

**THE NATIONAL HEALTH RESEARCH AND  
TRAINING INSTITUTE ACT, 2024**

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GOVERNMENT OF ZAMBIA

ACT

No. 13 of 2024

Date of Assent: 20th December, 2024

**An Act to continue the existence of the Tropical Diseases Research Centre and rename it as the National Health Research and Training Institute and redefine its functions; provide for health research and training; provide for the establishment of the National Health Research Laboratory; provide for health research in indigenous knowledge, traditional, complementary and alternative medicines; repeal and replace the Tropical Diseases Research Centre Act, Cap. 301; and provide for matters connected with, or incidental to, the foregoing.**

[26th December, 2024

ENACTED by the Parliament of Zambia.

Enactment

PART I  
PRELIMINARY PROVISIONS

1. This Act may be cited as the National Health Research and Training Institute Act, 2024.

Short title

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

Interpretation

“allied substances” has the meaning assigned to the words in the Medicines and Allied Substance Act, 2013;

Act No. 3 of 2013

“bio-bank” has the meaning assigned to the words in the National Health Research Act, 2013;

Act No.2 of 2013

“Board” means the Board of the Institute constituted under section 5;

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	“centres of excellence” means a team of individuals, or entity in a focus area of health research and training that provides best practices and leadership at a shared facility;
	“Chairperson” means the person appointed Chairperson of the Board under section 5;
	“Director-General” means the person appointed as Director-General of the Institute under section 8;
Cap. 1	“Emoluments Commission” means the Emoluments Commission established in the Constitution;
	“Expert Advisory Committee” means the Expert Advisory Committee constituted under section 7;
Act No. 2 of 2013	“health research” has the meaning assigned to the words in the National Health Research Act, 2013;
Act No. 4 of 2013	“Higher Education Authority” means the Higher Education Authority established under the Higher Education Act, 2013;
	“Institute” means the Tropical Diseases Research Centre continued and renamed as the National Health Research and Training Institute under section 3;
	“Laboratory” means the National Health Research Laboratory established under section 12;
Act No. 4 of 2013	“learning programme” has the meaning assigned to the words in the Higher Education Act, 2013;
Act No. 6 of 2019	“legally disqualified” means the absence of legal capacity as provided in section 4 of the Mental Health Act, 2019;
Act No. 3 of 2013	“medicine” has the meaning assigned to the word in the Medicines and Allied Substance Act, 2013;
	“member” means a member of the Board or committee;
Act No. 26 of 1997	“National Science Technology Council” means the National Science Technology Council established under the Science and Technology Act, 1997;
Act No. 19 of 2020	“pathogen” has the meaning assigned to the word in the Zambia National Public Health Institute Act, 2020;
Cap. 301	“repealed Act” means the Tropical Diseases Research Centre Act repealed under section 21;
	“Repository” means the Health Research Data Repository maintained by the Institute under section 11;

- “research institution” has the meaning assigned to the words in the National Health Research Act, 2013; Act No. 2 of 2013
- “Secretary” means the person appointed Secretary of the Institute under section 9;
- “traditional, complementary and alternative medicines” has the meaning assigned to the words in the National Health Research Act, 2013; Act No. 2 of 2013
- “traditional health practitioner” has the meaning assigned to the words in the National Health Research Act, 2013; Act No. 2 of 2013
- “Vice-Chairperson” means the person appointed Vice-Chairperson of the Board under section 5; and
- “Zambia Qualifications Authority” means the Zambia Qualifications Authority established under the Zambia Qualifications Authority Act, 2011. Act No. 13 of 2011

## PART II

### THE NATIONAL HEALTH RESEARCH AND TRAINING INSTITUTE

3. (1) The Tropical Diseases Research Centre established under the repealed Act is continued as if established under this Act and is renamed as the National Health Research and Training Institute. Continuation and renaming of Tropical Diseases Research Centre
- (2) The Institute is a body corporate with perpetual succession and a common seal, capable of suing and being sued in its corporate name and with power, subject to the provisions of this Act, to do all acts and things that a body corporate may, by law, do or perform.
- (3) The First Schedule applies to the Institute.
4. The functions of the Institute are to— Functions of Institute Act No. 2 of 2013
- (a) conduct health research in accordance with the National Health Research Act, 2013, in order to promote the improvement of health and quality of life;
- (b) control and manage health research facilities assigned to the Institute by the Minister;
- (c) co-operate and collaborate with any person, organisation or health research institution within and outside the Republic with regard to health research and development, training, innovation and technology transfer;

