

Bill No. 23 of 2026

NATIONAL RESEARCH AND INNOVATION COUNCIL BILL, 2026

(Published on 26th June, 2026)

MEMORANDUM

1. A draft of the above Bill, which it is intended to present to the National Assembly, is set out below.

2. The object of the Bill is to establish an autonomous body, the National Research and Innovation Council, ('the Council') which will oversee the implementation, monitoring and evaluation of the national policy on research, development and innovation so as to catalyse the country's industrialisation efforts. The Council will address the challenges of funding and financing research and innovation through a governance and operational model informed by global best practices and tailored to Botswana's unique needs. As the central coordinating body of the National System of Innovation (NSI), the Council will collaborate with key NSI stakeholders, including universities, public and private research institutions, industry partners and civil society to unify research and innovation efforts across the country. The Council will enhance coordination among NSI actors to eliminate redundancies and bridge the gap between scientific discovery, industrial application and societal impact. The Council will oversee generation of locally relevant knowledge and its translation into tangible innovations and accelerate progress towards sustainable development.

3. Part I of the Bill deals with preliminary provisions under clauses 1 to 2 of the Bill, whilst Part II deals with the establishment and functions of the Council under clauses 3 to 5 of the Bill by providing for the establishment of the Council as a body corporate. Clause 4 provides for the powers and functions of the Council, whereas clause 5 provides for the seal of the Council.

4. Part III of the Bill provides for provisions relating to the Board which shall be the governing body of the Council. Clause 6 provides for the Board as the governing body of the Council, whilst Clause 7 provides for the functions of the Board. Clauses 9 to 11 of the Bill provides for the tenure of office, disqualification, removal and suspension of members of the Board as well as vacation of office by a member.

5. Part IV of the Bill provides for meetings and proceedings of the Board. Clause 14 of the Bill provides for the election of the Vice Chairperson of the Board by members of the Board, whereas clauses 15 and 16 provide for the meetings of the Board and proceedings of such meetings. Clauses 18 and 19 of the Bill provide the disclosure of interest and confidentiality provisions respectively, by members of the Board.

6. Part V of the Bill provides under clauses 20 to 22 for the appointment of the Chief Executive Officer, the Secretary of the Board and senior and other staff of the Council, respectively.

7. Part VI of the Bill provides for keeping of the database of researchers and innovators by the Council at clause 23 and the accreditation of authorised accredited bodies and the issuance of the research permit to researchers under clauses 24 and 25.

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8. Part VII of the Bill provides for financial provisions relating to the Council's revenue, financial year, accounts and audit, pension and other funds and annual report, under clauses 26 to 31 of the Bill.

9. Part VIII of the Bill provides for miscellaneous provisions under clauses 32 to 37 of the Bill for matters such as the protection from personal liability of the Council's staff, reports to the Minister and the regulation-making powers provision.

DAVID TSHERE,
*Minister of Communications And
Innovation.*

ARRANGEMENT OF SECTIONS

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A BILL

– entitled –

An Act to establish an autonomous body, the National Research and Innovation Council to oversee the planning, implementation, monitoring and evaluation of the national policy on research, development and innovation so as to catalyse the country's industrialisation efforts, provide for its powers and functions; to provide for the promotion and funding of research, development and innovation and for matters connected or incidental thereto.

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

PART I — *Preliminary*

Short title and
commencement

1. This Act shall be cited as the National Research and Innovation Council Act, 2026 and shall come into operation on such day as the Minister shall, by Order published in the *Gazette*, appoint.

Interpretation

2. In this Act, unless the context otherwise requires —

“accredited body” means an organisation that is recognised by the Council in writing, as technically competent, impartial and compliant with set standards to award research permits;

“Appeals Committee” means the Committee established under section 34;

“Board” means the Board established under section 6 of the Act;

- “Council” means the National Research and Innovation Council established under section 3 of the Act;
- “innovation” means the implementation of a new or significantly improved product goods, services or process, a new marketing method, or a new organisational method in business practices, workplace organization or external relations;
- “member” means a member of the Board;
- “research” means investigation undertaken in order to acquire new knowledge directed primarily towards a specific practical aim or objective;
- “research centre” means an institution conducting structured investigation, innovation and knowledge development in a specific field; and
- “researcher” means a professional who creates new knowledge or conducts systematic investigations to increase the stock of knowledge and devise new applications.

