

Explanatory Memorandum

This Bill seeks to establish National Veterinary Research Institute Gombe charged with the responsibility of facilitating research in animal diseases, treatment, control, nutrition and standardisation of manufactured animal feeds.

Arrangement of Clause

Clauses:

1. Establishment of the Institute
2. Functions and objectives of the Institute
3. Establishment of Governing Council of the Institute
4. Tenure of office
5. Allowances of members of the Council
6. Powers of the Council
7. Director-General of the Institute
8. The structure of the Institute
9. Establishment of the Management Committee
10. Staff of the Institute
11. Staff regulations
12. Establishment of Fund for the Institute
13. Funds of the Institute
14. Application of funds of the Institute
15. Estimate of Income and expenditure of the Institute
16. Annual budgets of the Institute
17. Quarterly reports
18. Power to accept gifts
19. Power to borrow
20. Procedure for suit against the Institute
21. Service of summons
22. Indemnity of members, etc.
23. Acquisition of property by the Institute
24. Interpretation
25. Citation

A BILL

FOR

AN ACT TO ESTABLISH NATIONAL VETINARY RESEARCH INSTITUTE GOMBE CHARGED WITH THE RESPONSIBILITY OF FACILITATING RESEARCH IN ANIMAL DISEASES, TREATMENT, CONTROL, NUTRITION AND STANDARDISATION OF MANUFACTURED ANIMAL FEEDS AND FOR RELATED MATTERS, 2021 (SB. 496).

Sponsor: Sen. Sai'du Ahmed Alkali

[] commencement

Enacted by the National Assembly of the Federal Republic of Nigeria-

1. (1) There is established the National Veterinary Research Institute Establishment of the Institute
(in this Act referred to as "the Institute").
(2) The Institute shall be a body corporate with perpetual succession and a common seal.
(3) The Institute shall be located in Gombe State
2. Subject to the provisions of this Bill, the Institute shall be to be Functions of the Institute
charged with the responsibility of conducting quality academic and professional research, training and advocacy on all forms of animal diseases, treatment, control and production of vaccines.
The Institute shall have powers to:
 - (a) act as a centre of excellence for research;
 - (b) act as a centre for continuing education on animal husbandry;
 - (c) promote and disseminate to agricultural institutes in Nigeria the practice of science based methodologies of detection, treatment and control of animal diseases;
 - (d) promote and protect spread, escalation and all forms of epidemic responsible for animal diseases;
 - (e) improve the capacity of tutors in institutions, colleges and relevant bodies responsible for animal care, disease control etc;

(g) conduct periodic training on recent developments in animal production;

(h) sensitize the Nigerian public to imbibe practice of animal production;

(i) undertake such other incidental responsibilities relating to the development, consolidation and advancement of animal production in Nigeria;

(j) conduct periodic short and refresher courses on animal production in Nigeria;

(k) provide research reports on legislation by the National Assembly and policy making on animals disease, management and control in Nigeria;

(l) produce independent policy responses to issues related to challenges of animal husbandry, tropical diseases and impact of climate change on animal production;

(m) initiate and encourage courses on animal disease and control;

(n) encourage private sector participation and collaborate with national and international organizations on research and training on issues relevant to its mandate;

(o) run and maintain quality and world class libraries and database on animal diseases, treatment and control;

(p) engage visiting scholars and fellows to participate in its research programmes;

(q) provide endowments to enhance the training and teaching offered to its clients;

(r) initiate and execute any project that would help to generate ideas and policies for effective management and control of animal diseases in Nigeria;

(s) award appropriate professional certificates and testimonials according to the training and teaching offered to its clients.

