

THE TANZANIA FISHERIES RESEARCH INSTITUTE ACT, 1980

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

Title

1. Short title and commencement.
2. Scope of application.
3. Interpretation.

PART II

THE TANZANIA FISHERIES RESEARCH INSTITUTE

4. Establishment of the Institute.
5. Vesting of centres and grant of title to land.
6. Functions of the Institute.
7. Composition and proceedings of Board.
8. Powers of Minister in relation to Board.

PART III

POWERS AND OPERATIONS OF THE INSTITUTE

9. Provisions relating to fisheries research.
10. Information on fisheries to be furnished to the Institute.
11. Institute may call for information.
12. Power of Chief Fisheries Officer in relation to research.
13. Minister may make regulations.

PART IV

ADMINISTRATIVE PROVISIONS

14. Appointment, functions and powers of Director-General.
15. Appointment of other staff, and management of Centres.
16. Power of Board to delegate.
17. Notification of orders.
18. Remuneration of members of Board.
19. Protection from personal liability.
20. Superannuation benefits.

PART V

FINANCIAL PROVISIONS

21. Funds of the Institute.
22. Power of Board to charge fees.
23. Investment.

- 24. Power to borrow.
- 25. Annual and supplementary budget.
- 26. Accounts and audit.
- 27. Annual report.
- 28. Laying of accounts before National Assembly.

SCHEDULE

THE UNITED REPUBLIC OF TANZANIA



No. 6 OF 1980

I ASSENT,

Julius K. Nyerere

 President

2ND FEBRUARY, 1980

An Act to establish the Tanzania Fisheries Research Institute and to provide for its powers and operations in relation to the promotion and conduct of research in fisheries

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

PART I

PRELIMINARY

- | | |
|---|------------------------------|
| <p>1. This Act may be cited as the Tanzania Fisheries Research Institute Act, 1980, and shall come into operation on such date as the Minister may, by notice published in the <i>Gazette</i> appoint.</p> | Short title and commencement |
| <p>2. Any act or acts permitted or required by or under this Act to be done by the Institute, or by any person in relation to or for the purposes of the Institute, for the purposes of promoting research in fisheries may be done within Or in relation to any part of the territorial waters, or on or in relation any part of the territory, of the United Republic, subject to the provisions of this Act or any other written law.</p> | Scope of application |
| <p>3. In this Act, unless the context requires otherwise-
 "the Board" means the Board of Directors of the Institute established by section 6;
 "Centre" means a Fisheries Research Centre established or deemed to have been established under section 5;
 "Chief Fisheries Officer" means the officer appointed under section 3 of the Fisheries Act, 1970;</p> | Interpretation |

Acts, 1970
No. 6

Acts, 1974
No. 12

"Director" means a Director of a Centre, appointed under section 14;

"Director-General" means the Director-General of the Institute. appointed under section 13;

"fish" means all forms of aquatic amphibian life (including turtles, crabs and shell fish) and includes the spat, brood, fry, spawn, ova and young of all fish, but does, not include any aquatic or amphibious animal to which the Wildlife Conservation Act, 1974, applies or the young of that animal;

"fisheries" means the places connected with and activities comprised in, the fishing industry, including, the-technical or scientific objects. acts, processes or systems relating to-

- (a) the business of fishing;
- (b) the construction or creation of spawning grounds or fish farms for the purposes of taking or facilitating the taking of fish;
- (c) the manufacture of articles or things connected with or for the purposes of the fishing industry;
- (d) the control of fishing;
- (e) the creation, grant and determination of fishing rights;
- (f) the reproduction or multiplication of fish;
- (g) the preparation of fish foods or the manufacture or use of fish products, and
- I (h) the investigation. prevention or control of the occurrence of fish disease;

"fish disease" means diseases infectious or non-infectious among fish and includes furunculosis, pancreatic necrosis, viral hemorrhagic septicemia, myxosoma, cerebrealis, haematopoietic necrosis, ulcerative dermal necrosis, dropsy of cyprinids, spring viraemia, erythrodermatitis or other illness, infirmity, infection or impurity which would or is likely to make fish unfit for use or consumption by man;

"fish farm" means any pond, stew, hatchery or other place used for keeping, with a view to their sale or transfer to other waters (including any other fish farm), live fish, eggs of fish, or foodstuffs for fish, and includes any buildings used in connexion with it and the banks and margins of any water in it;

