

Extraordinary



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NIGERIA PARA-MILITARY ACADEMY, IJEBU-IGBO (ESTABLISHMENT)

BILL, 2018

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A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN PARA-MILITARY ACADEMY, IJEBU-IGBO WITH POWER TO AWARD ITS OWN DEGREES IN ACCORDANCE WITH ACADEMIC STANDARDS PRESCRIBED BY THE NATIONAL UNIVERSITIES COMMISSION, AND FOR RELATED MATTERS

Sponsored by Hon. Adekoya Adesegun Abdel-Majid

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 PART I - ESTABLISHMENT OF THE NIGERIA PARA-MILITARY 2 ACADEMY, IJEBU-IGBO

3 1.-(1) There is established a body to be known as the Nigeria Para-
4 military Academy (In this Act referred to as "the Academy").

Establishment
of the Nigeria
Para-Military
Academy, Ijebu-
Igbo

5 (2) The Academy as a Para-military institution shall have the
6 power to award degrees, diplomas and certificates in accordance with the
7 highest academic standards as may be prescribed by the National
8 Universities Commission.

9 (3) The Academy:

10 (i) is a body corporate with perpetual succession and a common
11 seal;

12 (ii) shall have power to acquire and dispose of interests in
13 moveable and immovable property; and

14 (iii) may sue or be sued in its corporate name.

15 2.-(1) The objects of the Academy shall be to:

Objects of the
Academy

16 (a) provide each officer cadet with a broad, balanced curriculum,
17 consisting of para-military and academic training, general and professional
18 para-military education designed to serve as a foundation for his progressive
19 development as an officer in the para-military of Nigeria;

1 (b) develop in each officer cadet, a commitment to those moral
2 qualities required for leadership that are defined by the ideals of unity, honour
3 and service to the country;

4 (c) provide the necessary leadership training opportunities for the
5 officer cadet to help his capabilities and skills as a leader;

6 (d) develop in each officer cadet, the physical attributes and skill
7 necessary to meet the requirements of a commissioned officer;

8 (e) encourage the advancement of learning and hold out the
9 opportunity of acquiring higher education in liberal, scientific, engineering
10 and any other discipline to officer cadet of the para- military of Nigeria and
11 those of any other nations that the Federal Government of Nigeria, may, from
12 time to time, decide;

13 (f) prepare officer cadets to earn degrees in those disciplines which
14 are of special interest to the needs and aspirations of the Para- military
15 Academy of Nigeria.

Powers of the
Academy

16 **3.-(1)** For the purposes of carrying out the objects outlined in section 2
17 of this Act, the Academy shall:

18 (a) establish such campuses, colleges, faculties, institutions, schools,
19 facilities and extra-mural departments and other teaching and research units
20 within the Academy as may be necessary from time to time or desirable, subject
21 to the approval of the National Universities Commission;

22 (b) institute professorship, readership, lecturership, or other posts and
23 establish offices and make appointments as may be considered appropriate;

24 (c) institute and award fellowships, scholarships, exhibitions,
25 bursaries, medals, prizes and other titles, distinctions, awards and other forms
26 of recognition;

27 (d) be responsible for the discipline and welfare of members of the
28 Academy;

29 (e) refer matters relating to the discipline of para-military officers in
30 the Academy to the Internal Affairs Ministry for appropriate action;

- 1 (f) conduct examinations, award degrees, diplomas, certificates
2 and other distinctions to persons pursuing courses of studies approved and
3 that have satisfied the requirements prescribed by the Academy;
- 4 (g) conduct research in relevant fields of learning and other human
5 endeavours;
- 6 (h) engage top quality staff of international standard aimed at
7 creating a centre of excellence in mandate fields of study;
- 8 (i) do such other things as are considered necessary for the
9 development, maintenance and sustenance of a prestigious learning
10 institution to rank amongst the best institution in the world in support of the
11 attainment of the highest standard of professionalism for the Nigeria Para-
12 Military;
- 13 (j) undertake such other activities as are considered appropriate for
14 a degree-awarding Academy of the highest standard;
- 15 (k) withdraw from any cadet of the Academy, for good cause,
16 degree, diploma, certificate, fellowship, studentship, bursary, medal, prize
17 or other academic titles as deemed appropriate by the Academy;
- 18 (l) for the purpose of instructions, demand and receive from
19 students, except cadets from the Nigeria Para-military, such fees as the
20 Academy may from time to time determine;
- 21 (m) subject to the provisions of the Land Use Act, acquire, hold,
22 grant, charge or otherwise deal with or dispose of moveable and immovable
23 property wherever situate;
- 24 (n) accept gifts, legacies and donations, provided that the terms and
25 conditions attached to such gifts, legacies or donations are not inconsistent
26 with the objects and purpose for the establishment of the Academy;
- 27 (o) erect, provide, equip and maintain libraries, laboratories,
28 lecture halls, halls of residence, refectories, sports grounds, playing fields
29 and other buildings as are necessary for the carrying out of the objects of the
30 Academy;

