

## APPENDIX III

# NATIONAL CENTRE FOR TECHNOLOGY MANAGEMENT

## INTERNAL MEMORANDUM

### MAJOR DIFFERENCES IN THE ABRIGED VERSION OF NACETEM ENABLING LAW SUBMITTED TO THE GOVERNING BOARD BY THE ACTING DIRECTOR-GENERAL/CEO, MR. YUSUF ABDULLAH MUHAMMAD

S/N	Abridged Version of NACETEM Draft Enabling Law	Correct Version of NACETEM Draft Enabling Law
1.	Prominent use of the word 'Centre' beginning from the Arrangement of Sections	Prominent use of the word 'Agency' beginning from the Arrangement of Sections
2.	PART 1: <b>ESTABLISHMENT OF THE CENTRE</b> – addition of a sub-section (3) which provides that <i>'the corporate Headquarters of the Agency shall situate in the Nigeria's Federal Capital City'</i>	PART 1: <b>ESTABLISHMENT OF THE AGENCY</b> – No provision for sub-section (3) because the Headquarters is already established at Ile-Ife. More so, NACETEM North-Central Office is in Abuja.
3.	PART II: <b>FUNCTIONS AND POWERS OF THE CENTRE -</b>	PART II: <b>COMPOSITION OF THE GOVERNING BOARD OF THE AGENCY</b>
4.	Under PART II: <b>FUNCTIONS AND POWERS OF THE CENTRE</b> – the following are the modifications to the Mandates of NACETEM: <ul style="list-style-type: none"> <li>• Sub-section (d) <i>'To establish an Academy that will Design and run Postgraduate Course/Programmes in STI Management in conjunction with appropriate departments/units of accredited local and foreign universities/institutions'</i>.</li> <li>• The phrase <i>'especially African countries'</i> in sub-section (f) was removed and reflect as follows: <i>'Collaborate with other countries, in STI training, policy research and consultancy'</i>.</li> <li>• Under <b>Powers of the Centre</b> – there was a complete removal of the power of the Agency to award postgraduate certificates/degrees, postgraduate diplomas and certificate of attendance after full</li> </ul>	PART III : <b>FUNCTIONS AND POWERS OF THE AGENCY</b> –correct provisions: <ul style="list-style-type: none"> <li>• Sub-section (d) - Design and run Postgraduate Courses/Programmes in STI Management in conjunction with appropriate departments/units of accredited local and foreign universities/institutions.</li> <li>• sub-section (f) - Collaborate with other countries, especially African countries in STI training, policy research and consultancy.</li> <li>• Under <b>Powers of the Agency</b> - the first provision and major reason of existence of NACETEM was the <i>'power to award postgraduate certificates/degrees, postgraduate diplomas and certificate of attendance after full participation at lectures and courses conducted by the Agency'</i>.</li> </ul>