"fishing" means the collection, capture, gathering, killing, snaring or trapping of fish, fish product or aquatic flora;

"fishing gear" means any net, line, cork, buoy, basket, trap, hook or "other article, apparatus, structure, construction or installation of any kind used for the purpose of fishing;

"fishing industry" includes the collection, capture or gathering of fish, fish products or aquatic flora, the manufacture of fish products, the processing of fish products or aquatic flora and the manufacturing of fish products and products of aquatic flora;

- "fish product" means anything made, collected or obtained from fish, and includes fish meal, dried fish, fish manure, otta, fish silage, canned fish, oil or any fish, mother-of-pearl, shell, beche de mer, ambergris, larva and sponge;
- "fishing vessel" means any boat or other aquatic or amphibious craft or vehicle used, outfitted, or designed for the purpose of collecting, capturing, gathering, processing, or transporting fish, whether operating on, above or below water;
- "fishing weir" means any erection, structure, construction or obstruction of any land placed across or in any waters and temporarily or permanently fixed to or resting on the bed or a bank, which is designed for the purpose of collection, gathering, capturing, killing or injuring of fish, fish product or aquatic, flora, and includes stake nets and basket traps;
- "the Institute" means the Tanzania Fisheries Research Institute, established by section 4;
- "member" in relation to the Board, means a member of the Board and includes the Chairman and the Vice-Chairman.
- "Minister" means the Minister for the time being responsible for fisheries.

PART II

THE TANZANIA FISHERIES RESEARCH INSTITUTE

4.-(1) There is hereby established an institute to be known as the Tanzania Fisheries Research Institute.

Establishment of the Institute

(2), The Institute shall, be a body corporate and, shall-

- (a) have perpetual succession and an official seal;
- (b) in its corporate name, be capable of suing and being sued;
- (c) subject to this Act, be capable of holding, purchasing, or acquiring in any other way, any movable or immovable property, and of disposing of any of its property.

5.-(1) The centres specified in the First Schedule to this Act shall be deemed to have been established under this section, and the control and management of their business and affairs is hereby vested in the Institute.

Vesting of Centres and grant of title to land

(2) The Minister may, by order published in the *Gazette*, amend, add to, vary or replace the names of and the Centres specified in the First schedule to this Act.

(3) The Minister may, after consultation with the Board, by order published in the *Gazette*, declare any fishing vessel, fish farm, fishing weir, and the appurtenances to it, or any place or area to be a Centre for the purposes of research in fisheries under this Act, and vest in the Institute the control and management of the business and affairs of that Centre.

(4) The Institute shall be granted a right of occupancy Over the land or, as the case may be, an incorporeal fishery over tile waters, on or in which a Centre exists or is, or is intended to be established, upon such terms and conditions as the President may approve, subject to, subsections (5), (6) and (7).

(5) Until a right of occupancy or an incorporeal fishery is granted, the institute may exercise in relation to the land or waters on or in which a Centre exists of is, or is intended to be established, all the riots necessary for the performance of its functions which the grantee' A a right of occupancy or an incorporeal fishery may lawfully exercise over land, or in relation to fish in the waters, comprised in a right of occupancy or an incorporeal fishery granted to him, and the 'act that no right of occupancy or incorporeal or other fishery has been granted to the Institute shall not affect the validity of any thing done or omitted *bona fide* by any person in the execution or purported execution Of his duties under this Act.

(6) No fee or duty shall be charged or payable in respect of the issue to the institute of a certificate in respect of a right of occupancy or an incorporeal fishery granted in accordance with this section-

(7) where any land is, or any waters are, placed at the disposal of the Institute, the Board may in relation to the land or, as the case may be, the waters-

- (a) manage it in such manner as, in the opinion of the Board, is necessary or desirable for the better performance of the functions of the Institute;
- (b) undertake fishing, or establish fish farms, in such manner as is, in the opinion of the Board, necessary of desirable for the better performance of the functions of the Institute;
- i(c) enforce, within the waters or the area of land granted to the Institute, such restrictions or regulations as the Chief Fisheries officer may, from time to time, direct;
- (d) provide for depositing 'and propagating such species of fish as the Board May, with the approval of the Chief Fisheries Officer. determine, for the purposes of improving or cultivating those species of fish.

