Board” means the Governing Board of the Institute;

“Chairman” means the Chairman of the Board of the Institute;

“Fund” means the fund of the Institute established under Section 19 of this Act;

“Institute” means Nigerian Building, Road and Road Research Institute established under this Act;

“Minister” means the Minister charged with the responsibility for Science and Technology; and

“President” means the President of the Federal Republic of Nigeria.

39. Short Title

This Act may be cited as the Nigerian Building and Road Research Institute Act, 2020.

SECTION 2

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

1. Proceedings of the Board

1. Subject to this Act 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 or person presiding at 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 notice given to him by not less four other members, he shall summon a meeting of the Board to be held within twenty-eight days from the date the notice was 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.

2. Committees

1. The Board may appoint one or more committee to carry out, on behalf of the Board, such functions as the Board may determine.
2. A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
3. A decision of a committee shall be of no effect until it is confirmed by the Board.
4. The validity of any proceedings of the Board or of a committee thereof shall not be affected by any vacancy in the membership of the Board or of a committee.
5. Any member of the Board or any person holding office on a committee of the Board, who has personal interest in any contract or arrangement shall disclose his interest to the Board and shall not vote on any matter relating to the contract or arrangement.

3. Miscellaneous

1. The fixing of the seal of the Board shall be authenticated by the signature of the Director-General or any person or specifically authorized by the Board to act for that purpose.
2. 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 Board by the Director-General or any person generally or specifically authorized by the Board to act for that purpose.
3. Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
4. The validity of any proceedings of the Board or a committee shall not be affected by:
 - (a) a vacancy in the membership of the Board or committee;
 - (b) a 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 proceedings of the Board or committee.

EXPLANATORY MEMORANDUM

(This note does not form part of the above Act but is intended to explain its purport)

The Act seeks to amend the Nigerian Building and Road Research Institute for the purpose of building capacity and carrying on integrated applied research and development into building and road construction; and to amend the Research Institute (Establishment) Order 1977 made under the National Agency for Science and Engineering Infrastructure Act, Cap. N3 LFN, 2004.