



REPUBLIC OF THE GAMBIA

NATIONAL RESEARCH AND

INNOVATION FUND ACT, 2025

NATIONAL RESEARCH AND INNOVATION FUND ACT, 2025

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National Research and Innovation Fund Act, 2025



THE GAMBIA

NO. 04 OF 2025

Assented to by The President,
this 27th day of April, 2025.



Adama Barrow
Adama Barrow
President

NATIONAL RESEARCH AND INNOVATION FUND ACT, 2025

AN ACT to establish the National Research and Innovation Fund to strengthen the functioning of the national innovation system of The Gambia by supporting researchers, innovators, small and medium enterprises with access to finance, new markets and job creation and for connected matters.

ENACTED by the President and the National Assembly.

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PART I - PRELIMINARY

1. Short title

This Act may be cited as the National Research and Innovation Fund Act, 2025.

2. Interpretation

In this Act, unless the context otherwise requires -

“Administrative Budget” means the administrative budget of the Fund determined by the Board in accordance with this Act;

“Fund” means the National Research and Innovation Fund established under section 3;

“Board” means the governing body established for the Fund under section 10;

"Executive Director" means the Executive Director of the Fund appointed under section 6;

“Accredited institution” means a post-secondary education institution accredited by the National Accreditation and Quality Assurance Authority;

“education” means education in an accredited Tertiary and Higher education institution;

“Grant” means funds provided by the Board;

“Higher Education” means education offered at post-secondary level leading to a degree;

“Innovation” means the action or process of innovating;

“innovative activities” means any scientific, technological, organizational, financial, and commercial steps that are intended to lead to the creation of a new value;

“Minister” means the Minister responsible for Higher Education, Research, Science and Technology, and **“Ministry”** shall be construed accordingly;

“The National Accreditation and Quality Assurance Authority” means the National Accreditation and Quality Assurance Authority established under section 3 of the National Accreditation and Quality Assurance Authority Act, 2021;

[Act No.12 of 2021]

“post-secondary education” means education beyond secondary education level in The Gambia;

“research” means creative and systematic work undertaken to increase the stock of knowledge;

“researcher” means an individual involved in a research activity;

“research and development” means the process by which an organisation works to generate new knowledge that assist it to create new technology, products, processes, services, or systems for its use or sell to another;

“research grant” means an outright financial grant awarded to an individual or organisation to undertake specific academic research;

“student” means a Gambian studying in any tertiary or higher education institution; and

“TVET Education” means technical education, training and skills development relating to a wide range of occupational fields, production, services and livelihoods.

PART II – ESTABLISHMENT, OBJECTIVES, FUNCTIONS AND ORGANISATIONAL STRUCTURE OF THE NATIONAL RESEARCH AND INNOVATION FUND

3. Establishment of the National Research and Innovation Fund

(1) There is established by this Act, the National Research and Innovation Fund.

(2) The Fund is a body corporate with perpetual succession and a common seal and may –

(a) sue and be sued in its corporate name;

(b) enter into contracts and acquire, hold and dispose of property; and

(c) do such other things or acts necessary for the proper performance of its functions under this Act which may lawfully be done by a body corporate.

(3) The application of the common seal of the Fund shall be authenticated by the signature of the Executive Director or such other person as may be authorised by the Executive Director in writing to sign on behalf of the Fund.

(4) A document bearing the imprint of the common seal of the Fund is deemed to be properly sealed, unless the contrary is proved.

4. Objects of the Fund

The object of the Fund is to provide finance to supplement research and innovation in post-secondary education including TVET education and research and development in The Gambia.

5. Functions of the Fund

The Fund shall –

(a) support all researchers, incubators, tech hubs, accelerators, entrepreneurs, accelerators, micro, small and medium enterprises in their innovation activities; and

(b) provide funds to support such other research and innovation activities as the Minister, in consultation with the Board, may determine from time to time.

