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**Provincial Gazette
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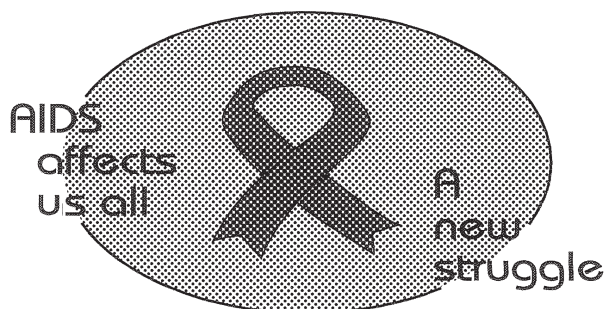
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GENERAL NOTICES • ALGEMENE KENNISGEWINGS**GENERAL NOTICE 700 OF 2025****OFFICE OF THE PREMIER OF MPUMALANGA****PUBLICATION OF MPUMALANGA RESEARCH AND INNOVATION INSTITUTE BILL,
2025 FOR PUBLIC COMMENTS**

I, **Mandla Padney Ndlovu**, in my capacity as Premier of the Province of Mpumalanga hereby publish, in accordance with Rule 164(1)(a) of the Rules and Orders of the Mpumalanga Provincial Legislature, the **Mpumalanga Research and Innovation Institute Bill, 2025**, for public comments.

Interested persons and institutions are invited to submit substantiated written submissions on the attached Bill to reach the Office of the Premier: Mpumalanga by no later than **26 September 2025**.

All submissions must be addressed to:


The Deputy Director-General: Policy Research, Performance Monitoring and Evaluation
Office of the Premier of Mpumalanga
Private Bag X11291
Mbombela
1200

Marked for the attention of: Ms I.N. Mashinini-Nkosi.

Ms. I.N. Mashinini-Nkosi can be contacted at:

Tel: (013) 766 2318

Email: INMashinini-Nkosi@mpg.gov.za



Mr. M.P. Ndlovu
Premier of the Province of Mpumalanga
DATE: 26/08/2025

PROVINCE OF MPUMALANGA

**MPUMALANGA RESEARCH AND INNOVATION INSTITUTE BILL,
2025**

AS APPROVED BY THE MPUMALANGA EXECUTIVE COUNCIL ON 29 JULY 2025
FOR PUBLICATION FOR PUBLIC COMMENTS

MPUMALANGA RESEARCH AND INNOVATION INSTITUTE BILL, 2025

To provide for the establishment of the Mpumalanga Research and Innovation Institute; to determine the powers and functions of the Mpumalanga Research and Innovation Institute; the appointment of the members of the Board of the Mpumalanga Research and Innovation Institute; and to provide for matters connected therewith.

PREAMBLE

WHEREAS the Mpumalanga Provincial Government has established partnerships with the Universities of Mpumalanga, Pretoria and the Witwatersrand as well as the Tshwane University of Technology;

AND WHEREAS the Mpumalanga Provincial Government has identified the need to develop structures, processes and interventions to connect Government to academic expertise and to assist academic specialists to interact with decision-makers if their work has policy implications;

AND WHEREAS enhanced planning, management and co-operative Government relies on improved data, research, innovation, information, analysis and reflective evaluation essential to the setting of clear strategic agendas shared across the three spheres of Government and between Government and its civil society and business partners;

AND WHEREAS the Mpumalanga Provincial Government has resolved to attain these objectives through the establishment of a dedicated Provincial research institute;

BE IT THEREFORE ENACTED by the Mpumalanga Provincial Legislature as follows:

1. Definitions. (1) In this Act, unless the context otherwise indicates -

“Board” means the Mpumalanga Research and Innovation Institute Board established in terms of section 4;

“Chairperson” means a person appointed as Chairperson or acting Chairperson in terms of section 4(1)(a);

“committee” means a committee of the Board appointed in terms of section 21;

“Constitution” means the Constitution of the Republic of South Africa, 1996;

“Executive Council” means the Executive Council of the Province as referred to in section 132 of the Constitution;

“financial year” means the period commencing on the first day of April in any year to the thirty-first day of March in the ensuing year, both days inclusive;