- (d) conduct training programmes in health research accredited by the Higher Education Authority;
- (e) develop, utilise and evaluate health research tools, technologies and strategies for the promotion of health, prevention, control and treatment of diseases;
- (f) take necessary or appropriate steps to ensure commercialisation of a health research product of the Institute;
- (g) provide facilities for national, regional and international health research and training;
- (h) collect, collate and disseminate results of health research and scientific information;
- (i) inform the health policy using the results of the health research conducted by the Institute;
- (j) provide technical support in the implementation of national and international health policies and programmes;
- (k) establish centres of excellence as the Board may determine;
- (l) engage in innovation, discovery, development, health research and training in traditional, complementary and alternative medicines in accordance with the National Health Research Act, 2013;
- (m) create, develop, apply for, and hold intellectual property rights, relating to health research and enter into agreements or arrangements for the intellectual properties commercial exploitation, or otherwise, that the Board may consider necessary;
- (n) acquire, keep and maintain animals in accordance with the Animal Health Act, 2010, and the Animal Identification and Traceability Act, 2024, for health research purposes;
- (o) advise and make recommendations to the Minister on matters relating to health research and training conducted by the Institute; and
- (p) establish a bio-bank for purposes of maintaining pathogens and biological materials relating to health research and training.

Act No. 2 of  
2013

Act No. 27  
of 2010  
Act No. 2 of  
2024

5. (1) There is constituted the Board of the Institute which consists of the following part-time members appointed by the Minister: Board of  
Institute

- (a) a representative of the Ministry responsible for—
    - (i) health; and
    - (ii) livestock and fisheries;
  - (b) a representative of the Attorney-General;
  - (c) a representative of the National Science and Technology Council;
  - (d) a medical doctor from a university, with substantial knowledge and experience in health research;
  - (e) a local representative of an international agency involved in health research;
  - (f) a traditional health practitioner from the Traditional Practitioners Association of Zambia;
  - (g) a member of the public who is distinguished in health research; and
  - (h) a person from the private sector with knowledge and experience in finance or business management.
- (2) The members referred to under subsection (1) (a), (b), (c), (d) and (e), shall be nominated by their respective ministries, institutions or organisations for appointment by the Minister.
- (3) The Director-General shall be an *ex-officio* member of the Board.
- (4) The Minister shall appoint the Chairperson from among the members.
- (5) The members shall elect the Vice-Chairperson from amongst themselves.
- (6) A person shall not be nominated or appointed as a member if that person is—
- (a) legally disqualified from performing the functions of a member;
  - (b) an undischarged bankrupt;
  - (c) convicted of an offence under this Act or any other written law and sentenced to imprisonment for a term exceeding six months without the option of a fine within a period of five years preceding the appointment;

- (d) not resident in the Republic;
- (e) found guilty of professional misconduct;
- (f) an employee of the Institute; or
- (g) convicted of an offence involving fraud or dishonesty under any written law.

Functions of  
Board

6. (1) Subject to the provisions of this Act, the Board shall provide strategic policy direction to the Institute.

(2) Despite subsection (1), the functions of the Board are to—

- (a) approve the annual budget estimates and financial statements of the Institute;
- (b) approve the annual work plans, action plans and activity reports of the Institute;
- (c) approve the policies, programmes and strategies of the Institute;
- (d) promote the effective corporate governance of the Institute;
- (e) approve investment plans of the Institute; and
- (f) monitor and evaluate the performance of the Institute against approved budget plans.

(3) The Minister may enter into performance contracts with the Board for a specified period which shall be consistent with the provisions of this Act.

(4) The Minister may give the Board general or specific directions relating to the performance of its functions and the Board shall give effect to those directions to the extent that the directions are not inconsistent with this Act.

(5) The Board may, by direction in writing and on conditions that the Board considers necessary, delegate to the Director-General any of the Board's functions under this Act.

(6) A delegation made under subsection (3) shall not prevent the Board from performing the function so delegated.

Expert  
Advisory  
Committee

7. (1) The Board shall constitute an Expert Advisory Committee, which shall consist of various disciplines of experts including experts in health research, training, traditional, complementary and alternative medicine and public health programs.