6. Executive Director

- (1) The Executive Director is the head of the Fund.
- (2) The President shall appoint the Executive Director of the Fund after consultation with the Board and Public Service Commission.
- (3) The Executive Director shall hold office on the terms and conditions specified in the letter of appointment in accordance with this Act and any other legislation.
- (4) A person is qualified for appointment as the Executive Director if he or she –

- (a) is a citizen of The Gambia;
- (b) has not been convicted by a court of competent jurisdiction of an offence involving dishonesty or fraud;
- (c) has had a minimum of ten years work experience; and
- (d) holds a relevant academic or professional qualification.

(5) The Executive Director is responsible for the day-to-day management and administration of the affairs of the Fund and is answerable to the Board in the performance of the functions of the Fund in accordance to this Act.

(6) The Executive Director shall ensure the implementation of the decisions of the Board and perform any other functions determined by the Board.

7. Deputy Executive Director

(1) The Board shall appoint the Deputy Executive Director of the Fund.

(2) A person is qualified for appointment as the Deputy Executive Director if he or she –

- (a) is a citizen of The Gambia;
- (b) has not been convicted by a court of competent jurisdiction of an offence involving dishonesty or fraud;
- (c) has had a minimum of ten years work experience; and
- (d) holds a relevant academic or professional qualification.

- (3) The Deputy Executive Director shall assist the Executive Director in the performance of his or her duties.

8. Directorates and units of the Fund

(1) The Executive Director may establish such directorates and units within the Fund as he or she considers necessary for the effective management of the Fund.

(2) The Board, after consultation with the Public Service Commission, shall appoint heads of directorate and units established in sub-section (1).

9. Appointment of other staff

Subject to this Act, the Board shall have the power to appoint the staff of the Fund after consultation with the Public Service Commission.

PART III - THE GOVERNING BODY OF THE FUND

10. The Board of the Fund

(1) There is established by this Act, the Board of the National Research and Innovation Fund which shall be the governing body of the Fund.

(2) The Board shall consist of -

- (a) the Chairperson;
- (b) the Permanent Secretary of the Ministry responsible for higher education, research, science and technology;
- (c) the Permanent Secretary of the Ministry responsible for finance and economic affairs;
- (d) the Permanent Secretary of the Ministry responsible for health;
- (e) the Solicitor General;
- (f) the Permanent Secretary of the Ministry responsible for agriculture;

- (g) the Permanent Secretary of the Ministry responsible for environment, climate change and natural resources;
- (h) the Permanent Secretary of the Ministry responsible for youths and sports;
- (i) the Permanent Secretary of the Ministry responsible for trade, industry and employment;
- (j) two representatives from the Private Sector, one of whom is a woman; and
- (k) the Executive Director appointed by the President, who shall be the Secretary to the Board.

(3) The Secretary shall –

- (a) keep the books and records, and conduct the correspondence of the Board;
- (b) prepare the agenda for Board meetings after consultation with the Chairperson of the Board;
- (c) record the minutes of meetings of the Board; and
- (d) perform such other functions as the Board may assign.

11. Functions of the Board

The Board shall –

- (a) develop and approve policies to achieve the objectives of the Fund;
- (b) ensure that the Fund performs its functions effectively and efficiently; and
- (c) manage the distribution and coordination of the monies of the Fund;
- (d) invest some monies of the Fund in safe securities as it may consider financially beneficial to the fulfilment of

the objectives of the Fund;

- (e) approve the budget expenditure of the Fund;
- (f) ensure accountability and develop appropriate procedures for the management of the funds of the Fund;
- (g) undertake resource mobilization activities to raise money for the Fund;
- (h) where necessary, impose reasonable charges for the services rendered by the Fund; and
- (i) such other functions conferred upon it by any other provision of this Act.

12. Appointment and qualifications of a non-ex-officio member of the Board

(1) The President shall appoint the non-ex-officio members of the Board after consultation with the Public Service Commission.

(2) The non-ex-officio members of the Board shall be appointed from among persons of integrity, knowledge, expertise and experience in matters relevant to the functions of the Board.