	participation at lectures and courses conducted by the Agency.	
5.	<p><b>PART III: COMPOSITION OF THE GOVERNING BOARD OF THE CENTRE – amended version:</b></p> <ul style="list-style-type: none"> <li>• Sub-section (1) - There is established for the Agency, a Governing Board (in this Act, referred to as “the Board”) which shall have overall control of <i>policy formulation</i> for the Centre.</li> <li>• Sub-section (3) – The Board shall consist of –</li> </ul> <p>(a) the Chairman and three members to be appointed by the President ;</p> <p>(b) A representative each of –</p> <ul style="list-style-type: none"> <li>(i) the Federal Ministry of Science and Technology;</li> <li>(ii) the National Planning Commission;</li> <li>(iii) the Board Secretary/Legal Adviser, who shall be the Director/Secretary to the Board and the Centre as a whole, shall serve as an Ex-officio member.</li> </ul>	<p><b>PART II: COMPOSITION OF THE GOVERNING BOARD OF THE CENTRE - correct provisions:</b></p> <ul style="list-style-type: none"> <li>• Sub-section (1) - There is established for the Agency, a Governing Board (in this Act, referred to as “the Board”) which shall have overall control of the Agency.</li> <li>• Sub-section (3) - The Board shall consist of –</li> </ul> <p>(a) a Chairman;</p> <p>(b) a representative each of –</p> <ul style="list-style-type: none"> <li>(i) the Federal Ministry of Science and Technology;</li> <li>(ii) the National Planning Commission;</li> </ul> <p>(c) the Director, AISPI, Obafemi Awolowo University;</p> <p>(d) the DG/CEO National Institute for Policy and Strategic Studies;</p> <p>(e) the President, Nigerian Academy of Science;</p> <p>(f) the President, Nigerian Academy of Engineering;</p> <p>(g) the President, Manufacturers Association of Nigeria;</p> <p>(h) three persons appointed by the President on their merit</p> <p>(i) the Director-General/Chief Executive Officer of NACETEM; and</p> <p>(j) the Director of Administration Department, NACETEM shall be a Secretary to the Board.</p>
6.	<p><b>Section 8: Power of the Board - additions:</b></p> <ul style="list-style-type: none"> <li>• sub-section (b)- <i>set up guidelines, regulate and manage the National Centre for Technology Management Fund.</i></li> <li>• <i>sub-section (d) ratify appointment, termination and dismissal of Junior staff of the Centre.</i></li> </ul>	<p><b>Section 6: Power of the Board –</b></p> <ul style="list-style-type: none"> <li>• sub-sections (b) (d) are not responsibilities of the Board but fall within the purview of the DG/CEO.</li> </ul>
7.	<p><b>PART IV: STAFF OF THE CENTRE – amended version:</b></p> <ul style="list-style-type: none"> <li>• There shall be for the Agency, a Director - General/Chief Executive Officer, who shall:</li> </ul> <p>(a) possess a requisite qualification and relevant working experience;</p>	<p><b>PART IV: STAFF OF THE AGENCY –</b></p> <p>There shall be for the Agency, a Director-General/Chief Executive Officer, who shall:</p> <p>(a) possess a Doctorate Degree in one of the Physical Sciences, Engineering fields, or Technology Management with a wide experience in STI Management;</p> <p>(b) at the discretion of the Board, have post PhD experience as stipulated in (a) above;</p>

8.	<p>Section 10 was changed to <b>Appointment of Management and other staff of the Centre and reflect as follows:</b></p> <ol style="list-style-type: none"> <li>a. Director of Technology Management Education and Training</li> <li>b. Director of Science Policy and Development Studies</li> <li>c. Director of Technology Innovation and Enterprise Studies</li> <li>d. Director of Administration</li> <li>e. Director of Finance and Accounts</li> <li>f. Legal Adviser</li> </ol> <p><b>The disparities from the composition above are:</b></p> <ul style="list-style-type: none"> <li>- Complete removal of Director of Planning, Documentation and Statistics;</li> <li>- Addition of Legal Adviser;</li> <li>• Other amendment to section 10 is the Replacement of the provisions in section 10(2) with the following '<i>the Director-General/CEO shall coordinate all the Directors and members of staff. As such as of them shall be answerable to him. He shall supervise them to ensure quality control in all ramifications.</i>'</li> </ul>	<p>Section 10: <b>Appointment of other staff of the Agency</b> - the membership are:</p> <ol style="list-style-type: none"> <li>a. Director of Technology Management Education and Training</li> <li>b. Director of Planning, Documentation and Statistics</li> <li>c. Director of Science Policy and Development Studies</li> <li>d. Director of Technology Innovation and Enterprise Studies</li> <li>e. Director of Administration</li> <li>f. Director of Finance and Accounts</li> </ol>
9.	<p>Under <b>Staff Regulations</b> in Section 11, sub-section (1) was modified to '<i>subject to the provisions of this Agency shall make staff regulations relating generally to the conditions of service of the staff</i></p>	<p>Meanwhile, Staff Regulations: section 11 (1) provides 'Subject to the provisions of this Act, the Agency may make staff regulations relating generally to the Conditions of Service of the staff and, without prejudice to the generality of the foregoing, such regulations may provide for ;</p> <ol style="list-style-type: none"> <li>(a) the appointment, promotion, termination, dismissal and disciplinary control of staff or employees of the Agency; and</li> <li>(b) appeals by staff or employees against dismissal or other disciplinary measures'.</li> </ol>
10.	<p>Section 13: <b>Removal from office of the Director-General/Chief Executive Officer</b> – Notwithstanding the provisions of Sections 6(c) and 12 of this Act, the Director-General/Chief Executive Officer of the</p>	<p>Section 13: <b>Removal from office of the Director-General/Chief Executive Officer</b> – Notwithstanding the provisions of Sections 6(c) and 12 of this Act, the Director-General/Chief Executive Officer of the</p>