PART II — *Establishment and Functions of Council*

3. (1) There is hereby established a National Research and Innovation Council. Establishment
of Council

(2) The Council shall be a body corporate with perpetual succession and a common seal, capable of suing and being sued in its own name and, subject to the provisions of this Act, of performing such acts as bodies corporate may by law perform.

- 4.** The powers and functions of the Council shall be to provide — Powers and
functions of
Council
- (a) strategic guidance on policy matters and advisory role on —
- (i) research and innovation matters, and
 - (ii) levels and patterns of national investment on research and development based on identified national priorities;
- (b) coordination on system alignment —
- (i) on assessments and foresight exercises to inform research, science technology and innovation policy and planning,
 - (ii) on strategic guidance and oversight to accredited research permit granting bodies in respect to the granting of ethical clearance and research permits in such a manner as may be prescribed,
 - (iii) on accreditation of research bodies and research permit granting bodies in accordance with the prescribed standards and procedures,
 - (iv) to keep and maintain database of researchers and innovators in such a manner as may be prescribed,
 - (v) to promote research on indigenous knowledge,
 - (vi) to facilitate acquisition, use and disposal of assets acquired through funding from the Council, and

- (vii) to coordinate establishment and maintenance of specialised research centres dedicated to priority areas of inquiry and innovation within a specific scientific, academic or applied field;
- (c) funding, investment and incentive management –
 - (i) to mobilise, coordinate, disburse and manage research, innovation and technology funding in such a manner as may be prescribed,
 - (ii) to enhance research capacity by providing grants in such a manner as may be prescribed,
 - (iii) to promote innovation through technology, product and business development, grants and non-fiscal incentives, and
 - (iv) to coordinate or partner with private sector and stakeholders to mobilise and allocate funding for research and innovation;
- (d) capacity building and talent development –
 - (i) to foster research and innovation capacity through human and infrastructure development,
 - (ii) to promote and oversee the translation of research and innovation outputs for socio- economic benefits, and
 - (iii) to determine funding strategies to adequately implement the research, development and innovation agenda;
- (e) monitoring, evaluation and impact assessment –
 - (i) to promote the conduct of relevant quality research and innovation,
 - (ii) to develop and oversee implementation of strategies and mechanisms for technology prospecting, acquisition, diffusion, uptake and transfer,
 - (iii) to promote the integration of traditional knowledge with modern science, and
 - (iv) to systematically assess the output, outcome and impact of publicly funded research and innovation,
- (f) the promotion of partnerships and agreements with local, regional, and international research and innovation bodies;
- (g) the promotion of broad participation in, and uptake of research, science, technology and innovation activities;
- (h) the promotion of awareness and national appreciation of the value of research, science, technology and innovation to social, cultural and economic development; and
- (i) provide oversight on research, science, technology and innovation bodies.

Seal of
Council

5. (1) The seal of the Council shall be such device as may be determined by the Council and shall be kept by the Secretary of the Board.

(2) The seal of the Council shall be authenticated by the signatures of the Chief Executive Officer and the Secretary of the Board.

(3) In the absence of the Chief Executive Officer, the person performing the functions of the Chief Executive Officer may authenticate the seal in his or her place and, in the absence of the Secretary of the Board, the person performing the functions of the Secretary of the Board may authenticate in his or her place.

(4) A document issued by the Council and sealed with the seal of the Council's, which seal is authenticated in the manner provided by this section shall be received and taken to be a true instrument without further proof unless the contrary is shown.

PART III — *Constitution and Qualifications of Board*

6. (1) There shall be a Board, which shall be the governing body of the Council. Board

(2) The Board shall consist of —

- (a) nine members appointed by the Minister with competency in any of the following fields —
 - (i) scientific research, engineering, science, technology and innovation policy,
 - (ii) arts, humanities and social science research, educational research,
 - (iii) research management, ethics and integrity,
 - (iv) innovation, entrepreneurship, talent development and management,
 - (v) development economics, finance, risk management and audit,
 - (vi) intellectual property and technology commercialisation,
 - (vii) internationalisation, diplomacy, partnerships and capital mobilisation, or
 - (viii) law; and
- (b) a Chief Executive Officer who shall be an ex-officio member of the Board and shall have no voting rights.