(3) A person may only be appointed as non-ex-officio member of the Board if he or she –

- (a) in the case of the Chairperson, has at least ten years professional experience in the field of research, science, technology and innovation;
- (b) in the case of other non-ex-officio member, has at least five years relevant professional experience;
- (c) holds a relevant academic or professional qualification;
- (d) has not been convicted of an offence involving fraud or dishonesty and not been granted a pardon;
- (e) is of sound mind;
- (f) is not declared bankrupt by competent court of jurisdiction;

- (g) in the case of a person with professional qualifications, is disqualified or suspended from practicing his or her profession, other than on his or her own request; and
- (g) has not been dismissed from the public service of The Gambia for misconduct.

13. Tenure of office of non-executive members of the Board

- (1) A non-ex-officio member of the Board shall hold office for a period of three years and may only be re-appointed for one further term.
- (2) A non-ex-officio member may resign from office by giving thirty days' notice in writing to the President through the Minister.
- (3) Where a non-ex-officio member is disqualified or unable to continue in office for any reason, the Minister shall declare his or her position vacant and arrange for a replacement member to be appointed by the President.

14. Meetings of the Board

- (1) The Board shall meet at least once in every quarter at a place and time to be determined by the Chairperson.
- (2) The Chairperson shall preside at meetings of the Board at which he or she is present and if the Chairperson is absent from a meeting, the members present shall elect one of the members to preside.
- (3) The Chairperson shall convene a meeting of the Board if requested to do so by the Executive Director or at least four members of the Board.
- (5) The quorum at a meeting of the Board is nine members.
- (6) The Board shall take decisions by a simple majority of the votes of its members present and in the event of an equality of votes, the person presiding has a casting vote.
- (7) The Board may co-opt any individual to act as an adviser at its meeting, and the co-opted individual is not entitled to vote at any meeting and on any matter for decision by the Board.
- (8) The validity of the proceedings of the Board shall not be affected

by –

- (a) a vacancy among its members;
- (b) a defect in the appointment of any of its members;
- (c) qualification of a member; or
- (d) the fact a person not entitled to do so, took part in the proceedings.

(9) Subject to this section, the Board shall determine its own procedure at its meetings.

15. Disclosure of interest

(1) A Board member who has a direct or an indirect interest in a matter for consideration shall –

- (a) disclose the nature of that interest and the disclosure forms part of the records of the consideration of the matter and ; and
- (b) not participate in the deliberations of the Board and shall rescue himself or herself from the matter concerned.

(3) Where a member fails to make the disclosure referred to in subsection (1), the Board shall –

- (a) nullify his or her vote in respect of that matter;
- (b) suspend him or her from taking part in three future meeting of the Board; or
- (c) adopt both paragraph (a) and (b).

16. Board Committees

(1) The Board may establish such committees to assist it in performing any of its functions.

(2) The delegation by the Board of its functions shall not prevent the Board from exercising those functions.

17. Allowances

The members of the Board, its committee and persons invited to attend the meetings of the Board or its committee shall be paid for allowances as may be approved by the Minister in consultation with the Minister responsible for finance.

18. Ministerial directives

The Minister may give general directives in writing to the Board on matters of policy.

PART IV - FINANCIAL PROVISIONS

19. Sources of funds for the Fund

(1) The sources of funds for the Fund shall include –

- (a) monies appropriated to it by the National Assembly;
and
- (b) monies that accrue to the Fund from investment made by the Fund;
- (c) monies borrowed and raised from local and international capital market or from its affiliates;
- (d) monies borrowed and raised through trusts, bonds, equities and other financial instruments, both from local and international participants in and holders of these instruments;
- (e) fees or other monies earned by the Fund in pursuance of its functions under this Act;
- (f) grants, donations, gifts and other voluntary contributions to the Fund; and
- (g) monies received by the Fund from any lawful source for the legitimate functions of the Fund.

(2) Monies provided to the Fund shall be disclosed and reported on, in accordance with the Public Finance Act and other legislations dealing with public finance.

[Act No. 5 of 2014]

20. Bank Account of the Fund

The Fund shall open an official account in accordance with the Public Finance Act.

21. Expenses of the Fund

(1) The expenses of the Fund shall be paid from the monies provided for the Fund under section 19.