1 (p) hold public and inaugural lectures, symposia and seminars;
2 (q) undertake printing, publishing and selling of books and journals;
3 (r) subject to any limitations or conditions imposed by Statute, invest
4 any moneys belonging to the Academy by way of endowment, whether for
5 general or special purposes or such other money as may not be immediately
6 required for current expenditure in any investments or securities in the
7 purchase or improvement of land, with power from time to time to vary any
8 such investments and to deposit any moneys for the time being not invested
9 with any approved bank on deposit or current account;

10 (s) borrow, whether on interest or not and if need be upon the security
11 of any of the property, moveable or immovable of the Academy, such money or
12 monies as the Council may from time to time require or expedient to borrow or
13 to guarantee any loan, advances or credit facilities;

14 (t) arrange for the general welfare of children of members of staff or
15 may donate for any charitable purpose;

16 (u) do such other things as may be required for the effective and
17 smooth running of the Academy; and

18 (v) do all such acts or things that are incidental to the attainment of the
19 powers listed in this section as are considered necessary to promote the objects
20 of the Academy.

Establishment
of Nigeria Para-
Military Academy
Council

21 4.-(1) There is established for the Academy a Council to be known as
22 the Nigeria Para-Military Academy Council (in this Act referred to as "the
23 Council") which shall initiate or approve the policy of the Academy and
24 accordingly, the Council may give the Academy directions on general or
25 specific matters.

26 (2) The Academy shall run a multi-campus system with the
27 headquarters at Ijebu-Igbo, Ogun State, Nigeria.

28 (3) The headquarters of the Academy shall provide joint and same
29 training in all courses to the students of the Academy in the first three years of
30 their four- year training programme while the last year of the training shall be

1 conducted in the individual training school of the para-military concerned.

2 **5.** The Council shall consist of:

Membership
of the Council

3 (a) The Minister of Defence who shall be the chairman;

4 (b) The Chief of Defence Staff;

5 (c) The Comptroller- General of Nigeria Customs Service;

6 (d) The Comptroller- General of Nigeria Immigration Services;

7 (e) The Comptroller-General of Nigeria Security and Civil
8 Defence Corps;

9 (f) Comptroller-General of Nigerian Prisons Services;

10 (g) The Commandant of the Academy;

11 (h) The Provost;

12 (i) The Permanent Secretary of the Ministry of Internal Affairs who
13 shall be a member and Secretary to the Council.

14 **6.-(1)** The Council shall:

Functions and
powers of the
Council

15 (a) exercise control and supervise the policy, finances and property
16 of the Academy;

17 (b) appoint the Provost, professors and other academic and
18 administrative staff, stipulate terms and conditions of their appointment,
19 determine the remuneration of the principal officers and other staff of the
20 Academy that are not para-military officers and scope of their
21 responsibilities;

22 (c) promote and discipline staff of the Academy that are not para-
23 military officers on the advice of the appropriate Committees;

24 (d) consider and approve the Academy's annual budget or
25 estimates, external auditor's report and any variation therein;

26 (e) approve recommendations for the appointment of emeritus
27 professors;

28 (f) appoint bankers, auditors or any other agent for the Academy;

29 (g) approve the statute of the Academy as may be required under
30 this Act;