(3) The members appointed under subsection (2) shall include at least two persons who shall be youth:

Provided that a person appointed under subsection (2) shall not be disqualified as a member upon attaining the age of 35 years whilst serving as a board member.

(4) The Minister shall appoint the Chairperson of the Board from amongst members of the Board and the Vice Chairperson shall be elected by members from amongst their number.

7. The Board shall —

- (a) determine policies and procedures for giving effect to the objects and purposes of the Act;
- (b) submit annual plans and budgets to the Minister;
- (c) submit strategic plans to the Minister;
- (d) report to the Minister on the Council's accounts and related matters;

Functions of
Board

- (e) produce a comprehensive report on its operations at the end of the financial year together with the auditor's report, and submit the audited accounts to the Minister;
 - (f) issue licences to registered researchers and innovators in such manner as may be prescribed; and
 - (g) issue grants or funding to innovators and researchers in such a manner as may be prescribed.
- Direction by Minister
- 8.** The Minister may give the Board directions of a general or specific nature regarding the exercise of its powers and the performance of its functions, which directions shall not be inconsistent with this Act or with the contractual or other obligations of the Council, and the Board shall give effect to any such directions.
- Tenure of office
- 9.** (1) A member shall hold office for a period not exceeding three years, and shall be eligible for re-appointment for a further term not exceeding three years.
- (2) A member who has been appointed as a member and has served two terms shall not be eligible for re-appointment.
- Disqualification, removal and suspension of member
- 10.** (1) A person shall not be appointed to be a member if the person —
- (a) has, in terms of a law in force in any country —
 - (i) been adjudged or otherwise declared bankrupt and has not been discharged, or
 - (ii) made assignment, arrangement or composition with, his or her creditors, which has not been rescinded or set aside;
 - (b) has, within a period of 10 years immediately preceding the date of his or her appointment, been convicted —
 - (i) of a criminal offence within Botswana, or
 - (ii) outside Botswana, of an offence which if committed in Botswana, would have been a criminal offence, and sentenced by a court of competent jurisdiction to imprisonment for a term of six months or more without the option of a fine, whether that sentence has been suspended or not, and for which he or she has not received a free pardon;
 - (c) is a member of the National Assembly, a Councillor, member of the *Ntlo ya Dikgosi* or the holder of an office in a political party; or
 - (d) is barred from practicing in his or her profession.
- (2) The Minister may, in writing, suspend from office a member against whom criminal proceedings are instituted for an offence in respect of which a sentence of imprisonment may be imposed, and whilst that member is so suspended, the member shall not carry out any duties or be entitled to any remuneration or allowances as a member.
- (3) The Minister may remove a member from the Board if the member —
- (a) is absent without reasonable cause from three consecutive meetings of the Board of which he or she has had notice;
 - (b) has been found to be physically or mentally incapable of performing his or her duties efficiently, and a medical doctor has issued a certificate to that effect;

- (c) contravenes the provisions of this Act or otherwise misconducts himself or herself to the detriment of the objectives of the Council;
 - (d) has failed to comply with the provisions of sections 18 or 19; or
 - (e) has been convicted of an offence under this Act, or under any other Act for which he or she is sentenced to imprisonment for a term of six months or more without an option of a fine.
- (4) A member may resign from office by giving 30 days' notice in writing to the Minister.
- (5) For purposes of subsection (3) (c), "misconduct" includes any act done without reasonable excuse by a member which –
- (a) amounts to a failure to perform in a proper manner any duty imposed on the member as such;
 - (b) is prejudicial to the efficient carrying out of the functions of the Board; or
 - (c) tends to bring the Board into disrepute.