(2) The Expert Advisory Committee constituted under subsection (1), shall—

(a) advise the Board on—

(i) health research and training priorities; and

(ii) research targets and status of health research studies conducted by the Institute;

(b) review the proposed scientific programmes of the Institute;

(c) contribute to the development of the strategic plan of the Institute;

(d) provide expert technical and scientific advice on any aspects of health research and training;

(e) review outcomes of health research supported by the Institute and recommend methods for the utilisation of the health research by the health sector and stakeholders;

(f) recommend appropriate policies for support of health research activities undertaken by the Institute;

(g) review risk assessment and risk management measures relating to scientific and technical operations of the Institute;

(h) provide technical oversight, monitoring and evaluation of programmes and projects;

(i) provide technical advice on scientific evaluation of traditional, complementary and alternative medicine; and

(j) perform any function that may be conferred on the Expert Advisory Committee by the Board for purposes of this Act.

8. (1) The Board shall appoint a Director-General of the Institute who shall be—

Director-General

(a) the chief executive officer; and

(b) responsible for the day to day administration of the Institute under the direction of the Board.

(2) A person qualifies for appointment as Director-General, if that person—

(a) holds a grade twelve school certificate or its equivalent;

(b) holds a bachelor's and a post graduate degree in medicine, biomedical science, public health, health sciences, or related fields, from a higher education institution established, registered or declared under the Higher Education Act, 2013, or recognised by the Zambia Qualifications Authority under the Zambia Qualifications Act, 2011;

(c) has at least five years relevant experience in health research and administration at senior management level;

(d) is of proven integrity; and

(e) has not been convicted of an offence involving fraud or dishonesty.

(3) The Director-General shall attend meetings of the Board, and may address the meetings, but shall not vote on any matter.

Secretary  
and other  
staff

**9.** (1) The Board shall appoint a Secretary who shall perform corporate secretarial duties for the Board and other functions that the Board may determine, under the direction of the Board and the Director-General.

(2) The Board shall appoint other staff of the Institute that the Board considers necessary for the performance of the Board's functions under this Act.

(3) The Emoluments Commission shall, on the recommendation of the Board, determine the emoluments of the Director-General, Secretary and other staff of the Institute.

(4) The Board shall determine the conditions of service, other than emoluments, of the Director-General, Secretary and other staff.

Traditional,  
complementary  
and  
alternative  
medicines  
Act No. 2 of  
2013

**10.** (1) Subject to the National Health Research Act, 2013, the Institute shall undertake health research and training in traditional, complementary and alternative medicines for the purpose of—

(a) documenting indigenous knowledge, plants, animals and other materials that may contain medicinal properties;

(b) ascertaining the safety and efficacy of plants, animals and other materials with medicinal properties;

- (c) identifying active ingredients and biological testing of plants, animals and other materials with medicinal properties;
- (d) determining the therapeutic properties of plants, animals and other materials with medicinal properties for treatment of diseases or improvement of health;
- (e) compounding, preserving, processing and manufacturing of traditional, complementary and alternative medicines;
- (f) collaborating with relevant institutions or persons to propagate, safeguards, preserve and promote the use of plant, animal and other material with medicinal properties;
- (g) building capacity in conducting health research and training in traditional, complementary and alternative medicines;
- (h) collaborating with relevant institutions or persons in the performance of the Institute's functions; and
- (i) commercialising and marketing the products of health research in traditional, complementary and alternative medicines conduct by the Institute.

(2) The Institute shall, prior to commercialising and marketing products of health research referred to under subsection (1)(i), comply with the Medicines and Allied Substances Act, 2013 if the product is a medicine or allied substances.

Act No. 3 of  
2013

**11.** (1) The Institute shall establish and maintain a Health Research Data Repository which shall serve as a database for health research and training conducted by the Institute.

Health  
Research  
Data  
Repository

(2) Despite the generality of subsection (1), the Repository shall—

- (a) serve as a data centre for the Institute;
- (b) secure, store, manage, transfer, maintain and disseminate health research data;
- (c) ensure preservation and value maximisation of data;
- (d) serve as a digital platform for the Institute to facilitate access and interaction with stakeholders;
- (e) aggregate data collected; and
- (f) protect personal information against unauthorised access, unlawful use, accidental loss, corruption or destruction.

Act No. 2 of  
2013

- (3) The Institute shall, in relation to the Repository—
- (a) conduct quality control and validate all health research and training data generated by the Institute;
  - (b) maintain a backup system of the data in the Repository;
  - (c) submit health research data to the National Health Research Authority in accordance with the National Health Research Act, 2013; and
  - (d) charge and collect fees for services provided by the Repository.