Functions
of the
institute

6.- (1) The functions of the Institute shall be-

- (a) to promote the development, improvement and protection of the fishing industry;
- (b) to carry out, and Promote the carrying out of enquiries, experiments and research in fisheries, and in aquiculture generally;
- (c) to carry out research in various aspects of fisheries for the purpose of establishing, improving or developing better methods or techniques of fishing, farming fish or manufacturing or using fish or fish products;
- (d) to carry out research and investigation into fish diseases and their causes so as to develop ways of controlling or preventing the occurrence of particular fish diseases or any category Of them;

- (e) to co-ordinate research in fisheries which is carried out within the United Republic;
 - (f) to establish and operate a system of documentation and dissemination of the findings of inquiries, experiments and research in fisheries, which are carried out within the United Republic, for use by the Government, public institutions and other persons engaged in the fishing industry in the United Republic;
 - (g) to advise the Government, public institutions and other persons or bodies of persons engaged in the fishing industry in Tanzania on the practical application of the findings of inquiries, experiments and research carried out by or on behalf of the Institute;
 - (h) in co-operation with the Government or any persons, within or outside the United Republic, to promote or provide facilities for, the instruction and training of local personnel for Carrying out research in fisheries, and for the management of the fishing industry;
 - (i) to assume responsibility for the control and manage the business and affairs of any Centre which may be established, or vested in the Institute, by or under this Act or any other written law;
 - (j) to do any thing or enter into any transaction which, in the opinion of the Board, is necessary or desirable for the purposes of the better performance of the functions of the Institute under this Act
- (2) In particular, but without prejudice to the generality of subsection (1), the Institute may-
- (a) undertake, either alone or in association with any person or body of persons within or outside the United Republic, the establishment, equipment and management, on a zonal or other basis, of Centres within the United Republic for the performance of any of its functions;
 - (b) undertake the collection, preparation, publication and distribution of statistic relating to fisheries and the fishing industry, and promote and develop instruction and training in fisheries;
 - (c) provide assistance, consultancy and other services for the development and improvement of fisheries, including-
 - (i) the establishment of fish farms;
 - (ii) advice on the preparation, implementation, control and supervision of programmes relating to the application of modern techniques in fishing, and the development of fishing gear, fishing vessels and fishing weir suitable for the fishing industry in the United Republic;
 - (iii) the carrying out of research programmes designed to facilitate the discovery of the causes, and the ways of abating and preventing marine pollution;
 - (iv) the provision of such other advice and service as may be required by the Government, public institutions and other persons or bodies of persons engaged in the fishing industry;

(d) in co-operation with the Government or any person or body of persons within or outside the United Republic, establish in the United Republic a library for reference by researchers in fisheries and a national aquarium.

Acts 1968
No. 51

Act, 1979
No. 5

G.N 1974
No. 58

(3) For the purposes of the better, performance of its functions the Institute shall establish and maintain A system of collaboration, consultation and co-operation with tile Tanzania National Scientific Research Council established by the Tanzania National Scientific Research Council Act, 1968; the Tanzania Industrial Research and Development Organization established by the Tanzania Industrial Research and Development Organization Act, 1979; the Tanzania Fisheries Corporation established by the Tanzania Fisheries Corporation (Establishment) Order, 1974, and with any other Person or body of Persons established by or under any written law and having functions related to those specified in subsection (1) or (2) or which relate to fisheries or scientific research or to scientific development generally.

Composition
and proceed-
ings of
Board

7.-(1) There is hereby established a Board of Directors of the Institute which shall, subject to this Act, be responsible for the exercise of the functions and the management of the Institute.

(2) The provisions of the Second Schedule to this Act shall have effect in respect of the constitution of the Board, its proceedings and other matters relating to it.

(3) Save in the case of matters relating to the office and appointment of the Chairman of the Board, the Minister may, by order published in the *Gazette*, amend, add to, vary or replace any of the provisions of the Second Schedule to this Act.

Powers of
Minister in
relation
to Board

8. The Minister may, from time to time, give to the Board directions of a general or specific character regarding the performance by the Institute of any of its functions under this Act, and the Board shall give effect to every direction given to it.