11. A member shall vacate his or her office and his or her office shall become vacant —

Vacation of
office by
member

- (a) if he or she becomes disqualified in terms of section 10 to hold office as a member of the Board;
- (b) if he or she is adjudged bankrupt or insolvent;
- (c) if he or she is absent from three consecutive meetings of the Board without reasonable excuse;
- (d) upon his or her death;
- (e) upon the expiry of such time as the Minister may specify, in writing, notifying the member of his or her removal from office by the Minister;
- (f) upon the expiry of one month's notice, in writing, to the Chairperson, of his or her intention to resign from office;
- (g) if he or she becomes mentally or physically incapable of performing his or her duties efficiently, and a medical doctor has issued a certificate to that effect;
- (h) if he or she is convicted of an offence under this Act or any other Act for which he or she is sentenced to imprisonment for a term of six months or more without the option of a fine; or
- (i) if he or she is dismissed by the Minister on the grounds of a conviction under this Act or under any other Act.

12. Where the office of a member becomes vacant before the expiry of the member's term of office, the Minister shall appoint another person to be a member in place of a member who vacates office.

Filling of
vacancy

13. A member shall be paid, out of the funds of the Council, such remuneration and allowances, if any, as the Minister may determine.

Remuneration
and allowance

PART IV — *Meetings and Proceedings of Board*

14. (1) At the first meeting of the Board or as soon thereafter as may be convenient, the members shall elect from among their number, a Vice Chairperson.

Election
of Vice
Chairperson

	(2) The Vice Chairperson shall hold office for a period of not more than three years. (3) On the expiry of the terms of office of the Vice Chairperson, or where the Chairperson or the Vice Chairperson vacates office, a new Chairperson shall be appointed by the Minister and a new Vice Chairperson shall be elected by the members from among their number at the next meeting of the Board or as soon thereafter as may be convenient. (4) The Vice Chairperson may vacate his or her office as such even though he or she remains a member. (5) The Vice Chairperson shall exercise the functions of the Chairperson during the period that the Chairperson is absent or unable to act as Chairperson.
Meetings of Board	15. (1) Subject to the provisions of this Act, the Board shall regulate its own proceedings. (2) The Board shall hold its first meeting on such date and at such place as the Minister may fix and thereafter, the Board shall meet at least four times in a year. (3) Upon giving reasonable notice, a meeting of the Board may be called by the Chairperson, but if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called by giving a shorter notice. (4) The notice referred to under subsection (3) shall state — (a) the place and time for the meeting; and (b) the agenda for the meeting. (5) There shall preside at any meeting of the Board — (a) the Chairperson; (b) in the absence of the Chairperson, the Vice Chairperson; or (c) in the absence of the Chairperson and Vice Chairperson, such member as the members present may elect from amongst themselves for the purpose of that meeting. (6) The Secretary of the Board shall cause to be recorded and kept minutes of all proceedings of meetings of the Board.
Quorum and proceedings at meetings	16. (1) The quorum at any meeting of the Board shall be a simple majority of the members. (2) A decision of the Board on any question shall be by the majority of the members present and voting at the meeting and, in the event of an equality of votes, the member presiding shall have a casting vote in addition to that member's deliberative vote. (3) A decision of the Board shall not be rendered invalid by reason of a vacancy on the Board. (4) The Board may invite any person whose presence it deems necessary, to attend and participate in the deliberations of a meeting of the Board, but such person shall have no vote.
Committees of Board	17. (1) The Board may, for the purpose of performing its functions, establish such committees as it considers appropriate and may delegate to any such committee such of its functions as it considers necessary.

(2) The Board may appoint, to the committees established under subsection (1), such number of persons from the members and such number of persons with specialised skills, not being members, as it considers appropriate, to be members of such committees and such persons shall hold office for such period as the Board may determine.

(3) The Board shall appoint a chairperson and vice chairperson for any of its committees from amongst its members.

(4) The Secretary to the Board shall also be secretary to any committee of the Council.

(5) Subject to the specific or general directions of the Board, a committee may regulate its own procedure and the Board may attach any conditions to the delegation of any of its powers to such committees.

(6) The Board may confirm, vary or revoke any decision taken in consequence of a delegation or assignment, but no variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

(7) Meetings of a committee shall be held at such times and places as the committee may determine, or as the Board may direct.