	1	(h) ensure that income and expenditure account and any other
	2	accounts of the Academy are kept and audited annually by auditors appointed
	3	by the Council with the audit report submitted to the Council;
	4	(i) approve the academic programmes of the Academy; and
	5	(j) exercise all such powers as may be conferred on the Council by this
	6	Act or by the Statutes of the Academy.
	7	(2) The Council may delegate any of its powers or functions to any
	8	person or persons, authority or committee except for its powers to approve
	9	Statutes of the Academy.
	10	(3) Approve the creation of any Office, Department or Committee as
	11	may be considered necessary or expedient for the smooth running of the
	12	Academy.
Meetings of the Council	13	7. The Council shall meet as and when required for the performance
	14	of its functions under this Act and in accordance with the provisions of the First
	15	Schedule to this Act.
Tenure of a member of the Council of the Academy	16	8. The office of a member, of the Council, shall become vacant if:
	17	(a) he ceases to hold the office on the basis of which he became a
	18	member of the Academy; or
	19	(b) the President is satisfied that it is not in the interest of the Academy
	20	or of the public for the person to continue in office as a member of the Council
	21	of the Academy.
	22	PART II - PRINCIPAL OFFICERS AND OTHER STAFF OF THE ACADEMY
Appointment of the Commandant of the Academy	23	9.-(1) There shall be appointed for the Academy, a Commandant,
	24	whose appointment and removal from office shall be in accordance with para-
	25	military posting, and who shall be responsible to the Council for:
	26	(a) giving to the Council such information as to the activities of the
	27	Academy as the chairman of the Council may require;
	28	(b) authorising programmes and plans for giving effect to policy
	29	approved by the Council or to any direction of the Council, subject to all the
	30	powers in this section as may be delegated to him by the Council.

1 (2) The fact that any power has been delegated to the Commandant
2 pursuant to subsection (1) of this section shall not preclude the Council itself
3 from exercising them in any special case.

4 (3) the power referred to in subsection (2) of this section shall
5 include:

6 (a) the executive control over the para-military and civilian staff of
7 the Academy;

8 (b) the supervision of accounts and records;

9 (c) The preparation for approval of programmes and plans
10 necessary to carry into effect approved policy or any directive of the
11 Council;

12 (d) the interpretation of such policy to other staff of the Academy;

13 (e) the making of any staff recommendations to the Council; and

14 (f) the establishment of organisational structures, committees and
15 definitions of duties: Provided that nothing in this Act shall be deemed to
16 detract from the Para-military powers of command of the Commandant.

17 **10.**-(1) There shall be appointed for the Academy a Deputy
18 Commandant, whose appointment and removal from office shall be in
19 accordance with para-military posting, and who shall assist the
20 commandant in the running of the Academy in accordance with the
21 provisions of this Act.

Appointment of
the Deputy
Commandant of
the Academy

22 (2) In the absence of the Commandant, the Deputy Commandant
23 shall act.

24 **11.**-(1) There shall be appointed for the Academy, a Provost, by the
25 Council who shall, in relation to the Academy be accorded priority over all
26 other members of the Academy except the Chairman of the Council, the
27 Commandant and the Deputy Commandant.

Appointment
and tenure of the
Provost of the
Academy

28 (2) The Provost shall hold office for a term of five years and no
29 more.

30 (3) Subject to the provisions of this Act, the Provost of the

1 Academy shall be:
 2 (i) a professor;
 3 (ii) responsible for directing and coordinating the academic activities
 4 of the Academy;
 5 (iii) determine the dress code for the Academy;
 6 (iv) regulate the use of academic dress in the Academy; and
 7 (v) to the exclusion of any other person or authority, be the academic
 8 officer and chairman of the Academic Committee for the commissioning of
 9 cadets.

10 (4) The Provost shall be a member of the Council, Chairman of the
 11 Academic Committee, member of faculty boards, institutes or any committee
 12 appointed by any of those bodies under the Academy in this Act.

Procedure for
the appointment
of the Provost

13 **12.-(1)** The Provost of the Academy shall be appointed following an
 14 interview conducted for candidates of professorial rank by a committee of the
 15 Council, two persons representing the Academic Committee and the Registrar
 16 of the Academy serving as the secretary.

17 (2) The recommendations of the interview panel shall be presented to
 18 the Council and the Council shall in turn, deliberate and make the final decision
 19 on the candidate to be appointed as the Provost of the Academy.

Director of
Para-Military
Training

20 **13.** There shall be a Director of Para-military Training, who shall be
 21 the Chief Para-military Training Officer of the Academy and shall be
 22 responsible to the Commandant, for the day-to-day training relating to Para-
 23 military subjects.