“functionary” means any person or entity performing a function;

“Government” means the Mpumalanga Provincial Government;

“Institute” means the Mpumalanga Research and Innovation Institute established by section 2;

“Member” means a Member of the Board as contemplated in section 4(1) and includes a temporary Member;

“Premier” means the Premier of the Province referred to in section 125 of the Constitution;

“Province” means the Province of Mpumalanga as referred to in section 103(1)(f) of the Constitution, or any part thereof;

“Provincial Gazette” means the *Provincial Gazette* of the Province;

“Provincial Legislature” means the Provincial Legislature of the Province as referred to in section 104 of the Constitution;

“Provincial research entities” means entities that provide unique and substantial infrastructure, capabilities and services for competitive research, innovation and human capacity development and which have been designated as such in terms of section 2;

“research” means the generation, preservation, augmentation and improvement of knowledge by means of scientific investigations and methods.

(2) Where in this Act any functionary is required to take a decision in consultation with another functionary, such decision must require the concurrence of such other functionary.

2. Mpumalanga Research and Innovation Institute and Provincial research entities.

(1) The Mpumalanga Research and Innovation Institute is hereby established as a juristic person.

(2) Any research entity in the Province may apply, by submitting a detailed motivation, in writing, to the Chief Executive Officer of the Institute, to be designated as a Provincial research entity.

(3) The Premier may, in consultation with the Institute, by notice in the *Provincial Gazette*, identify and designate a research facility situated in the Province, as a Provincial research entity under the auspices of the Institute, which designation may render such research entity eligible to receive grant funding from the Institute.

(4) The Premier may, after consultation with the Institute and subject to the provisions of the Promotion of Administrative Justice Act, 2000, by notice in the *Provincial Gazette*, withdraw any designation contemplated in subsection (3).

3. Objectives and functions of Mpumalanga Research and Innovation Institute. (1)

The objectives and functions of the Institute are to –

- (a) conduct research itself;
- (b) promote, advance and support the development of appropriate human and research capacity and research infrastructure within the Province;
- (c) obtain funds for research, both locally and abroad, if required;

- (d) promote multidisciplinary and transdisciplinary collaboration in respect of innovation and research;
 - (e) provide financial support for the acquisition or establishment of Provincial research infrastructure at Provincial research entities;
 - (f) promote the transfer of technology and the implementation of research results and findings within the Province;
 - (g) facilitate and promote Provincial, National and International scientific exchange and collaboration between Provincial researchers and Provincial research entities;
 - (h) disseminate Provincial research or innovation through any medium;
 - (i) monitor and evaluate the operation of Provincial research entities;
 - (j) investigate and assess the need for new or additional Provincial research entities or the withdrawal of the designation of an existing Provincial research entity, and make recommendations to the Premier;
 - (k) support qualifying Provincial research entities, as and when required;
 - (l) promote the provision of information infrastructure linking Provincial research entities to facilitate cooperation and sharing of research information and knowledge;
 - (m) compile and maintain a Provincial registry of all research projects conducted, funded or initiated by the Institute; and
 - (n) initiate liaison with structures involved in the protection of intellectual property rights.
- (2) The objectives of the Institute are to contribute to Provincial development by -
- (a) supporting, promoting and advancing research and human capacity development in the Province, through funding and the provision of the necessary research infrastructure, in order to facilitate the creation of knowledge, innovation and development in all fields of science and technology, including humanities, social sciences and indigenous knowledge;
 - (b) supporting and guiding Provincial research entities;
 - (c) supporting and promoting public awareness of, and engagement with, research and innovation; and
 - (d) promoting the development and maintenance of a Provincial research and innovation system in support of the Provincial Government priorities.
- (3) In order to achieve its objectives, the Institute may -
- (a) allocate funds or award grants, contracts, scholarships or bursaries to individual or juristic persons or Provincial research entities -
 - (i) for research;
 - (ii) for research infrastructure;
 - (iii) for human capacity development or related activities; and

- (iv) coordinate relevant Provincial research entities and targeted science advancement and outreach activities;
 - (b) cooperate, by entering into agreements, with any person, institution, government or administration;
 - (c) review research proposals and results of Provincial research entities; and
 - (d) generally, do everything which is necessary to achieve its objectives.
- (4) In addition to its other functions in terms of this Act, the Institute must -
- (a) undertake or procure, subject to section 20, the undertaking of any research relating to its objectives as the Premier may assign to it; and
 - (b) advise the Premier and, if so required, any Member of the Executive Council, through the Premier, with regard to research or potential future research relating to their respective portfolios.