- 3 (1) There is established for the Institute the Governing Council (in this Act referred to as "the Council"). Establishment of Governing Council I or the Institute
- (2) The Council is vested with the power to make decisions and formulate general policies for the guidance of the Institute.
- (3) The Council shall consist of:
- a) Chairman
 - b) One representative not below the rank of a director of:
 - i) Ministry of Agriculture;
 - ii) Ministry of Finance;
 - iii) Agricultural Research Council of Nigeria;
 - iv) National Animal Production Research Institute
- 4 The supplementary provisions contained in the Schedule to this Bill shall have effect with respect to the proceedings of the Council and the other matters Schedule
4. (1) the Chairman and other members other than ex-officio members shall be appointed by the President; Tenure of office
- (2) The Chairman and members other than the ex-office members shall hold office for a period of 4 years and may be eligible; for re-appointment for another term of 4 years.
- (3) The office of the Chairman or any member of the Council shall become vacant if:
- (a) he resigns his office by notice in writing under his hand addressed to the President;
 - (b) it is not in the interest of the Institute for the person to continue in office and notifies the member in writing to that effect; or
 - (c) he is incapable of performing the functions of his office by reason of disease or infirmity and has been so declared by a medical practitioner.
5. Members of the Council may receive allowances as are applicable to government agencies and institutes or as may be stipulated by Allowances of members of the Council

the Council in accordance with applicable Federal Government regulations.

6. The Council shall have power to: Powers of the Council
- (a) determine the general policy of the Institute;
 - (b) provide for the discipline and welfare of members of staff of the Institute;
 - (c) erect, provide equip and maintain libraries, lecture halls, halls of residence and other buildings or structures necessary for the Institute; and
 - (d) constitute relevant committees to assist in executing specific assignments for the Institute.
7. (1) There shall be for the Institute, a Director-General who shall possess appropriate qualifications and cognate experience. Director-General of the institute
- (2) The Director-General shall be appointed by the President.
- (3) The Director-General shall hold office for a period of 4 years and may be reappointed for another term of 4 years.
- (4) The Director-General shall be the Chief Executive and Academic Officer of the Institute and shall be charged with the general responsibility for matters relating to the day-to-day management and operations of the Institute.
- (5) The Director-General shall be responsible to the Council.
8. (1) There shall be established for the Institute, such Departments as the Institute may deem necessary. The structure of the Institute
- (2) Each Department shall be headed by a Director who shall be a professionally qualified person appointed through a competitive process.
- (3) Subject to the approval of the Council, the Management Committee may create additional departments, divisions and units as it may deem necessary to achieve the objectives of the Institute.
9. (1) There is established for the Institute, a Management Committee comprising the Directors of the various Departments. Establishment of the Management Committee

(2) The Director-General shall be a Chairman of the Management Committee.

(3) The Management Committee shall be responsible for the general administration of the Institute particularly recruitment, discipline and promotion of staff.

10. (1) The staff of the Institute shall be employed according to procedure of employment as stipulated by Council. Staff of the
Institute

(2) The staff of the Institute shall be entitled to benefits under the Pension Reform Bill.

(3) Nothing in sub-clause (1) and (2) of this clause shall prevent the employment of a person to any office on temporary or permanent basis on terms which preclude the grant of pension.

11. (1) The Institute may, subject to the approval of Council, make staff Regulations regulations relating generally to the conditions of service of the employees of the Institute and without prejudice to the generality of the foregoing such regulations may provide for Staff
Regulations

—
(a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Institute; and

(b) appeals by such employees against dismissal or other disciplinary measures, and until such regulations are made, any instrument relating to the conditions of service of public officers shall be applicable, with such modification as may be necessary, to the employees of the Institute.

(2) The staff regulations made under sub-clause (1) of this clause, shall not have effect until they are approved by the Council of the Institute and when so approved, shall be officially gazetted, but the Council shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time determine.

12. (1) The Institute shall establish and maintain a fund which shall be applied towards the promotion of the objectives specified in this Bill. Establishment of Fund for the Institute
- (2) At the beginning of every budget year, the Federal Government shall approve a budget for the Institute.
- (3) There shall be paid and credited to the Fund established for the Institute:
- (a) sums appropriated from the Federal budget for the fiscal year;
 - (b) gifts and donations and contributions from national and international institutions and philanthropic persons and organizations; and
 - (c) fees charge for service rendered by the Institute.
13. The Institute shall manage its funds in accordance with rules made by the Management Committee with the general direction of the Council, and without prejudice to the power to make rules under this section, the rules shall contain provisions specifying: Fund of the Institute
- (a) the manner in which assets or funds of the Institute are to be held; and
 - (b) the keeping of proper accounts and records for the purpose of the fund in such manner as may be safe and effective.
14. The Institute shall apply its fund to the cost of administration of the Institute, including but not limited to, payment of salaries, gratuities, allowances, fees and the payment of other contract, consultancies and purchases made for the benefit of the Institute. Application or funds of the institute
15. The Institute shall, not later than 31st of August each year, present to the Council for approval an estimate of the expenditure and incomes of the Institute for the next fiscal year. Estimate of income expenditure of the Institute
16. The Institute shall not later than 30th September each year or other date stipulated by law or administrative policy, submit to the National Assembly an estimate of the expenditure and incomes of Annual budget of the Institute