PART III

POWERS AND OPERATIONS 01, THE INSTITUTE

Provisions
relating to
fisheries
research

9.-(1) The Board shall appoint a research programmes committee which shall, subject to such general or specific directions as the Board may give in that behalf, be responsible for the study of proposals for research in fisheries made to or by the Institute.

(2) The Board shall appoint such number of other committee sub-committees as it may deem necessary for the formulation, control and co-ordination of research projects proposed or to be proposed to the Institute for the purposes of this Act.

(3) The Board may, upon such conditions as it may specify, delegate to the committees and sub-committees or to any of them all or any of its functions under this Act, subject to the provisions of section 16.

(4) The provisions of the Second Schedule to this Act (other than the provisions which relate to the composition of the Board) shall apply, *mutatis mutandis*, in relation to the committees and sub-committees appointed under this section, but the Board may, by directions in writing, in relation to any of the committees or sub-committees disapply all or any of the provisions of the Second Schedule to this Act or modify them in such manner as may be specified in the direction.

(5) The Minister may, after consultation with the Board, make rules regarding-

- (a) the procedure for the submission to the Institute of proposal for the carrying out of research into any particular aspect of fisheries;
- (b) the manner in which proposals for the carrying out of research shall be dealt with by the Institute;
- (c) the powers, rights and obligations of persons carrying out research;
- (d) the procedure to be adopted with regard to fisheries research being carried out on behalf, or for the benefit, of the Institute.

10.-(1) Every person engaged, or intending to engage, in any aspect of research relating to or connected with fisheries within the United Republic shall, at his own expense, furnish to the Institute information relating to that research and shall make available to the Institute copies of any relevant records or findings in such form and within such periods as may be specified.

Information on fisheries research to be furnished to the Institute

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten thousand shillings, but no person shall be prosecuted for any offence under this section within six months after the commencement of this Act.

(3) Notwithstanding subsection (1), the Institute may enter into agreements with firms or organizations engaged in research fisheries or other allied scientific research within or outside Tanzania for the purposes of establishing a system of exchanging information relating to fisheries or other allied scientific research.

11.-(1) The institute may require in writing any person or body of persons engaged in fisheries or other allied scientific research within the United Republic to furnish to it such information relating to fisheries or other allied scientific research as the Institute may specify.

Institute may call for information

(2) Every person or body of persons required to furnish information under subsection (1) shall comply with the requirement, and any person or body of persons which refuses or fails to comply with that requirement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifteen thousand shillings.

Chief Fisheries officer in relation to research

12.-(1) Subject to subsection (2), all acts required or permitted to be done by or under this Act in exercise of the functions or for the purposes, of the Institute, shall be done subject to the provisions of the Fisheries Act, 1970.

Acts, 1970 No. 6

(2) The Chief Fisheries Officer shall, subject to the directions of the Minister, take all such measures, in relation to matters connected with fisheries and regulated by the provisions of the Fisheries Act, 1970, as may be necessary or desirable for the purposes of facilitating the smooth and efficient operation of the business of the institute and the promotion and conduct of fisheries research.

(3) The Chief Fisheries Officer may take measures under subsection (2) from time to time, on his own motion or on the application in that behalf by the Institute or any of its Centres.

Minister may make regulations

13.(1) The Minister may, after consultation with the Board and, where appropriate, with such other authorities or persons as the Minister may deem necessary, make regulations for the better carrying out of the objects and provisions of this Act.

(2) without prejudice to the generality of the power conferred by subsection (1), the Minister may make regulations-

- (a) requiring persons or body of persons, or a category of them, specified in the regulations, engaged in fisheries or other allied scientific research to furnish to the Institute information relating to any aspect of their activities;
- (b) prescribing the form and manner in which, and the period within which, any information required to be furnished or made available to the Institute under this Act shall be furnished or made available to the Institute;
- (c) regulating the involvement of the Institute in the manufacture or processing of fish and fish products, or the manufacture or marketing of products derived or manufactured from fish products;
- (d) regulating the utilization by specified institutions engaged in fisheries research or in the fishing industry of the technical expertise and services of the Institute in fish farming, fishing and in the fishing industry;
- (e) prescribing or regulating any other thing which is under this Act required or permitted to be prescribed or regulated.

(3) Regulations made under this section shall be published in the *Gazette*.