4. Composition of Board. (1) The members of the Board of the Mpumalanga Research and Innovation Institute shall be appointed by the Premier in consultation with the Member of the Executive Council responsible for finance in the Province, and shall consist of no less than 11 and not more than 15 members consisting of -

- (a) a chairperson, designated by the Premier from amongst the Members of the Board referred to in paragraphs (c), (d), (e) and (f), who shall be a person with applicable knowledge or experience with regard to matters connected with the functions of the Board;
- (b) a deputy Chairperson, designated by the Premier from amongst the Members of the Board referred to in paragraphs (c), (d), (e) and (f);
- (c) six members of academia representing Higher Education Institutions with a presence in the Province;
- (d) three members designated by the Provincial Executive Committee of the South African Local Government Association;
- (e) one member from organized business in the Province;
- (f) one member from the Mpumalanga House of Traditional Leaders; and
- (g) two officials representing the Office of the Premier and designated by the Director-General, in writing:

Provided that at least one of the members of the Board must be legally qualified.

(2) The Board shall, in respect of the exercise and performance of its powers and functions in terms of this Act, be accountable to the Premier.

(3) The chief executive officer of the Institute shall, *ex officio*, be a member of the Board, but he or she shall have no voting rights at meetings of the Board.

(4) The Director-General in the Office of the Premier shall, *ex officio*, be a member of the Board, but he or she shall have no voting rights at meetings of the Board.

(5) The Board shall, subject to section 9 of the Constitution, be broadly representative of the South African Community.

5. Qualifications for Membership of Board. The Members shall be –

- (a) fit and proper persons;
- (b) South African citizens; and
- (c) persons who have sufficient knowledge of, or experience in research and innovation in respect of scenario planning, legal, spatial planning, finance, international trade, business, politics, organized labour, economics, sociology, technology, science, demographics or development in general.

6. Procedure for appointment. (1) The Premier, in consultation with the Executive Council shall, subject to the provisions of subsection (2) and the provisions of section 5, determine and appoint the Members of the Board.

(2) The Premier shall invite the relevant entities contemplated in section 4, to nominate persons to be considered for appointment as members of the Board.

(3) The Premier may, in the event of a vacancy on the Board, and with due regard to section 5, appoint a temporary Member of the Board until such vacancy has been duly filled as contemplated in subsection (2): Provided that the term of office of any such temporary Member may not exceed a period of three months in respect of any specific vacancy on the Board.

(4) The Premier may, in the event of all the positions on the Board being vacant, and with due regard to section 5, appoint temporary Members to constitute an interim Board until such vacancies have been duly filled as contemplated in subsection (2): Provided that the term of office of such interim Board may not exceed a period of six months.

7. Disqualification. Notwithstanding the provisions of section 4, 5 or 6, a person is disqualified from being appointed or remaining a Member if such person -

- (a) is or becomes a Member of the National Assembly or National Council of Provinces, any provincial legislature, municipality and with the exception of a member of the Board contemplated in section 4(1)(d), (g) and section 4(4), is in the full time employ of an organ of state;
- (b) is or becomes subject to a final order of court whereby his or her estate is sequestrated under the Insolvency Act, 1936 (Act No. 24 of 1936), or if his or her estate is sequestrated in terms of the laws of any other country or territory by a competent court or Institute of such country or territory, or if he or she has assigned his or her estate for the benefit of his or her creditors;
- (c) is or becomes subject to an order of a competent court declaring him or her to be of unsound mind or mentally disordered or defective;

(d) has been convicted of any offence in respect of which he or she was sentenced to imprisonment without the option of a fine for a period of not less than three months, irrespective of whether such imprisonment was wholly or partly suspended or not, unless he or she has received a grant of amnesty or a free pardon, or unless the period of such imprisonment or suspension has expired at least ten years before the date of his or her appointment as Member;

(e) is, in terms of the Companies Act, 2008, ineligible or disqualified from being a director of a company.