## PART III

## THE NATIONAL HEALTH RESEARCH LABORATORY

Establishment  
of National  
Health  
Research  
Laboratory

**12.** (1) There is established the National Health Research Laboratory.

(2) The Laboratory established under subsection (1) shall be a reference laboratory for health research and training.

Management  
and control  
of  
Laboratory

**13.** (1) The Institute shall be responsible for the management and control of the Laboratory which shall be used to—

- (a) develop and evaluate new technologies for diagnosing and treatment of diseases;
- (b) conduct health research relating to humans and animals;
- (c) conduct basic science research;
- (d) examine or analyse material and issue a certificate of analysis;
- (e) collect, share and provide materials for health research;
- (f) coordinate and strengthen laboratory systems and networks with the capacity to support health research and training; and
- (g) collect, contain, store and secure samples, pathogen isolates and relevant materials for purposes of health research and training.

(2) The Institute shall appoint a person who shall be responsible for the day-to-day administration of the Laboratory.

(3) The Institute shall appoint public analysts as the Institute may consider necessary for the purpose of performing the Institute's functions under this section.

(4) A certificate of analysis issued under this section shall be received in evidence and shall be considered to be so issued, without further proof, unless the contrary is proved.

(5) The Institute shall charge fees for the analysis of materials and any other services provided by the Laboratory, as prescribed.

PART IV  
FINANCIAL PROVISIONS

**14.** (1) The funds of the Institute consist of monies as may— Funds of  
Institute

- (a) be appropriated by Parliament;
- (b) be paid to the Institute by way of grants and donations; or
- (c) otherwise vest in or accrue to the Institute.

(2) The Institute may, with the approval of the Minister—

- (a) and subject to the Public Finance Management Act, 2018, Act No. 1 of  
2018 accept monies by way of grants or donations from any source within or outside the Republic; and
- (b) charge and collect fees in respect of programmes, seminars, consultancy services and other services provided by the Institute as prescribed.

(3) There shall be paid from the funds of the Institute—

- (a) the emoluments of the members of staff of the Institute;
- (b) reasonable travelling and other allowances for the members of the Board and of a committee of the Board when engaged on the business of the Institute, at rates that the Emoluments Commission may determine on the recommendation of the Minister; and
- (c) any other expenses incurred by the Institute in the performance of its functions under this Act.

(4) Subject to the Public Finance Management Act, 2018 and the approval of the Minister, the Board may invest in a manner that the Board considers necessary any of the Institute's funds which the Institute does not immediately require for the performance of the Institute's functions. Act No. 1 of  
2018

**15.** The financial year of the Institute shall be a period of twelve months ending on 31st December in each year. Financial year

Accounts and  
audit

**16.** (1) The Institute shall cause to be kept proper books of accounts and other records relating to the Institute's accounts.

(2) The accounts of the Institute shall be audited annually by the Auditor General or an auditor appointed by the Auditor General.

(3) The fees for the Auditor-General or an auditor appointed by the Auditor-General shall be paid by the Institute.

Annual  
report

**17.** (1) The Institute shall, as soon as practicable, but not later than ninety days after the end of the financial year, submit to the Minister a report concerning its activities during the financial year.

(2) The report referred to in subsection (1) shall include information on the financial affairs of the Institute and there shall be appended to the report—

(a) an audited statement of financial position;

(b) an audited statement of comprehensive income and expenditure; and

(c) any other information that the Minister may require.

(3) The Minister shall, not later than seven days after the first sitting of the National Assembly next after receipt of the report referred to in subsection (1), lay the report before the National Assembly.

## PART V

## GENERAL PROVISIONS

Immunity  
from  
execution  
of judgment

**18.** Despite anything to the contrary contained in any other written law, where a judgment or court order is obtained against the Institute, no execution, attachment or process of any nature shall be issued against the Institute or against any property of the Institute, but the Minister or the Director-General shall cause to be paid out of the Consolidated Fund or revenue of the Institute such amounts of moneys as may, by judgment or court order, be awarded against the Institute to the person entitled to the money.

Guidelines

**19.** (1) The Institute may, in the performance of the Institute's functions under this Act, issue guidelines that are necessary for the better carrying out of the provisions of this Act.

(2) The Institute shall publish the guidelines issued under subsection (1) in the *Gazette* and other electronic media that the Institute may determine.