PART IV

ADMINISTRATIVE PROVISIONS

Appointment functions and powers of Director-General

14.-(1) The President shall appoint, upon such terms and conditions as he may specify, a Director-General of the Institute who shall be the chief executive officer of the Institute.

(2) In exercising the functions of his office the Director-General may, subject to such general or specific directions given to him by the Board, issue operational guidelines to ail or to any of the Directors, and may call for and act on reports made by Directors relating to the operations of Centres established, or deemed to have been established, by or under this Act.

15.- (1) The Board shall, after consultation with the Director-General, appoint suitable persons each designated as Director and chief administrative officer of the Centre specified in the instrument of his appointment.

Appoi-
ment,
of other
staff, and
management
of Centres

(2) The Board may from time to time appoint such number of other professional and non-professional employees of the Institute as it may deem necessary for the proper and efficient conduct of the business and activities of the Institute.

(3) Subject to the general or specific directions given by the Board in that behalf, a Director may appoint such number of supporting staff as in his opinion are necessary for the proper performance of the functions of the Institute by the Centre for whose operations, he is responsible.

16.- (1) Subject to subsection (4), the Board may, from time to time, by a written instrument under the seal of the Institute, delegate to any committee of its members, or to any employee of the Institute, any of its functions or powers under this Act, so that the delegated functions or powers may be exercised by the delegate in accordance with terms of the instrument of delegation.

Power of
Board to
delegate

(2) A delegation under this section may be made to the holder of an office under the Institute specifying the office but without naming the holder, and in that case each successive holder of the office in question, and each person who occupies or performs the duties of that office, may, without any further authority, exercise the delegated function or power in accordance with the delegation made.

(3) The Board may at any time revoke a delegation made under this section, and no delegation so made shall prevent the Council from itself exercising the function or power delegated.

(4) The Board shall not delegate-

(a) its power of delegation; or

(b) the power to approve the annual budget, the annual balance sheet or any statement of accounts.

17. Where any order, direction or requirement made or given by the Minister or the Board under this Act is not required to be published in the *Gazette*, the order, direction or requirement shall be brought to the notice of persons affected or likely to be affected by it in any manner determined by the Minister or the Board; but if the order, direction or requirement is published in the *Gazette*, all persons shall be deemed to have had notice of it.

Notifica-
tion of
Orders,
directions,
etc.

- Remuneration of members of Board** **18.**-(1) Subject to subsection (2), the members shall be entitled to such, remuneration, fees or allowances for expenses as the Minister May, upon the recommendation of the Board, prescribe from time , to time.
(2) No remuneration, fees or allowances, except such allowances for expenses as may be expressly authorized by the Minister, shall be paid to any member who, is a public officer.
- Protection from personal liability**
Cap. 16 **19.** Without prejudice to the provisions of section 284A of the Penal Code, the provisions of the Specified Officers (Recovery of Debts) Act, 1970, or of the Parastatal Employees (Recovery of Debts) Act, 1974, no act or thing done by any member or by any employee of the Institute shall, if done or omitted *bona fide* in the execution of Purported execution of his duties as a member or as an employee of the Institute, subject him to any action, liability or demand of any kind.
- Superannuation benefits** **20.** Subject to the provisions of any written law for the time being in force relating to pensions, the Board may-
(a) grant gratuities or other retirement allowances or benefits to the employees of the Institute;
(b) establish and contribute to a superannuation fund or a medical benefits fund for the employees of the Institute;
(c) require any employee of the Institute to contribute to the superannuation fund or medical benefits fund and fix the amounts and method of payment of the contribution.
- Funds of the Institute** **21.** The funds and resources of the Institute shall consist, of-
(a) such sums as may be provided by Parliament for the purposes of the Institute;
(b) such sums as the Institute may receive as fees for any services rendered by it;
(c) such donations, grants, bequests and loans as the Board may, from time to time, receive from any person or body of persons;
(d) any sums or property which may become payable to the Institute under this Act or any other written law or which may vest In the Institute in any manner m the performance of its functions.
- Power of Board to charge fees** **22.** The Board may, for the proper performance of the functions of the institute; charge fees for any services or category of services rendered by the Institute, subject to any directions which the Minister may given in that behalf.
- In vestment** **23.** With the prior approval of the Minister, the Board may, from time to time, invest any part of the moneys available m any fund of the Institute in such investments as are authorized investments in relation to investment of funds by a trustee under the Trustees Investments Act, 1967.
- Acts, 1967
No. 33

24.-(1) The Board may, from time to time, with the prior approval of the Minister, borrow moneys for the purposes of the Institute by way of loan or overdraft, and upon such security and such terms and conditions relating to the repayment of the principal and the payment of interest as the Board may deem fit.