Cadet Brigade
Commander

24 **14.** There shall be a Cadet Brigade Commander, who shall be
 25 responsible to the Commandant for the overall administration, welfare,
 26 discipline, and moral development and grooming of the gentlemen cadets.

Director of
Administration

27 **15.** There shall be a Director of Administration, who shall be the chief
 28 administrative officer of the Academy and be responsible to the Commandant,
 29 for the day-to-day administrative work of the Academy, except as regard those
 30 for which the Provost and the Director of Finance are responsible, in

1 accordance with Paragraphs 1 and 7 of this Schedule.

2 **16.** There shall be a Director of Logistics who shall be the Chief
3 Logistic Officer of the Academy and shall be responsible to the
4 Commandant for overall logistic support and maintenance.

Director of
Logistics

5 **17.**-(1) There shall be for the Academy, a Registrar, who shall be
6 responsible to the Commandant for the day to day administration of the
7 affairs of the Academy other than financial affairs of the Academy.

Registrar of the
Academy

8 (2) The Registrar shall, by virtue of that office be the secretary to
9 the Council, the Academic Committee, the Academic Committee for
10 commissioning of cadets and shall carry out any other function as may be
11 conferred on him under this Act or by the Council.

12 **18.** There shall be for the Academy, a Bursar who shall be the chief
13 financial officer of the Academy and shall be responsible to the
14 Commandant for the day to day administration and control of the financial
15 affairs of the Academy.

Bursar of the
Academy

16 **19.** There shall be for the Academy, a Librarian who shall be
17 responsible to the Provost of the Academy for the day to day administration
18 of the Academy Library and coordination of all library services in the
19 Academy and its campuses, faculties, schools, departments and other
20 teaching and research units under the Academy.

Librarian of the
Academy

21 **20.** The Registrar, Bursar and Librarian shall be appointed for the
22 Academy by the Council for a term of four years renewable for another term
23 of four years subject to their satisfactory performance and no more.

Appointment
and tenure of
the Registrar,
Bursar and
Librarian of the
Academy

24 **21.** The principal officers specified under this Part shall be
25 appointed on such terms and conditions as may be specified in their
26 respective instrument of appointments.

Remuneration
of principal officers

27 **22.** Any officer referred to in the provisions of this Act may resign
28 his office-

Resignation of
appointment

29 (a) In line with Para-military tradition; or

30 (b) If a civilian, by notice to the Council, through the Commandant.

Appointment
of other staff
of the Academy
and Non-Academy
Staff of the
Academy

1 (1) Subject as may be otherwise specified a person who has ceased to
2 hold an office so mentioned otherwise than by removal for misconduct, shall be
3 eligible for re-appointment to that office.

4 **23.**-(1) An interview panel to interview candidates, not above the
5 grade of Senior Lecturer or equivalent shall be constituted, consisting of -

6 (a) the Deputy Commandant who shall be the chairman;

7 (b) the Academy Provost;

8 (c) the Deans and Directors of the relevant faculties;

9 (d) the Heads of the Departments concerned, except that if the Head of
10 Department is himself a candidate, he shall not serve on the interview panel;

11 (e) the Academy Registrar, who shall be the Secretary of the interview
12 panel;

13 (f) at least two persons recommended by the Dean to the Provost and
14 such person must have knowledge of the subject or field in respect of which
15 candidates are being assessed or interviewed, and must not be of lower status
16 than that of the post being interviewed for.

17 (2) For the purpose of filling any vacancies occurring in the post of
18 Professor or Reader, the Academy Committee set up under Article 6 (1) of this
19 Statute, shall sit as a Selection Board, to select and recommend to the Academy
20 Board, suitable persons to fill the vacant posts.

21 (3) The Academic Committee, when sitting as a Selection Board,
22 under paragraph 2 of this Article, shall consist of-

23 (a) the Commandant;

24 (b) the Deputy Commandant;

25 (c) the Provost;

26 (d) the Dean and Directors of the Faculty of the teaching unit
27 concerned;

28 (e) the Heads and Directors of the College concerned;

29 (f) four members of the Academy Board appointed by the Board, at

1 least two of whom shall be members of the staff of the Faculty or academic
2 unit concerned;

3 (g) two other persons who are not members of the academic staff,
4 appointed, from time to time, by the Academy Board; and

5 (h) the Registrar who shall be the Secretary.