8. Resignation and removal from office. (1) A Member may at any time resign from the Board upon one month's written notice tendered to the Premier who shall forthwith inform the Executive Council and the Board accordingly.

(2) Notwithstanding the provisions of section 11, but subject to the provisions of subsection (3) of this section, the appointment of any Member may, before the expiration of a Member's term of office, be terminated by the Premier, in consultation with the Executive Council -

(a) on account of his or her improper conduct;

(b) on account of unfitness for the functions of his or her office;

(c) on the ground of a permanent infirmity of mind or body which renders him or her incapable of discharging the functions of his or her office or discharging them properly; or

(d) that he or she is or has become disqualified in terms of section 7.

(3) Notwithstanding the provisions of section 4, 5 or 6 and subsection (2) of this section, a person's appointment as Member may be terminated by the Premier, in consultation with the Executive Council, if such person has been absent from two consecutive meetings of the Board without prior consent of the Chairperson.

(4) The Premier may not terminate the appointment of a Member in terms of subsection (2) or (3) unless the Premier, after having afforded the relevant person an opportunity to state his or her case and having duly considered the matter, including any representations made, explanations given or evidence tendered by such person, is satisfied that the termination of his or her appointment is justified in the circumstances.

(5) For the purposes of subsection (2)(a), non-compliance by a Member with any provision of this Act, *inter alia*, constitutes improper conduct.

9. Vacancies on Board. (1) The office of an appointed Member becomes vacant -

(a) when he or she dies;

(b) when his or her written resignation becomes effective;

(c) when his or her appointment is terminated in terms of section 8 or this section; or

(d) if he or she is absent from three consecutive meetings of the Board without the prior consent of the Chairperson.

(2) Subject to section 4(1), a vacancy on the Board shall be filled in accordance with sections 4, 5 and 6 by the appointment of another Member as soon as may be reasonably practicable after the occurrence of such vacancy, and any Member so appointed remains in office for the unexpired portion of his or her predecessor's term of office: Provided that such portion shall not be regarded as a term of office as contemplated in section 11(2).

10. Chairperson and Deputy Chairperson. (1) The Chairperson shall exercise and perform the powers and functions assigned to him or her by this Act.

(2) The Chairperson shall preside at all meetings of the Board.

(3) Whenever the Chairperson is absent, the powers, rights and functions of the Chairperson shall be exercised and performed by the Deputy Chairperson and in the absence of both the Chairperson and the Deputy Chairperson, by a Member designated for that purpose, from among its number, by the Board: Provided that if the office of Chairperson is vacant or the Chairperson refuses or fails to act, the Deputy Chairperson shall perform the powers, rights and functions of the Chairperson until a new Chairperson has been appointed as contemplated in subsection (1).

11. Terms and conditions of office of Member. (1) The term of office of a Member eligible to vote at Board meetings shall be for a period not exceeding five years.

(2) Upon the expiration of the term of office of an appointed Member as contemplated in subsection (1), he or she is eligible for re-appointment: Provided that no term of office of a Member may be extended or a Member be reappointed without fully complying with the procedure for appointment as contemplated in section 6: Provided further that the total period of such terms of office of a Member may not exceed ten years.

(3) A Member holds office on such conditions as to the remuneration, allowances and benefits as the Premier, in consultation with the Executive Council, may from time to time determine in accordance with the relevant applicable National prescripts.

(4) The appointed Members are entitled to be reimbursed for any travelling and subsistence expenses reasonably incurred by them in connection with the performance of their functions as such Members and may for that purpose be paid such allowances as determined by the Premier as contemplated in subsection (3).

12. Meetings of Board. (1) The first meeting of the Board shall be held at a place and time determined by the Chairperson, and subsequent meetings of the Board shall be held on such dates and at such times and places as may be determined by resolution of the Board or, failing such a resolution, as may be determined by the Chairperson.