18. (1) Where a member, or any person attending a meeting of the Board, at which meeting a matter which is the subject of consideration is one in which he or she is directly or indirectly interested in a private capacity, the member shall, as soon as practicable after the commencement of the meeting, disclose such interest and shall not, unless the Board otherwise directs, take part in any consideration or discussion of, or vote on any question touching upon, such matter.

Disclosure of
interest

(2) A disclosure of interest made in accordance with subsection (1) shall be recorded in the minutes of the meeting at which it is made.

(3) Where a member or any person attending the meeting of the Board fails to disclose his or her interest in accordance with subsection (1) and a decision by the Board is made benefiting such member, such decision shall be void to the extent to which the decision benefits the member or the person.

(4) A member or any person attending the meeting of the Board who fails to comply with the provisions of subsection (1) commits an offence and is liable to a fine not exceeding P20 000, or to imprisonment for a term not exceeding two years, or to both.

19. (1) A member or any person assisting the Board or Council shall observe and preserve the confidentiality of all matters concerning the Board or the Council and such confidentiality shall subsist even after the termination of the term of office or the mandate of the member.

Confidentiality

(2) A member, or any person to whom confidential information is disclosed through working with the Board or the Council shall not disclose that information to any other person unless he or she is required to do so in terms of any written law or for purposes of any judicial proceedings.

(3) A member, or any other person who contravenes the provisions of this section commits an offence and is liable to a fine not exceeding P20 000 or imprisonment for a term not exceeding two years, or to both.

PART V — *Chief Executive Officer and Other Staff of Council*

Chief
Executive
Officer

20. (1) The Board shall recommend to the Minister who shall appoint a Chief Executive Officer of the Council for a fixed contract period not exceeding five years, who shall be eligible for re-appointment, for a further term not exceeding five years.

(2) A person shall not be appointed as Chief Executive Officer unless he or she possesses such experience and training as the Board may determine, and he or she has demonstrated that he or she is competent to carry out the functions of the Council.

(3) The Chief Executive Officer shall, subject to such directions on matters of policy as may be given by the Board, be responsible for the day-to-day management of the affairs of the Council.

(4) The Chief Executive Officer may resign from office by giving three months' notice in writing to the Minister and to the Board.

(5) The Board may recommend to the Minister to remove the Chief Executive Officer from office by giving him or her notice in writing, or by paying him or her three months' salary *in lieu* of notice, if the Chief Executive Officer —

- (a) conducts himself or herself in a manner that is detrimental to the objectives of, or the proper performance of the functions of the Council;
- (b) has been found to be physically or mentally incapable of performing his or her duties efficiently by his or her medical doctor, as well as an independent medical doctor;
- (c) becomes bankrupt or is declared insolvent by a court of law; or
- (d) has been barred from practicing in his or her profession.

(6) The Chief Executive Officer may delegate, in writing, to any senior officer of the Council, the exercise of any powers which he or she is authorised to exercise under this Act.

(7) The Chief Executive Officer shall be responsible for —

- (a) the appointment, formation and development of an efficient administration of the Council;
- (b) the organisation, control and management of all staff of the Council;
- (c) the maintenance of discipline in respect of the staff of the Council;
- (d) the carrying out of the decisions of the Board;
- (e) the management of the support structure of the Council;
- (f) the accounts maintained by the Council;
- (g) submitting an annual report to the Board on the operations of the Council;
- (h) all income and expenditure of the Council; and

(i) all assets of the Council and the discharge of all the liabilities of the Council.

(8) The Chief Executive Officer shall receive such remuneration, allowances and other benefits, as determined by the Board and approved by the Minister.

21. (1) The Board shall on such terms and conditions appoint a Secretary of the Board, who shall be suitably qualified and experienced.

Appointment
of Secretary of
Board

(2) The Secretary of the Board shall attend meetings of the Board but shall have no right to vote, and shall be responsible for the accurate and complete recording of the Board's proceedings and decisions.

(3) The Secretary of the Board shall be accountable to the Board for his or her functions and responsibilities.

22. (1) The Board shall appoint the senior staff of the Council.