Power to borrow

(2) A person lending money to the Institute shall not be bound to enquire whether the borrowing of that money by the Board has been approved by the Minister.

25.-(1) Subject to subsection (2), "financial year" in this Act means any period not exceeding twelve consecutive months designated by the

Annual and supplementary budget

(2) The first financial year of the Institute shall commence on the date when this Act comes into operation and may be of a period longer or shorter than twelve months.

(3) Not less than two months before the beginning of every financial year (other than the first financial year) the Board shall, at a meeting, pass a detailed budget (in this Act called the "annual budget") of the amounts respectively-

- (a) expected to be received; or
- (b) expected to be disbursed,

by the Institute during that financial year, and whenever circumstances so require, the Board may pass a supplementary budget in any financial year.

(4) The annual budget and every supplementary budget shall be in such form and include such details as the Minister may approve.

(5) Forthwith upon passing any budget or any supplementary budget the Board shall submit to the Minister for his approval the annual budget or, as the case may be, the supplementary budget.

(6) The Minister shall, upon receipt of the annual budget or any supplementary budget, approve or disapprove it or may approve it subject to any amendments which he may deem fit.

(7) Where the Minister approves any annual or supplementary budget, with or without amendment, the budget, as approved by him shall be binding on the Board which, subject to subsection (8), shall confine the disbursements of the Institute within the items and amounts contained in the applicable estimates as approved by the Minister.

(8) The Board may-

- (a) with the written sanction of the Minister, make a disbursement notwithstanding that disbursement is not provided for in any budget;
- (b) adjust- expenditure limits to take account of circumstances not reasonably foreseeable at the time the budget was prepared, subject to submitting a supplementary budget to the Minister within two months of the alteration of expenditure limits becoming necessary.

Accounts
and audit

26.-(1) The Board shall cause to be provided and kept proper books of accounts and records with respect to-

- (a) the receipt and expenditure of money by, and other financial transactions of, the Institute;
- (b) the assets and liabilities of the Institute,

and shall cause to be made out for every financial year a balance sheet showing the details of the income and expenditure of the Institute and all its assets and liabilities.

(2) Within six months of the close of every financial year the accounts including the balance sheet of the Institute in respect of that financial year shall be audited by the Tanzania Audit Corporation established by the Tanzania Audit Corporation Act, 1968.

Acts, 1968
No. 1

(3) Every audited balance sheet shall be placed before a meeting of the Board which, if it adopts it, shall endorse the balance sheet with a certificate that it has been so adopted.

(4) As soon as the accounts of the Institute have been audited, and in any case not later than six months after the close of the financial year, the Board shall submit to the Minister a copy of the audited statement of accounts, together with a copy of the report made by the auditors on the statement of accounts.

Annual report

27. The Board shall, within six months after the close of the financial year, cause to be prepared and submitted to the Minister a report dealing generally with the activities and operations of the Institute during that financial year and accompanied by-

- (a) a copy of the audited accounts of the Institute;
- (b) a copy of the auditors' report on the accounts; and
- (c) such other information as the Minister may direct.

Laying of
accounts
before
National
Assembly

28. The Minister shall, as soon as practicable after receiving the report submitted to him by the Board, lay before the National Assembly the audited accounts of the Institute, together with the auditors' report on the accounts and the annual report of the Institute.