(2) The Chairperson –

(a) may at any time call for a special meeting of the Board if it is justified under the circumstances; and

(b) shall, upon having been presented with a request for that purpose signed by at least two Members, or signed by the Premier and stating the purpose for which a special meeting is to be convened, forthwith call for a special meeting of the Board, and if the Chairperson fails to convene a special meeting within seven days as from the date of

such request, such two Members, or a Member on behalf of the Premier may, on the expiration of such seven days, convene a special meeting of the Board.

(3) Notice of every meeting of the Board shall state the business to be addressed at such meeting and shall be given to all the Members in such reasonable manner and form as the Board may from time to time determine.

(4) The quorum of the Board at a Board meeting shall be at least 51 per cent of the total number of Members.

13. Decisions of Board and voting powers of Chairperson. (1) A decision agreed upon by the majority of the Members present at any meeting of the Board, subject to section 12(4), constitutes a decision of the Board to be known as a resolution.

(2) In the event of an equality of votes regarding any matter put to the vote, the Chairperson has a casting vote in addition to his or her deliberative vote.

(3) No decision of the Board or an act on the authority of the Board, is invalid merely due to a vacancy on the Board or because any person who is not entitled to take a seat as Member, took a seat as a Member when the decision was taken or the act was authorised, if such decision was taken or the act was authorised by the required majority of the Members who were then present and who were entitled to take seats as Members.

(4) The Board shall cause a record to be kept of the proceedings of any meeting thereof and the Premier may at any reasonable time require that such record be submitted to him or her, for perusal.

(5) Whenever any matter to be dealt with by the Board is of such a nature that it requires the immediate and urgent attention of the Board and it is not possible for the Board to meet in order to attend to such matter, all relevant documentation pertaining to such matter shall forthwith be made available to each Member for consideration.

(6) Any matter as referred to in subsection (5) and agreed upon in writing by a simple majority of the Board will, subject to subsection (7), be a resolution of the Board.

(7) Any resolution as contemplated in subsection (6) shall be ratified by the Board at its next ensuing meeting and shall be so recorded.

14. Duty of Members to disclose interest. (1) A Member who has or acquires any direct or indirect financial interest in any matter contemplated in section 3 which has been referred to the Board for advice or research or on which the Board advises or causes research to be conducted, shall forthwith disclose to the Board, in writing, full particulars relating to the nature and extent of such interest and such Member shall further recuse himself or herself from any deliberation during a meeting of the Board from which he or she may potentially derive any direct or indirect financial benefit and he or she may not vote as a Member of the Board on any such matter.

(2) A Member who is interested in a proposed contract which the Government considers entering into or becomes interested in a contract after it has been entered into by the Government, shall disclose to the Board full particulars relating to the nature and extent of his or her interest in accordance with the provisions of subsection (3) or (5), as the case may be.

(3) A Member referred to in subsection (2) who is interested in such a proposed contract shall -

- (a) if the proposed contract is or is to be considered at a meeting of the Board, disclose his or her interest prior to such meeting by way of a written notice to the Board or otherwise table such a notice at the meeting; or
- (b) if the proposed contract is not to be considered at a meeting referred to in paragraph (a), disclose his or her interest by way of a written notice to the Board within seven days as from the day on which he or she first became aware of the proposed contract or, if it has already been entered into, in the contract:

Provided that a written notice given by a Member to the effect that he or she has an interest in a particular undertaking and is to be regarded as interested in every contract which may be entered into with such undertaking during a period specified in the notice, is for the purposes of this subsection deemed to be sufficient disclosure of interest with respect to all contracts entered into by the Government with such undertaking during the specified period, provided further that -

- (i) full particulars relating to the nature and extent of such a Member's interest in such undertaking are set out in the notice; and
- (ii) the extent of such a Member's interest in such undertaking is at the time when a contract is entered into by the Government with the undertaking, not greater than is set out in the notice.

(4) A Member referred to in subsection (2) shall recuse himself or herself from the meeting of the Board during the discussion of the contract in which he or she has an interest and may not take part in any vote in connection with any such discussion or contract or influence or seek to influence any Member as regards such Member's vote or participation in discussions in respect of such contract.