Appointment
of senior and
other staff

(2) The senior staff shall, under the direction of the Chief Executive Officer, assist the Chief Executive Officer in the proper administration and management of the functions and affairs of the Council, in accordance with the policies laid down by the Board.

(3) The Chief Executive Officer may appoint such other staff as may be necessary for the proper discharge of the functions of the Council.

(4) The terms and conditions of employment of staff of the Council shall be as may be determined by the Board.

PART VI — *Database and Research Permit*

23. (1) The Council shall keep and maintain database of researchers, research institutions and innovators under this Act.

Database

(2) The database shall be kept at the offices of the Council and shall be open to inspection to any member of the public upon payment of such a fee as may be prescribed.

24. (1) The Council shall approve an accredited research permit granting body for purposes of awarding a research permit in such a manner as may be prescribed.

Accredited
research body

(2) An accredited research permit granting body shall update the Council on information relating to a research permit in such a manner as may be determined by the Council.

25. (1) A researcher may apply for a research permit to an accredited research permit granting body in such manner as may be prescribed.

Research
permit

(2) An application made under subsection (1) shall be accompanied by such a fee as may be prescribed.

(3) An accredited research permit granting body shall, where it is satisfied that an applicant meets the requirements, issue to the applicant, research permit in such manner as may be prescribed.

(3) An accredited research permit granting body may suspend, revoke or cancel a research permit in such manner as may be prescribed.

PART VII — *Financial Provisions*Revenues of
Council

- 26.** (1) The revenues of the Council shall consist of —
- (a) such monies as may be appropriated by the National Assembly;
 - (b) such fees as the Council may charge for the services it may render;
 - (c) such grants, donations and technical assistance that the Council may receive from local and internationally recognised sources;
 - (d) any monies accruing on or realised from investments; and
 - (e) such other sources as may be approved by the Board.

(2) The Council shall use the revenues acquired under subsection (1) to meet the costs incurred in its operations and the annual budget for facilitation of human capacity, infrastructure building and funding for research and innovation.

Financial year

27. The financial year of the Council shall be a period of 12 months commencing on 1st April in each year and ending on 31st of March of the following year.

Accounts and
audit

28. (1) The Council shall keep and maintain proper accounts and records of accounts in respect of every financial year relating to its assets, liabilities, income and expenditure, and shall prepare, in each financial year, a statement of such accounts.

(2) The accounts of the Council in respect of each financial year shall, within six months of the end of the financial year, be audited by an auditor appointed by the Board.

(3) The auditor shall report in respect of the accounts for each financial year, in addition to any other matter on which the auditor deems it pertinent to comment on, whether or not —

- (a) the auditor has received all the information and explanation which, to the best of the auditor's knowledge and belief, were necessary for the performance of the auditor's duties;
- (b) the accounts and related records of the Council have been properly kept;
- (c) the Council has complied with all the financial provisions of this Act with which it is its duty to comply; and
- (d) the statement of accounts prepared by the Council was prepared on a basis consistent with that of the preceding year and represents a true and fair view of the transactions and financial affairs of the Council.

(4) The auditor's report and a copy of the audited accounts shall, within 14 days of completion, be forwarded to the Council by the auditor.

Pensions and
other funds

29. (1) The Council may, out of its revenues, establish and maintain such pension, superannuation, provident or other funds as it may consider desirable or necessary for the payment of benefits or other allowances on the death, sickness, injury, superannuation, resignation, retirement or discharge of its staff and may make rules providing for the payment of money out of its revenues to such funds and providing for contributions to such funds by its staff.

(2) The Council may contract with insurance companies or such other bodies as may be appropriate for the maintenance and administration of the funds authorised under subsection (1).

30. (1) The Council shall, within a period of six months after the end of the financial year or within such longer period as the Minister may approve, submit, to the Minister, a comprehensive report on the operations of the Council during that year, together with the auditor's report and the accounts audited under section 28. Annual report

(2) The Minister shall lay the annual report of the Council before the National Assembly, within three months of its receipt.

31. There is hereby established the following Funds — Funds

- (a) the National Research and Development Fund which shall be administered by the Council in such a manner as may be prescribed; and
- (b) the National Innovation Commercialisation and Enterprise Development Fund which shall be administered by the Council in such a manner as may be prescribed.