(3) The guidelines referred to in subsection (1) shall, on publication in the *Gazette* be binding on all persons regulated under this Act.

**20.** (1) The Minister may, in consultation with the Institute, by statutory instrument, make Regulations for the better carrying out of the provisions of this Act. Regulations

(2) Despite the generality of subsection (1), Regulations made under that subsection may provide for—

- (a) procedures for operating the Repository;
- (b) procedures to control and manage health research facilities assigned to the Institute by the Minister; or
- (c) procedures for operating the Laboratory; and
- (d) procedures for conducting training in accordance with the Higher Education Act, 2013.

Act No. 4 of 2013

**21.** (1) The Tropical Diseases Research Centre Act, Cap. 301, is repealed.

Repeal of Cap. 301 and savings and transitional provisions

(2) Despite subsection (1), the Second Schedule applies to the savings and transitional provisions.

## FIRST SCHEDULE

## (Section 3(3))

## ADMINISTRATION OF THE BOARD

Seal of  
Institute

1. (1) The seal of the Institute shall be a device as may be determined by the Institute and shall be kept by the Director-General.

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Director-General or any other person authorised in that behalf by a resolution of the Board.

(3) A contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed without a seal on behalf of the Institute by the Director-General or any other person authorised in that behalf by a resolution of the Board.

(4) A document purporting to be a document under the seal of the Institute or issued on behalf of the Institute shall be received in evidence and shall be considered to be so executed or issued, without further proof, unless the contrary is proved.

Tenure of  
office and  
vacancy

2. (1) A member shall, subject to the other provisions of this Act, hold office for a term of three years and may be re-appointed for a further and final term of three years.

(2) The office of a member becomes vacant if that member—

(a) dies;

(b) is adjudged bankrupt;

(c) resigns on giving one month's notice, in writing, to the Minister;

(d) is absent from three consecutive meetings of the Board for which the member has had notice, without the prior approval of the Board;

(e) is legally disqualified from performing the functions of a member;

(f) ceases to represent the ministry, institution or organisation that nominated that member; or

(g) is convicted of an offence under any other written law and sentenced to imprisonment for a term exceeding six months without the option of a fine.



(3) A member shall, on the expiration of the period for which that member is appointed, continue to hold office until a successor is appointed, but in no case shall the further period exceed three months.

(4) The Minister shall, where the office of the member becomes vacant before the expiry of the term of office, appoint another member in place of that member but that member shall only hold office as a member for the unexpired part of the term of the Board.

3. (1) Subject to the provisions of this Act, the Board may regulate its own procedures. Proceedings  
of Board

(2) The Board shall meet for the transaction of business at least once every three months at a place and time that the Board may determine.

(3) The Chairperson shall, on giving notice of not less than fourteen days, call for a meeting of the Board, or if one third or more of the members so request, in writing, except that if the urgency of a particular matter does not permit the giving of the notice, a special meeting may be called on giving a shorter notice.

(4) Five members shall form a quorum at a meeting of the Board.

(5) There shall preside at a meeting of the Board—

(a) the Chairperson;

(b) in the absence of the Chairperson, the Vice-Chairperson;  
and

(c) in the absence of the Chairperson and the Vice-Chairperson,  
a member that the members present may elect from  
among themselves for the purpose of that meeting.

(6) A decision of the Board on any question shall be by majority of the votes of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have, a casting vote, in addition to that person's deliberative vote.

(7) A member referred to under section 5(1)(a), (b), (c), (d) and (e) may, where the member is for any reason unable to attend a meeting of the Board, nominate another person, in writing, from the same ministry, institution or organisation to attend the meeting in that member's stead and that person shall be considered to be a member for the purpose of that meeting.

(8) The Board may invite a person whose presence is, in the Board's opinion, desirable to attend and participate in the deliberations of a meeting of the Board, but that person shall have no vote.

(9) The Board shall cause to be kept minutes of the proceedings of every meeting of the Board and any committee of the Board.

Committees  
of Board

4. (1) The Board may, for the purposes of performing the Board's functions under this Act, constitute a committee and delegate to the committee any of the Board's functions that the Board considers necessary.

(2) The Board may appoint as members of a committee persons who are, or are not members, except that at least one member of the committee shall be a member of the Board.

(3) A member of a committee shall hold office for a period that the Board may determine.

(4) Subject to any specific or general direction of the Board, a committee may regulate its own procedure.