(5) A Member who becomes interested in a contract after it has been entered into by the Government shall disclose his or her interest by way of a written notice to the Board within seven days as from the day on which he or she became so interested.

(6) The Government may hold a Member personally liable for any losses or damage suffered by the Government, resulting from such Member's non-compliance with subsection (2), (3), (4) or (5) in respect of a contract which was entered into by the Government.

(7) A disclosure of interest referred to in subsection (1), (2) or (3) shall, as soon as possible be recorded in the minutes of the appropriate meeting of the Board.

(8) No loan shall be made out of the funds of the Board, or from any other funds administered by the Board, to a Member.

(9) Any disclosure as contemplated in either subsection (1), (2) or (3) shall forthwith be reported by the Chairperson to the Premier, in writing.

15. Delegation of powers. (1) The Board may, subject to such conditions as it may determine, in writing delegate any power or function conferred or imposed upon it under this Act, except the powers or functions conferred or imposed upon it under section 13 or this section, to -

- (a) the Chairperson; or
- (b) a committee of Members.

(2) A delegation under subsection (1) shall not prevent the Board itself from exercising the power or performing the function concerned.

16. Staff of the Institute. (1) The Institute shall, subject to the directions and control of its Board, be assisted in the exercise of its powers and the performance of its functions under this Act, by –

- (a) a suitably qualified and experienced person with a proven record of conducting, leading and evaluating research as Chief Executive Officer, who is *mutatis mutandis* subject to section 7, appointed by the Board in consultation with the Premier for such period and on such terms and conditions as the Board may determine or seconded in terms of subsection (3), for the purpose of assisting the Board in the performance of all financial, administrative and clerical responsibilities pertaining to the functions of the Institute, and shall in respect thereof be accountable to the Board: Provided that the Chief Executive Officer may be so appointed for a period not exceeding five years and upon the expiration of his or her term of office, he or she is eligible for re-appointment; and
- (b) such staff, appointed by the Chief Executive Officer or seconded in terms of subsection (3), as may be necessary to enable the Institute to perform its functions: Provided that a person shall not be appointed by the Chief Executive Officer in terms of this paragraph or remain a member of the staff of the Institute if he or she is *mutatis mutandis* subject to any disqualification as referred to in section 7.

(2) The Chief Executive Officer and staff appointed by the Chief Executive Officer in terms of subsection (1) shall be paid from the funds of the Institute, such remuneration and allowances and shall receive such other employment benefits and be appointed on such terms and conditions and for such periods, as the Board, in consultation with the Premier must determine: Provided that the Premier may, from time to time, determine by prior Notice in the *Provincial Gazette* the upper limit of the remuneration, allowances and benefits of the Chief Executive Officer in consultation with the Member of the Executive Council responsible for financial matters: Provided further that subsequent to the consultation, the Premier shall obtain Executive Council approval for such determination.

(3) The Institute may, in the exercise of its powers and the performance of the functions contemplated in subsection (1), at its request and after consultation with the Premier, be assisted by employees of any organ of state seconded to the service of the Institute in terms of any law regulating such secondment.

(4)(a) Any function or power which the Board may perform or exercise in terms of this Act may be delegated, whether generally or specifically, to the Chief Executive Officer, a committee of the Board, or any other member of the staff of the Institute.

(b) Any delegated function so performed or delegated power so exercised shall be deemed to have been performed by the Board.

(5) Whenever the office of the Chief Executive Officer is vacant or the Chief Executive Officer is incapacitated or refuses or fails to act, the powers, rights and functions of the Chief Executive Officer shall be exercised and performed by any person designated as the acting Chief Executive Officer by the Board in consultation with the Premier: Provided that no such

person shall be the acting Chief Executive Officer for a period exceeding six months.

(6) While a person designated as contemplated in subsection (5), so acts, he or she shall have the powers and discharge the functions of the Chief Executive Officer.

(7) No person in the employ of the Mpumalanga Provincial Government will be deprived of his or her employment status under the Public Service Act, 1994, solely as a consequence of the coming into operation of the Mpumalanga Research and Innovation Institute Act, 2025.

17. Funding of the Institute. The Institute may be funded by the Government with such moneys as may be appropriated by the Provincial Legislature, after consideration of the information, duly submitted by the Institute to the Premier, before or on 30 September of every year in respect of the ensuing financial year.