(2) The monies of the Fund may be used in –

- (a) research and development in post-secondary education, research institutions, digital technologies, health, agriculture, creative industries, indigenous technologies, and intellectual property rights;
- (b) innovation activities;
- (c) entrepreneurial activities;
- (d) support for start-ups and venture creation;
- (e) investment;
- (f) priority focusses on research and innovation involving girls and women; and
- (g) other related aspects of innovation that may support the innovation ecosystem including institutional, student and business support at and beyond post-secondary education level.

22. Estimates, accounts and audits

(1) The Executive Director, not later than four months before the end of each financial year, shall prepare and submit to the Board for approval, estimates of the income, expenditures, and transfers of the Fund for the ensuing year.

(2) An expenditure shall not be made out of the funds of the Fund unless the expenditure has been approved by the Board in the budget.

(3) The Fund shall keep proper records and books of accounts of its income, expenditure and transfers.

(4) The Fund shall prepare, in respect of each financial year, a

statement of accounts.

(5) The Fund, within three months after the end of each financial year, shall submit its statement of accounts to the Auditor General for auditing.

(6) The audited accounts of the Fund and the Auditor General's report on those accounts shall form part of the Auditor General's overall annual report to the National Assembly.

23. Annual report

(1) The Fund, within three months after the end of each financial year, shall submit to the Board, an annual report dealing generally with its activities and operations within the financial year.

(2) The report shall include –

- (a) a statement on the income, sources of income and application of the monies of the Fund;
- (b) information relating to the funds and operation of the Fund; and
- (c) such additional information relating to the funds and operation of the Fund as the Board may request in writing.

(3) The Board, not later than three months after the end of the financial year, shall cause the report to be laid before the National Assembly.

PART V - MISCELLANEOUS PROVISIONS

24. Operating policies and procedures

(1) The Board shall adopt and may amend the operating policies and procedures in pursuance of the objectives of the Fund.

(2) The Board may develop, adopt and amend, revoke or supplement appropriate operating policies and procedures consistent with this Act, and in furtherance of the objectives of the Fund.

25. Tax exemption

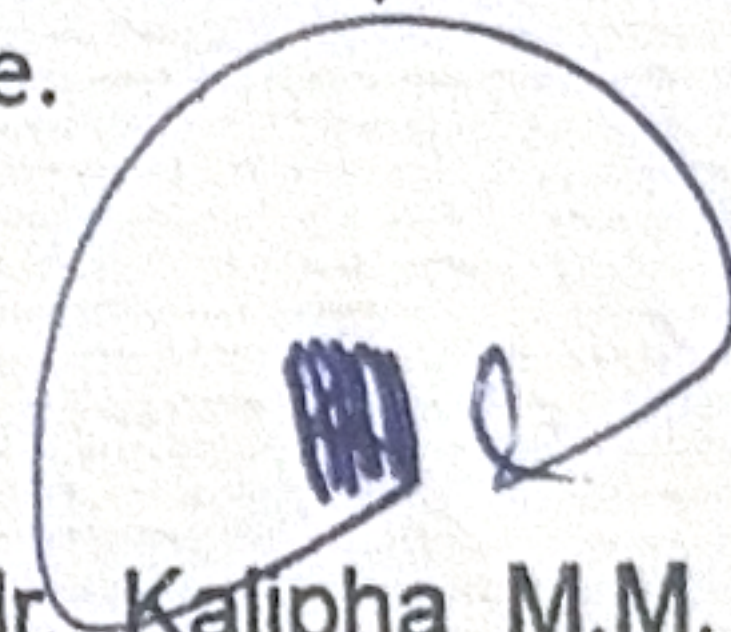
The Fund is exempt from payment of any form of corporate tax.

26. Regulations

The Minister may make Regulations for the effective implementation of the provisions of this Act.

National Research and Innovation Fund Act, 2025

PASSED in the National Assembly this 28th day of March, in the year of Our Lord
Twenty Twenty Five.



Mr. Kalipha M.M. Mbye
Clerk of the National Assembly.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill
which has passed in the National Assembly, and found by me to be a true and correct copy of
the said Bill.



Mr. Kalipha M.M. Mbye
Clerk of the National Assembly.