FIRST SCHEDULE

(Section 5 (1))

FISHERIES RESEARCH CENTRE

1. Kunduchi Fisheries Research Centre.
2. Mbegani Fisheries Research Centre.
3. Nyegezi Fisheries Research Centre.

SECOND SCHEDULE

(Section 7 (2))

BOARD OF DIRECTORS

- 1.**-(1) The Board shall consist of- Composition
 (a) a Chairman, who shall be appointed by the President;
 (b) the Director-General;
 (c) not less than nine nor more than fifteen other members, who shall be appointed by the Minister.
 (2) The Board may appoint any employee of the Institute to be the Secretary of the Board.
- 2.** The members shall elect one of their number to be the Vice-Chairman of the Board, and any member elected as Vice-Chairman shall, subject to his continuing to be a member, hold office for a term of one year from the date of his election, and shall be eligible for re-election. Vice-Chairman
- 3.** In appointing Persons to be members, the Minister shall ensure that every person appointed by him is a person who, in his opinion, has the necessary experience or qualification to enable that person to make a useful contribution to the deliberations of the Board and to assist the Board in the Performance of his functions. Duty of Minister to appoint-able and prominent person
Tenure of appointment
- 4.**-(1) Subject to sub-paragraph (2), a member of the Board shall, unless his appointment is sooner determined by the appointing authority, or he otherwise ceases to be a member, hold office for such period as the appointing authority may specify in his appointment, or if no period is so specified, shall hold office for a term of three years from the date of his appointment, and shall be eligible for re-appointment.
 (2) In the case of a member who is a Member by virtue of his holding some other office, he shall cease to be a member upon his ceasing to hold that office.
 (3) Any member, other than a member referred to in sub-paragraph (2), may at any time resign by giving notice in writing to the President or, as the case may be, to the Minister, and from the date specified in the notice or if no date is so specified, from the date of the receipt of the notice by the President or the Minister, he shall cease to be a member.
- 5.** If a member of the Board who is a member by virtue of his holding some other office is unable for any reason to attend any meeting, he may nominate in writing another person from his organization if he is nominated for appointment to the Board by an organization, to attend that meeting in his place. Absent member to be represented at meetings
Tenure
Vacancies
- 6.** Where any member ceases to be a member for any reason before the expiration of his term of office, the appointing authority may appoint another person in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor.
- 7.**-(1) The Board shall ordinarily meet for the transaction of its business at the times and at the places determined by it, but shall meet at least once every three months. Meetings of the Board
 (2) The Chairman, or in his absence the Vice-Chairman, may at any time call a special Meeting of the Board, and shall call a special meeting upon a written request by a majority of the members in office.
 (3) The Chairman or in his absence the Vice-Chairman, shall preside at every meeting of the Board. In the absence of both the Chairman and Vice-Chairman the members present shall appoint one of their number to preside over the meeting.
 (4) The Chairman, or in his absence the Vice-Chairman, may invite any person who is not a member to participate in the deliberations at any meeting of the Board, but any person so invited shall not be entitled to vote.
- 8.** The quorum at any meeting of the Board shall be half of the members in office. Quorum
- 9.**-(1) Questions proposed at a meeting of the Board, shall be decided by a majority of the votes of the members present and voting and in the event of an equality of votes, the person presiding shall have a second or casting vote in addition to his deliberative vote. Decisions of the Board
 (2) Notwithstanding sub-paragraph (1), a decision may be made by the Board without a meeting by circulation of the relevant papers among the members, and the expression in writing of the views of the majority of the members.

- Minutes of meetings
- 10.**-(1) The Board shall cause to be recorded and kept minutes of all business conducted or transacted at its meetings, and the minutes of each meeting of the Board shall be read and confirmed, or amended and confirmed, at the next meeting of the Board and signed by the person presiding at the meeting.
- (2) Any minutes purporting to be signed by the person presiding at a meeting of the Board shall, in the absence of proof of error, be deemed to be a correct record of the meeting whose minutes they purport to be.
- Vacancies, etc., not to invalidate proceedings
- 11.** The validity of any act or proceeding of the Board shall not be affected by any vacancy among its members or by any defect in the appointment of any of them.
- 12.** All orders, directions, notices or documents made or issued on behalf of the Board shall be signed by-
- (a) the Chairman of the Board; or
- (b) the Director-General or any or other officer of the Institute authorized in writing in that behalf by the Director-General.
- Seal of the Organization
- 13.** The seal of the Institute shall not be affixed to any instrument except in the presence of the Chairman or the Vice-Chairman or the Director-General or some other officer of the Institute and at least one member of the Board.
- Board may regulate its own proceedings
- 14.** Subject to the provisions of this Schedule, the Board may regulate its own proceedings.

Passed in the National Assembly on the fourth day of January, 1980.


Clerk of the National Assembly