6 (4) Each Selection Board shall have the power to interview
7 candidates directly.

8 **24.**-(1) For the Para-military Officer serving in the Academy, the Service in the
9 existing law on pension for such para-military officer shall apply. Academy to be
pensionable

10 (2) Service in the Academy shall be approved service for purposes
11 of the Pension Reform Act and accordingly employees of the Academy
12 shall, in respect of their services, be entitled to pensions and other retirement
13 benefits as are enjoyed by persons holding equivalent offices in the Public
14 Service of the Federation.

15 (3) Notwithstanding the provisions of subsection (1) of this section
16 nothing in this Act shall prevent the appointment of a person to any office on
17 terms which preclude the grant of pension in respect of that office.

18 PART III - FINANCIAL PROVISIONS

19 **25.**-(1) The Academy shall establish and maintain a fund into Fund of the
20 which monies shall be paid and credited: Academy

21 (a) take off grants, annual subventions and budgetary allocations
22 received from the Government of the Federation;

23 (b) such monies as may be appropriated to the Academy from time
24 to time by the National Assembly;

25 (c) such monies as may from time to time, be lent, deposited with or
26 granted to the Academy by the Government of the Federation, States or local
27 governments;

28 (d) grants, gifts or donations from international organizations and
29 donor agencies;

30 (e) fees charged in accordance with the provision of section 3(1) of

	1	this Act; and
	2	(f) all other funds which may, from time to time, accrue to the
	3	Academy.
	4	(2) The fund established pursuant to subsection (1) of this section
	5	shall be managed in accordance with extant Financial Regulations applicable
	6	in the Public Service of the Federation.
Power to accept gift	7	26. -(1) The Academy may accept gift of land, money or other
	8	property on such terms and conditions, if any, as may be specified by the person
	9	or organisation making the gift.
	10	(2) The Academy shall not accept any such gift, if the term or
	11	condition attached by the person or organisation making the gift is inconsistent
	12	with the provisions of this Act.
	13	(3) All property, money or funds donated for any specified purpose
	14	shall be applied and administered in accordance with the purpose for which
	15	they were donated and shall be accounted for separately.
	16	(4) Any money withdrawn from the account established in sub-
	17	section (1) of this section shall be applied for the purposes of the Academy.
Annual budget	18	27. The Academy shall cause to be prepared annually a budget
	19	showing the estimate of income and expenditure of the Academy for the
	20	ensuing financial year and shall submit the estimate to the Council not later
	21	than three calendar months preceding the financial year, or such earlier date as
	22	the Council may approve.
Accounts and audit	23	28. -(1) The financial year of the Academy shall commence on the 1st
	24	day of January of each year and end on the 31st day of December of the same
	25	year or any such time as may be prescribed by financial regulations issued by
	26	the Federal Government of Nigeria from time to time.
	27	(2) The Academy shall keep proper accounts and records of its
	28	receipts, payments, assets and liabilities in respect of each year manually and
	29	electronically and shall:
	30	(a) cause the accounts to be audited, within three months from the end

1 of each financial year, by auditors appointed from the list and in accordance
2 with guidelines supplied by the Auditor-General of the Federation; and

3 (b) prepare a Statement of Account in respect of each year in such
4 form and manner as may be approved by the Federal Government of Nigeria
5 from time to time.

6 (3) An auditor appointed pursuant to subsection (2) of this section
7 shall have access to all accounts and other records relating to such accounts
8 as are kept by the Academy and shall have the power to require from any
9 staff of the Academy such information and explanation as in the auditor's
10 opinion are necessary for the purpose of the audit.

11 (4) The Audited accounts and records of the Academy shall be
12 submitted to the Council for consideration and subsequently forwarded to
13 the Auditor-General of the Federation.

14 **29.** The Council shall cause to be prepared an Annual Report, Annual Report
15 which shall include the audited accounts of the Academy for the previous
16 financial year and a statement of its assets and liabilities as at the last day of
17 the financial year.

18 **30.** All monies received on account of the Academy shall be paid Bank Account
19 into such banks as may be approved to be opened for the Academy by the
20 Councillor such other monies as the Council may deem fit.

21 PART IV - TRANSFER OF PROPERTY TO THE ACADEMY

22 **31.** All property held by or on behalf of the Academy by any Transfer of
23 provisional council, planning and implementation committee or any interim property to the
24 body by whatsoever name called, shall by virtue of this section and without Academy
25 further assurances vest in the Academy such property.