PART VIII — *Miscellaneous*

32. No matter or thing done or omitted to be done by a member or staff of the Council shall, if the matter or thing is done or omitted to be done in good faith in the course of the performance of the functions of the Council under this Act, render that member or staff liable to an action, claim or demand. Indemnity

33. The Chairperson shall, from time to time, submit to the Minister, reports with regard to matters relating to the activities of the Board which, in the opinion of the Board, should be brought to the attention of the Minister. Reports to Minister

34. (1) A person aggrieved by the decision of an accredited research permit granting body shall appeal the decision to the Appeals Committee. Appeals Committee

(2) The functions of the Appeals Committee shall be to —

- (a) consider appeals on decisions made by an accredited research permit granting body and make a final determination on the appeals; and
- (b) submit quarterly reports to the Council.

35. A person who contravenes the provisions of this Act, for which no penalty has been provided shall be liable to — Administrative penalties

- (a) such administrative penalties not exceeding P50 000 as may be imposed by the Council;
- (b) suspension or revocation of accreditation; or
- (c) withdrawal or suspension of funding.

36. The Minister shall make regulations for the better carrying out of the provisions of this Act and for any other matter required or permitted to be prescribed under this Act. Regulations

37. (1) All rights, assets and property vested in or in any manner held on behalf of or for the purposes of the Department of Research and Knowledge Business or the Department of Innovation and Technology, immediately before the commencement of this Act shall, with the approval of the Minister, be vested in the Council.

(2) On the coming into operation of this Act, all liabilities and obligations subsisting against the Government in respect of the Department of Research and Knowledge Business or the Department of Innovation and Technology immediately before the commencement of this Act shall continue to subsist against the Government.

(3) Every contract in respect of any matter, being a contract between the Department of Research and Knowledge Business or the Department of Innovation and Technology and any other party immediately before the commencement of this Act shall thereafter continue to subsist between the Council and such other party.

(4) All rights, powers and duties, whether arising under any written law or otherwise, which immediately before the coming into operation of this Act were vested in the Department of Research and Knowledge Business or the Department of Innovation and Technology shall be transferred to, vested in, imposed on, or be enforceable by or against the Council.

(5) On the coming into operation of this Act, all actions, suits or legal proceedings by or against the Government pending in respect of the Department of Research and Knowledge Business, and the Department of Innovation and Technology shall be carried out against the Council and no such suit, action or legal proceedings, shall abate or be affected by the coming into operation of this Act.

(6) The annual estimates approved for the Department of Research and Knowledge Business, and the Department of Innovation and Technology in respect of the financial year in which this Act comes into operation shall be deemed to be annual estimates of the Council for the remainder of the financial year but those estimates may be varied by the Council in such manner as the Minister may approve.

(7) Any person who is an officer or employee of the Department of Research and Knowledge Business, and the Department of Innovation and Technology immediately before the coming into operation of this Act shall not be an officer or employee of the Council but shall continue to be such officer or employee in the civil service and shall be deemed to be on secondment to the Council for a period not exceeding 18 months from the coming into operation of this Act.

(8) A person seconded to the Council under subsection (7) who, within 18 months from the coming into operation of this Act —

(a) has been offered and has accepted to enter into a written contract of service with the Council, shall be deemed to have terminated his or her service with the Government without right of severance of pay but without prejudice to all other remunerations and benefits payable upon the termination; or

(b) has not been offered, or has not accepted, to enter into a written contract of service with the Council shall be redeployed by the Government.

(9) A person appointed in terms of subsection (8) (a) shall be employed on such terms and conditions as may be offered by the Council and agreed to by the Council and the person.

(10) A person referred to in subsection (9) who is transferred from the public service to the employment of the Council shall be permitted to continue contribution under the Retirement Funds Act or any other enactment in terms of which they are contributing towards a pension immediately before the transfer, subject to such terms and conditions as the Board, with the approval of the Minister, may determine.

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(11) Upon the coming into operation of this Act, the functions of the National Research Fund and the Botswana Innovation Fund established under the Public Finance Management Act, shall be deemed to be transferred to the Council.