Allowances

5. A member of the Board, Expert Advisory Committee or any committee of the Board shall be paid allowances that the Emoluments Commission may, on the recommendation of the Minister, determine.

Disclosure  
of interest

6. (1) A person who is present at a meeting of the Board, Expert Advisory Committee or any committee of the Board at which any matter is the subject of consideration, and in which matter that person or that person's relative or associate is directly or indirectly interested in a private capacity shall, as soon as practicable after the commencement of the meeting, disclose that interest and shall not, unless the Board, Expert Advisory Committee or any committee of the Board otherwise directs, take part in any consideration or discussion of, or vote on, any question relating to that matter.

(2) A disclosure of interest made under subparagraph (1) shall be recorded in the minutes of the meeting at which the disclosure is made.

(3) A person who contravenes subparagraph (1), commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a period not exceeding two years, or to both.

7. (1) A person shall not, without the consent in writing given by or on behalf of the Institute, or permitted by any written law, publish or disclose to a person, other than in the course of that person's duties, the contents of a document, communication or information, which relates to, or which has come to, that person's knowledge under this Act.

Prohibition  
of  
publication  
or  
disclosure  
of  
information  
by  
unauthorised  
person

(2) A person who contravenes subparagraph (1), commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

(3) A person who, having information which to the knowledge of that person has been published or disclosed in contravention of subparagraph (1), unlawfully publishes or communicates that information to another person, commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

8. An action or other proceeding shall not lie or be instituted against a member, a member of the Expert Advisory Committee or any committee of the Board, or a member of staff of the Institute, for, or in respect of, an act or thing done or omitted to be done in good faith in the exercise or performance of a power or function conferred under this Act.

Immunity

## SECOND SCHEDULE

(Section 21(2))

## SAVINGS AND TRANSITIONAL PROVISIONS

Definition	<p>1. In this Schedule, “Centre” means the Tropical Diseases Research Centre established under the repealed Act.</p>
Member	<p>2. A person who immediately before the commencement of this Act held office as a member of the Board of the Centre shall continue to hold office as a member for a period of three months after which the Minister shall appoint members of the Board in accordance with this Act.</p>
Staff of Centre	<p>3. (1) A person who, before the commencement of this Act, was an officer or employee of the Centre, shall continue to be an officer or employee of the Institute, as if appointed or employed under this Act.</p> <p>(2) The service of the persons referred to in subparagraph (1) shall be treated as continuous service.</p> <p>(3) Nothing in this Act affects the rights and liabilities of any person employed or appointed by the Centre before the commencement of this Act.</p>
Transfer of assets and liabilities	<p>4. (1) On or after the commencement of this Act, there shall be transferred to, vest in and subsist against, the Institute by virtue of this Act and without further assurance, the assets, rights, liabilities and obligations which immediately before the commencement of this Act were the assets, rights, liabilities and obligations of the Centre.</p> <p>(2) Subject to subparagraph (1), every deed, bond and agreement to which the Centre was a party immediately before the commencement of this Act, whether or not of such a nature that rights, liabilities and obligations could be assigned, shall, unless its subject matter or terms make it impossible that it should have effect as modified, as provided under this paragraph, have effect as if—</p> <p>(a) the Institute had been party to it;</p> <p>(b) for any reference to the Centre there was substituted, with respect to anything required to be done on or after the commencement of this Act, a reference to the Institute; or</p>

(c) for any reference to an employee or officer of the Centre, not being a party to it and beneficially interested, there was substituted, with respect to anything required to be done on or after the commencement of this Act, a reference to that employee or officer of the Institute as the Institute shall designate.

(3) Where under this Act, any assets, rights, liabilities and obligations of the Centre are considered to be transferred to the Institute in respect to which transfer, a written law provides for registration, the Institute shall make an application, in writing, to the appropriate registration authority for the registration of the transfer.

(4) The registration authority referred to under subparagraph (3) shall make entries in the appropriate register that shall give effect to the transfer and, where applicable, issue to the transferee concerned a certificate of title in respect of the property or make necessary amendments to the register and shall endorse the deeds relating to the title, right or obligation concerned and no registration fees or other duties shall be payable in respect of the transaction.

5. (1) Any legal proceedings pending immediately before the commencement of this Act by or against the Centre may be continued by or against the Institute.

Legal  
proceedings

(2) After the commencement of this Act, proceedings in respect of any right, liability or obligation which was vested in, held, enjoyed, incurred or suffered by the Centre may be instituted by or against the Institute.

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