26 **32.** All landed property of the Academy shall not be disposed of or Restriction on
27 charged except with the resolution of the Council. disposal of
landed property

28 **33.** For the purposes of the Land Use Act which provides for the Compulsory
29 compulsory acquisition of land for overriding public interest, any acquisition of
land
30 requirement of land by the Academy shall be deemed to be for the public

1 interest of the Federation.

2 *[CAP LS, L.F.N 2004]*

3 PART V - GENERAL PROVISIONS

Visitation

4 **34.**-(1) The Visitor may, as circumstances require, not being less than
5 once in every five years, conduct a visitation to the Academy or cause a
6 visitation to the Academy to be conducted by such persons as the Visitor may
7 appoint to visit the Academy to look into any of the affairs of the Academy
8 where the need arises.

9 (2) It shall be the duty of the bodies and persons comprising the
10 Academy:

11 (a) to make available to the Visitor and to other persons conducting a
12 visitation in pursuance to this section, such facilities and assistance as may be
13 reasonably required for the purposes of a visitation; and

14 (b) to comply with any instructions that is consistent with the
15 provisions of this Act, which may be directed by the Visitor in consequence of a
16 visitation.

Commissioning
of Cadets

17 **35.**-(1) A cadet shall be commissioned by the Order of the President
18 after satisfying all military and academic requirements as provided in this Act.

19 (2) Any cadet withdrawn before commissioning on disciplinary
20 grounds or such other grounds except on medical or compassionate reasons
21 shall not be granted the use of the Academy degree certificate or transcript, as
22 the case may be.

Union activities

23 **36.**-(1) No civilian personnel employed in any capacity, whether or
24 not a member of a trade union, shall engage or take part in any union activities.

25 (2) Any civilian personnel who contravenes the provisions of
26 subsection (1) of this section is guilty of an offence and liable on convocation to
27 a fine of not less than N50,000.00 or more than N100,000.00 or to
28 imprisonment for a term of not less than six months or to both such fine and
29 imprisonment.

37.-(1) Cadets shall not be required to satisfy the requirements as to race, including ethnic grouping, sex, place of birth or family origin, religious or political persuasion, as a condition of becoming or continuing to be a cadet at the Academy, the holder of any degree of the Academy or of any appointment or employment at the Academy or a member of anybody established pursuant to any of the provisions of this Act.

Exclusion of
discrimination
on account of
race, religion, etc.

(2) A person shall not be subjected to any disadvantage or accorded any advantage, in the Academy, by reference to any of the matters specified in subsection (1) of this section.

10 **38.** A policy initiated in any way, other than as provided for in
11 section 4 of this Act, shall not be implemented without prior reference to and
12 approval of the Council.

Implementation of policies

13 PART VI - MISCELLANEOUS

14 **39.-(1)** Bodies established under this Act, shall have power to
15 constitute committees consisting of members of that body and, subject to the
16 provisions of section 6 of this Act, authorise a committee established by it to
17 exercise on its behalf, such of its functions as may be delegated to the
18 committee.

Establishment
of committees,
etc.

(2) Subject to subsection (1) of this section, any two or more of the bodies established by this Act, may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.

(3) Except as may be otherwise provided under this Act, statute or regulations, the quorum and procedure of any committee or subcommittee established under this Act shall be such as may be determined by that body.

28 (4) Nothing in subsections (1), (2) and (3) of this section shall be
29 construed as enabling the:

