

ARRANGEMENT OF CLAUSES

CLAUSE

1. Short title
2. Interpretation
3. Establishment

4. Functions of the Board
5. Composition
6. Meetings of the Board
7. Institutions of the Board
8. The Research Committee
9. The Finance Committee
10. Other Committees of the Board
11. Meetings and procedure of the Committee
12. Technical Secretariat
13. Remuneration of Members
14. Funds of the Board
15. Accounts and Audit
16. Agricultural Products
17. Annual report
18. Right to invention
19. Regulations
20. By-laws.



THE GAMBIA

No. 15 of 1993.

Assented to by The President,

this Third day of 3rd November 1993.

LS

**D. K. JAWARA,
President.**

AN ACT to establish a National
Agricultural Research Board
to improve agricultural research management
and to make provisions for matters
connected therewith

25th November, 1993.

ENACTED by the Parliament of
The Gambia.

Enactment.

1. This Act may be cited as
the National Agricultural Research
Board Act, 1993.

Short title.

Inter-
pretation

2. In this Act unless the context otherwise requires;

- " Agricultural Product" means any plant or animal product or such other product as may be declared to be an agricultural product for the purposes of this Act;
- " Agricultural Research" means research into the production, treatment or handling of an agricultural product, including research required for a better understanding of the process involved in or the environment necessary for the production of an agricultural product;
- " Appointed Member" means a member of the Board appointed under paragraph (a), (b), and (d) of subsection (1) of section 5;
- " Board" means the National Agricultural Research Board established under subsection (1) of section 3;
- " Director" means the Director of a Research Institute;
- " Minister" means the Ministers responsible for the administration of this Act;
- " Research Committee" means of research advisory committee under section 8;
- " Research Institute" means a Research Institute established under section 7;

Establishment 3.(1) There is hereby established a Board which shall be known as the National Agricultural Research Board referred to in this ACT as "the Board."

(2) The Board shall be a body corporate with perpetual succession and a common seal, and shall have the power to sue and be sued in its corporate name.

(3) The Board shall have power to acquire, hold and dispose of moveable and immovable property and to enter into such contracts as may be necessary for the purposes of this Act.

Functions of the Board 4. The Board shall generally organise and carry out research in the fields that may from time to time be specified in the regulations made in accordance with such policies and in such priorities as may be determined by the Board, and shall without prejudice to the generality of the foregoing-

(a) carry out independently or in co-operation with any appropriate person, body of persons, agency or institution, such surveys, studies, investigations and analyse the same as the Board may consider necessary;

(b) co-operate with other organisations or institutions of higher learning in the organisation of training and research programs;

The National Agricultural Research Board Act, 1993.

- (c) collaborate with other research bodies, both public and private within and outside The Gambia;
- (d) disseminate research findings and conclusions in suitable forms to all persons concerned with agricultural research and development, and in particular to planners, policy-makers, development agencies, farmers, other producers, processors and the scientific community;
- (e) co-operate with and provide information to the relevant or participating Ministries in matters pertaining to research policies;
- (f) sponsor and organise national and international agricultural research conferences, seminars and workshops;
- (g) organise and participate in the training of extension personnel; and
- (h) do all such things as may be necessary, desirable or expedient to the carrying out of its functions;
- (i) formulate and implement policies and determine priorities for the agricultural research, and natural resources management to support national development, science and technology objectives;

The National Agricultural Research Board Act, 1993.

- (j) advise and make recommendations to Government on the financial, human and physical resources requirements for the efficient and effective implementation of the national agricultural research strategy and plan;
- (k) ensure the implementation and application of the research findings and recommendation for the socio-economic development of the country;
- (l) administer the property and funds of the Board for the better carrying out of the functions of the Board;
- (m) consider and approve any research programs and to assign the same to the institution within and outside the Board;
- (n) receive on behalf of the Board grants, gifts, donations, endowments fees, subscriptions, and other monies payable to the Board and to make disbursement therefrom;
- (o) regulate the manner of appointments the terms and conditions of service, conduct and discipline of the officers and employees of the Board and to administer the same;

- (p) be responsible for the appointment of the Director General of the Research Institutions and such officers and employees as it may deem necessary for the better carrying out of the functions of the Board;
- (q) determine the management, planning and co-ordinating of agricultural research activities at various levels including the setting up of new research institutions, establishments, units and technical services;
- (r) arrange and carry out periodic reviews and evaluation of research activities and supervision of research institutions;
- (s) delegate any of its powers to any member of the Board or any other officer of the Board; and
- (t) do all such things as may be incidental to the better carrying out of the provision of this Act.

com
posi
tion

5.(1) The Board shall consist of :

- (a) the Permanent Secretary Ministry of Agricultural who shall be an ex-officio member;
- (b) the Permanent Secretary Ministry of Finance who shall be an ex-officio member;
- (c) the Permanent Secretary Ministry of Natural Resources and The Environment who shall be an ex-officio member;

The National Agricultural Research Board Act, 1993.

(d) the Director General of the National Agricultural Research Institute to be established by the Board under section 7;

(e) six other members who shall be qualified persons with technical competence and experience to be selected by a Search and Selection Committee appointed under subsection (3).

(2) The Board shall have a Chairman and Vice Chairman who shall be appointed under subsection (1)(e);

(3) The Minister shall in consultation with the Minister of Natural Resources and The Environment appoint a Search and Selection Committee which shall consist of the three ex-officio members and at least three other persons to select the persons referred to under Subsection (1)(e).

(4) The Board may invite any persons with special qualifications to act as consultant or adviser at any of its meetings;

(5) Every non ex-officio member shall hold office for a period of three years from the date of appointment and shall be eligible for re-appointment at the expiration of such term but in no case shall a member be appointed to serve more than three consecutive terms.