18. Revenue of the Institute. For the purposes of achieving its objectives, exercising its powers and performing its functions, the Institute shall utilise as its revenue -

- (a) fees and other moneys received or raised by it under the provisions of this Act or any other law;
- (b) such moneys as may be appropriated by the Provincial Legislature for the exercise of the powers and the performance of the functions conferred or imposed upon the Institute in terms of this Act or any other law;
- (c) donations, grants and bequests received by it from the public: Provided that conditional donations, grants or bequests shall be accepted by the Institute, only after having obtained prior written approval from the Premier;
- (d) any other money which may accrue or be appropriated to it, or which may be placed at its disposal from any other source whatsoever.

19. Appropriation of income and property. The moneys appropriated by the Provincial Legislature to the Institute as contemplated in section 17, shall be utilized in accordance with such appropriation and all other income of the Institute, shall be utilised exclusively for the achievement of its objectives and in accordance with the provisions of this Act.

20. Procurement. The procurement of any supply or service, or hiring or letting of anything or acquiring or granting of any right or acquiring or disposing of any asset for or on behalf of the Institute, shall be effected in strict accordance and compliance with the procurement prescripts applicable to Government.

21. Committees of Board. (1) The Board may establish committees, with the power to co-opt other persons, for the purpose of assisting it with the due and proper exercise and performance of any of its powers and functions in terms of this Act, and may likewise dissolve, extend, enlarge or limit any committee so established.

(2)(a) A committee established under subsection (1), consists of no fewer than three Members designated by the Board being suitable and appropriately qualified or experienced regarding matters relating to the functions of the committee in question.

(b) The Board shall designate a Member serving on a committee as the chairperson of such committee.

(3) A co-opted member of a committee serves in an advisory capacity, and may not vote at any meeting of such committee.

(4) Prior to co-opting any person as contemplated in subsection (1), the Chairperson shall first obtain the written approval of the Premier, confirming the reasons for the envisaged co-opting of any such person, the personal particulars and level of expertise of any such person, the applicable remuneration level and the period of co-opting such person.

22. Power of Board to make rules and determine procedures. The Board may make internal rules and determine procedures regarding the holding of meetings of the Board and the holding of meetings of committees of the Board.

23. Bookkeeping and auditing. The Chief Executive Officer of the Institute shall ensure that proper records are kept of all moneys received or expended by the Institute, of all its assets and liabilities and of all financial transactions and contractual arrangements entered into by the Institute.

24. Reporting. (1) The Board shall submit to the Premier quarterly reports as well as an annual summary of such quarterly reports for inclusion in the Office of the Premier's annual report, in respect of the extent to which the Institute has achieved or advanced its objectives during the quarter concerned as well as any challenges experienced.

(2) The reports contemplated in subsection (1) must coincide with the Government's financial year.

25. Prohibition of use of name of Mpumalanga Research and Innovation Institute. No person, company or association of persons may carry on business under a name that is the same as or so closely resembles that of the Mpumalanga Research and Innovation Institute that is calculated to or is reasonably likely to deceive.

26. Transparency and confidentiality. (1) The Institute shall, subject to subsection (2) and the provisions of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), function in a transparent and open manner.

(2) No member of the Board or staff of the Institute or any other person except on the order of a court of law or on the instructions of the Premier, after prior written notice to the Institute and subject to section 14 of the Constitution, may disclose –

(a) any document or information or the identity of any person, which the Institute has determined not to be open to public inspection or to be divulged; and

(b) any document or information which has been furnished to the Institute by any regulatory or law enforcement authority on condition of confidentiality.

27. Offences and penalties. Any person who contravenes any provision of this Act, is guilty of an offence and liable to a fine as may be determined from time to time or imprisonment for a period not exceeding two years or to both such fine and imprisonment.

28. Short title and commencement. (1) This Act is called the Mpumalanga Research and Innovation Institute Act, 2025, and comes into operation on a date fixed by the Premier by notice in the *Provincial Gazette*.

(2) Different dates may be so fixed in respect of different provisions of this Act.

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