30 (a) Council to empower any other body to make Statute: or

	1	(b) Commandant to empower any other body to make regulations or
	2	to award degree or other qualification of the Academy.
The seal of the Academy	3	40. -(1) The seal of the Academy shall be such as may be administered
	4	by the Council and the fixing of the seal of the Academy shall be signed by the
	5	Commandant and the Registrar.
	6	(2) Academic Certificates issued by the Academy shall have the
	7	Academy seal fixed and signed by the Provost of the Academy and the
	8	Registrar.
	9	(3) Any contract or instrument which, if made or executed by a person
	10	not being a body corporate, would not be required to be under seal may be made
	11	or executed on behalf of the Academy by any authorized person.
	12	(4) Any division established for the Academy and designated by
	13	Statute as a faculty shall be organized in accordance with the provisions of the
	14	Second Schedule to this Act.
Regulations	15	41. -(1) The Council may make regulations:
	16	(a) to regulate the activities and programmes of the Academy,
	17	authority or any matter connected with the Academy; or
	18	(b) for the effective implementation of any of the provisions of this
	19	Act.
	20	(2) The Council shall have power to amend regulations made under
	21	this Act provided that the proposal for amendment shall be passed by two-
	22	thirds majority of the members.
	23	(3) All Regulations made by the Council subject to the provisions of
	24	this Act, shall be published in the Official Gazette of the government of
	25	Nigeria.
	26	(4) Where under any provision of this Act it is stipulated that
	27	proposals are to be submitted or a recommendation is to be made by one
	28	authority to another through one or more intermediate authorities, it shall be the
	29	duty of every such intermediate authority to forward any proposal or
	30	recommendation received by it in pursuance of that provision to the

1 appropriate authority and any such intermediate authority may, if it thinks
2 fit, forward therewith its own comments on the proposal or
3 recommendation.

4 (6) The Council may make such regulations as are necessary or
5 expedient to give full effect to or for carrying out the provisions of this Act.

6 **42.**-(1) Subject to the provisions of this Act, the provisions of the Limitation of
7 Public Officers Protection Act shall apply to any suit instituted against the
8 Academy, an officer or employee of the Academy.
suit against the
Academy

9 (2) No suit shall lie or be instituted in any court against the
10 Academy, a member of the Council or any principal officer or employee of
11 the Academy for an action carried out in pursuance or execution of this Act
12 or any enactment or law, or of any public duty or authority in respect of any
13 alleged neglect or default in the execution of this Act or any other enactment
14 or law, duty or authority, unless it is commenced:

15 (a) within three months of such act, neglect or default complained
16 of; or

17 (b) in the case of a continuation of damages or injury, within six
18 months next after the ceasing of the act, neglect or default.

19 (3) No suit shall be commenced against the Academy, a member of
20 the Council or any principal officer or employee of the Academy before the
21 expiration of a period of one month after written notice of the intention to
22 commence the suit has been served on the Academy by the intending
23 plaintiff or his agent.

24 (4) The notice referred to in subsection (3) of this section shall
25 clearly and explicitly state the cause of action, the particulars of the claim,
26 the name and place of abode of the intending plaintiff and the relief sought.

27 **43.** In this Act, unless the context otherwise requires, the following Interpretation
28 expressions shall have the following meanings:

29 "Academic staff" means a member of staff of the Academy whose sole and
30 primary responsibility is teaching, research and instructing service;

- 1 "Academic year" means two semesters covered by a period of not more than
2 twelve calendar months within which students must complete a level of study;
- 3 "Administrative staff" means those persons in the employment of the Academy
4 other than academic staff who hold administrative, professional or technical
5 posts;
- 6 "Alumni Association" means any association recognised by the Council as
7 being representative of graduates or former students of the Academy;
- 8 "Approving authority" means the Federal Executive Council;
- 9 "Academy" means The Nigeria Para-Military Academy, Ijebu-Igbo;
- 10 "Council" means the Council established under section 7 of this Act;
- 11 "Commandant" means the Commandant of the Nigeria Para-Military
12 Academy, Ijebu-Igbo;
- 13 "Cadet" means an undergraduate in training at the Academy undergoing
14 training to be a Para-Military Officer;
- 15 "Deputy Commandant" means the Deputy Commandant of Para-Military
16 Academy, Ijebu-Igbo;
- 17 "Graduate" means a person on whom a degree other than an honorary degree
18 has been conferred by the Academy;
- 19 "Faculty" means any Faculty established by the Academy;
- 20 "Functions" includes powers and duties;
- 21 "Instructors or Lecturers" means a person holding a full time appointment as a
22 member of the teaching or research or instructing staff of the Academy;
- 23 "Minister" means the Minister of the government of the Federation responsible
24 for para-military affairs;
- 25 "notice" means notice in writing;
- 26 "Officer" means a staff of senior rank holding an administrative post, but does
27 not include Visitor and members of the Council;
- 28 "Postgraduate" means students pursuing or continuing formal education after
29 graduation from an institution of higher learning (i. e. students pursuing
30 programmes whose entry requirements are bachelor's degree or higher national