(6) The Chairman may by writing under hand addressed to the Minister, resign his office and any other member except an ex-officio member may resign his office by writing under his hand addressed to the Chairman.

Meetings and procedure 6.(1) The Board shall meet for the discharge of its business at least once every six months or upon the request in writing of the Chairman by at least one third of the members of the Board.

(2) The Chairman shall preside at all meetings of the Board at which he is present or in his absence the Vice Chairman shall preside.

(3) One third of the members including the Chairman or Vice Chairman shall form a quorum at every meeting of the Board.

(4) Decisions of the Board shall be determined by a simple majority vote of the member present and voting, and in case of equality of votes, the person presiding at the meeting shall have a casting vote.

(5) Subject to this section, the Board may determine its own rules of procedure.

Institutions of the Board 7 The Research Institutions shall be established by regulations.

The Research Committee 8. (1) There shall be a Research Committee of the Board composed of at least five members including scientists of international standing approved by the Board and the Director General of the Research Institute.

(2) The Research Committee shall,

(a) review the research and training programmes of the institute before implementation;

- (b) mandate and review external research programme reviews as well as the annual report of the institute; and
- (c) advise on the institute's research planning systems and the research monitoring or evaluation system.

The Finance
Committee

9. (1) There shall be a Finance Committee whose members shall be appointed by the Board from among representatives of donors funding research through the Board and shall include the Director-General of the National Agricultural Research Institute and, the Permanent Secretary Ministry of Finance and Economic Affairs and four other persons appointed by the Board.

(2) The Finance Committee shall,

- (a) review and approve the annual budget and financing plan of the institute;
- (b) review research contract proposals and contracting arrangements; and
- (c) approve the procedure and appointment of independent auditors of the Board.

Other
Committees
of the
Board

10. The Board shall appoint such other committees for any general or special purpose as it considers necessary.

Meetings
and Pro-
cedure of
the Com-
mittee

11 The Committee shall meet at such times and in accordance with such procedures as the Board may determine.

Tech-
nical
Secre-
tariat

12. (1) The Board shall establish a Technical Secretariat which shall be responsible for implementing the policy of the Board and for organising, co-ordinating, supervising the activities of the Board.

(2) The staff of the Technical Secretariat shall consist of the head of the Secretariat and such other qualified staff as the Board may deem necessary.

(3) The Head of the Technical Secretariat shall be the Secretary to the Board.

Remune-
ration
of mem-
bers

13. Members of the Board or any other person attending any meeting of the Board may be paid such remuneration or allowances as the Board may, with the approval of the Minister, determine.

Funds of
the Board

14. (1) The funds of the Board shall consist of -

- (a) subvention from Government;
- (b) grants, donation and endowments that may be received from sources within and outside the country; and
- (c) any monies that may become payable to the Board in the discharge of its functions.

(2) The funds of the Board shall be kept in a bank approved by the Minister.

The National Agricultural Research Board Act, 1993.

Accounts and Audit 15. (1) The Board shall, within a period of three months before the end of each financial year, make and submit to the Minister responsible for Finance, for his approval, estimates of the income and expenditure of the Board for the ensuing year.

(2) No expenditure shall be made out of the funds of the Board unless the expenditure has been approved by the Board under the estimates for the year in which such expenditure is made, or in any other estimates supplementary thereto.

(3) The Board shall keep books of accounts of all its income and expenditure and proper records in relation thereto.

(4) The Board shall prepare in respect of each financial year, a statement of account which shall include -

- (a) The balance sheet, a statement of income, and a statement of surplus or deficit;
- (b) such other information in respect of the financial affairs of the Board as the Minister responsible for Finance or other donors may require.

(5) The accounts of the Board shall, in respect to each financial year, be subject to audit by independent external Auditors to be appointed by the Board.

The National Agricultural Research Board Act, 1993.

(6) The Board shall ensure that within three months from the end of each financial year, a statement of account of the Board is prepared and submitted to the Auditors.

(7) The Auditor shall audit and deliver to the Board for approval, a copy of the audited accounts together with his report thereon not later than three months from the date of his receipt of the statement of account. Copies of audited accounts and the Auditor's report thereon, shall be delivered to the Government and donors.

(8) The funds of the Board that are not immediately required for use shall be invested in such manner as the Board may with the approval of the Minister responsible for finance determine.

- Agri-cultural Products 16. The Agricultural Products which may from time to time be specified by regulation shall be agricultural natural resources products for the purposes of this Act.
- Annual report 17. The Board shall within three months after the end of each financial year, send to the Government and donors a report on the activities of its activities including achievements and future plans.
- Right to invention 18. All rights of Patent in discoveries, inventions and improvements on apparatus and machines, shall vest in the Board but may be made available for use in the public interest.

Regu- 19. The Minister may in colla-
lations boration with the Board, make regu-
lations for the better carrying out
of the provisions of this Act.

Bye-Law 20. The Board may make bye-laws
providing for,

- (a) the composition of the governing bodies and appointment of the staff of the Research Institutes and the rules of procedure for their operations; and
- (b) the appointment of members of the Committees of the Board and their rules of procedure.

**PASSED in the House of Representatives this 29th day of June
in the year of Our Lord One Thousand Nine Hundred and Ninety Three.**

**D. S. Njie,
Clerk of the House of Representatives.**

**THIS PRINTED IMPRESSION has been carefully compared by me with
the Bill which has passed the House of Representatives and found by me
to be a true and correct copy of the said Bill.**

**D. S. Njie,
Clerk of the House of Representatives.**