the Institute approved by the Council for the next fiscal year for incorporation in the budget of the Federation.

17. The Institute shall submit to the National Assembly quarterly reports Quarterly report of the finances of the Institute and the annual report of its activities. Quarterly report

18. The Institute may accept gifts and bequests upon such terms that do not compromise its capability to fulfil its objectives and sustain its non-partisan policy. Power to accept gifts

19. The Institute may, with approval in writing of the Council and subject to other guidelines and policies of the Federal Government, borrow such money needed for the exercise of its functions as the Management Committee may determine under this Act, provided that such borrowing shall be made on terms that do not compromise the independence and competence of the Institute. Power to borrow

20. No suit shall commence against the Institute before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Institute by the party intending to sue the Institute. Procedure for suit against the Institute

21. Any summons, notices, process or other document required or authorized to be served on the Institute under the provisions of this Act, or any law, shall be served by delivering the same to the Director-General of the Institute, or by sending it by registered mail to the Director-General at the principal office of the Institute. Service of summons

22. (1) Every member of the Council, Management Committee, agent or employee of the Institute, shall be indemnified from the Fund of the Institute against any liability incurred by him or her in defending any proceeding, if such proceeding is brought against him or her in his or her capacity as such member, agent or employee. Indemnity or members etc

(2) For the purpose of its administrative and business activities, the provisions of the Public Officer Protection Act shall apply with such modification as necessary to promote the effective realization of the objectives of the Institute. Cap L5 LFN. 2004

(3) Subject to provisions of this Act, the Council shall have powers to issue subsidiary rules relating to legal liabilities and indemnities of officials and staff of the Institute.

23. The Institute may, subject to the provision of the Land Use Act and any other applicable law, lease, rent or acquire an interest in land and other properties, build and maintain offices and premises for its activities. Acquisition of property by the Institute. Cap. L40 LFN, 2004

24. In this Bill: Interpretation

"Chairman" means the Chairman of the Governing Council;

"Director-“General" means the Chief Executive of the Institute;

"Institute" means the National Veterinary Research Institute.

25. The Bill may be cited as the National Veterinary Research Institute Gombe (Establishment) Bill, 2021. Citation

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATED TO THE *Section*
INSTITUTE *3(4)*

Proceedings of the Council

1. Subject to this Bill and other applicable laws, the Council may make standing orders regulating its proceedings.
2. The Council shall meet whenever summoned by the Chairman, or if required to do so by at least 5 members of the Council and shall meet for a minimum of 4 times a year.
3. The Chairman shall preside at the meeting of the Council and in his absence by a member appointed by 2/3 of members present at the meeting, the Alternate Chairman to Preside.
4. The quorum for the Council shall be formed whenever the Chairman and 5 other members are present at a scheduled meeting but in the absence of the Chairman, 6 members including the Secretary shall form a quorum.
5. The Management Committee may appoint one or more Committees to carry out, on behalf of the Management Committee, such of its functions as the Management Committee may determine.
6. A decision of a sub-committee of the Management Committee shall be of no effect until it is confirmed by the Management Committee.
7. (1) The fixing of the common seal of the Institute shall be authenticated by the signature of the Chairman or of some other member authorized generally or specifically to act for that purpose by the Management Committee
(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 Institute by the Director-General or any person generally or specially authorized to act for that purpose by the Management Committee
.
8. Where the Council the Management Committee desires to obtain advice from any person on a particular matter, the Council or

Management Committee may co-opt him Of her as a member for such period as the Council Management Committee thinks fit but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Council Management Committee and shall not count towards a quorum.