	Agency may be removed only by the President on the recommendation of the Board through the Minister	Agency may be removed only by the President on the recommendation of the Minister
11.	PART V, <b>section 14: Structure of the Centre</b> – addition of sub-section (5) <i>‘the Board may decide to open State Centres across the Country’</i>	
12.	<p>PART VI: <b>Academic Board</b> –</p> <ul style="list-style-type: none"> <li>Section 15 (1) (d) Director of Technology Innovation and Enterprise Studies; and</li> <li>Section 15 (1) (e) Director, AISPI, Obafemi Awolowo University were removed completely.</li> <li>Section 15 (1) (g) was changed to <i>‘three persons to be appointed by the Director-General/CEO, who by reason of their ability experience specialized knowledge of professional attainment are capable of making useful contributions to the work of the Centre’</i></li> <li>Section 15 (4) was modified to reflect <i>‘the Director-General/Chief Executive Officer shall be the Chairman at the meetings of the Academic Board and in his absence, the Director of Technology Management Education and Training shall preside at such meetings; but in the absence of both, the members present at a meeting shall appoint one of their numbers to preside at the meeting’</i>.</li> </ul>	<p>PART VI: <b>Academic Board</b> – Section 15 (1) Composition :</p> <p>(a) Director-General/Chief Executive Officer;  (b) Director of Technology Management Education and Training;  (c) Director of Science Policy and Development Studies;  (d) Director of Technology Innovation and Enterprise Studies;  (e) Director, AISPI, Obafemi Awolowo University;  (f) Director(s) of Collaborating Institution(s); and  (g) Eight persons to be appointed by the Director-General/Chief Executive Officer, who by reason of their ability, experience, specialized knowledge of professional attainment are capable of making useful contributions to the work of the Agency</p> <ul style="list-style-type: none"> <li><i>Sub-section (4) ‘The Director-General/Chief Executive Officer shall be the Chairman at The meetings of the Academic Board and in his absence, the Director of Technology Management Education and Training shall preside at such meetings; but in the absence of both, the members present at a meeting shall appoint one of their numbers to preside at the meeting’.</i></li> </ul>
13.	<ul style="list-style-type: none"> <li>Complete removal of Sections 22 and 23 which are ‘Trustee Investment Act, CAP 449, LFN 1990’ and ‘Exemption from Tax’.</li> <li>Adoption of section 27 from the correct version of NACETEM Enabling as section 22.</li> </ul>	
14.	Complete removal of the provisions of <b>LEGAL PROCEEDINGS</b> under <b>PART VIII</b>	
15.	Section 26: <b>Transitional Provisions</b> – only sub-section (1) was retained.	<p>Section 32: <b>Transitional Provisions</b> –</p> <p>(1) The National Agency for Technology Management is the successor-in-title in every way to the powers, duties and functions of the former National Centre for Technology Management:</p>

		<p>(2) All existing contracts and agreements currently in effect by the National Centre for Technology Management continue in effect;</p> <p>(3) Any positions authorized and allocated subject to the personnel laws of the former National Centre for Technology Management are transferred to the National Agency for Technology Management;</p> <p>(4) All records, property and equipment previously belonging to or allocated for use of the former National Centre for Technology Management become, on the effective date of this Act of the Property of the National Agency for Technology Management; and</p> <p>(5) All existing forms, licenses, letterheads and similar items bearing the name of or referring to the "National Centre for Technology Management" may be utilized by the National Agency for Technology Management until existing supplies of those items are exhausted.</p>
16.	Portion of <b>Miscellaneous</b> was completely expunged	
17.		