- 1 diploma from a recognised university or polytechnic);
- 2 "prescribed" means prescribed by law, Statutes or regulations;
- 3 "Principal Officer" means the officers mentioned in Part II of this Act;
- 4 "Professor" means a person designated as a professor of the Academy in
- 5 accordance with provision made in that behalf by Statute or by Regulation;
- 6 "property" includes rights and assets;
- 7 "regulations" means regulations made pursuant to the provisions of this Act.
- 8 "students" means persons who are not Nigerian cadets but are admitted into
- 9 the Academy for the purpose of being trained;
- 10 "undergraduate" means a person undergoing a course of study at the
- 11 Academy pursuant to the acquisition of a first degree;
- 12 "Visitor" means the President, Commander in Chief of the Armed Forces of
- 13 the Federal Republic of Nigeria who is also the Proprietor of the Academy.

14 **44.** This Bill may be cited as the Nigeria Para-Military Academy Short title
15 (Establishment) Bill, 2019.

16 FIRST SCHEDULE

17 [Section 7]

18 MEETINGS AND TRANSITION

19 (1) The first meeting of the Council under this Act shall be
20 convened by the Chairman in such manner as he may determine.

21 (2) The Council shall meet as at when necessary for the
22 performance of its functions under this Act and shall meet at least twice a
23 year.

24 (3) The meeting of the Academy Board under this Act shall be
25 convened by the Commandant on such date and in such manner as he may
26 determine.

27 (4) The first meeting of the Academic Committee as constituted in
28 this Act shall be convened by the Provost of the Academy on such date and in
29 such manner as he may determine.

30 (5) Subject to any direction to the contrary which may be given in

1 that regard by the Council, any person who was a member of staff of or was
2 employed by the Nigeria Customs, Nigeria Immigration Service, Nigeria
3 Security and Civil Defence Corps and Nigerian Prisons Services before the
4 coming into effect of this Act shall become the holder of the appointment at the
5 Academy with such status, designation and functions which correspond as
6 nearly as may be to those which appertained to him as members of staff of such
7 an employment.

8 SECOND SCHEDULE

9 (Section 10)

10 COMMITTEES OF THE ACADEMY

11 *Standing Committees of the Council*

12 1.-(1) For the purpose of carrying out its responsibilities under this
13 Act, the following standing committees are to be established by the Council:

14 (a) Finance and General Purpose Committee;

15 (b) Appointments, Promotions and Disciplinary Committee
16 (AP&DC);

17 (c) Tenders Board;

18 (d) Information and Publications Committee; and

19 (e) Security Committee.

20 (f) Academic Committee

21 (2) Provisions shall be made by Statutes for the constitution and terms
22 of reference of the Committees referred to in sub-section (1) of this section as
23 deemed appropriate by the Council.

24 *Finance and General Purpose Committee*

25 2.-(1) There shall be a Committee of the Council to be known as the
26 Finance and General Purpose Committee which shall subject to the direction of
27 the Council exercise control over the property and the expenditure of the
28 Academy, and shall consist of:

29 (a) the Chairman of the Council who shall be the Chairman of the
30 Committee at any meeting at which he is present;

- 1 (b) commandant; and
2 (c) five other members of the Council appointed by the Council.
3 (2) The functions of the Finance and General Purpose Committee
4 shall be to:
5 (a) consider and make recommendation to the Council on the draft
6 annual estimate of income and expenditure for each financial year;
7 (b) advice Council on deposits and investments of money
8 belonging to the Academy;
9 (c) recommend to Council rules and procedures (Financial
10 Regulation) for the control of expenditure and administration of Academy's
11 finances;
12 (d) consider and decides on request for variation within the
13 approved annual estimate from any unit of the Academy subject to the
14 approval of the Council;
15 (e) advice Council on any matter relating to the development of the
16 Academy sites as may be referred to it by the Council;
17 (f) carry out any other function as may be delegated to him from
18 time to time by the Council.
19 (3) The quorum of the Committee shall be five including the
20 Chairman and the Commandant.
21 (4) Subject to any directions given by the Council, the Committee
22 may regulate its procedures.
23 *Appointments, Promotions and Disciplinary Committee*
24 3.-(1) The Appointments, Promotions and Disciplinary Committee
25 shall handle appointments, confirmations, promotions and discipline of all
26 senior staff (academic, administrative and professionals] of the Academy.
27 (2) The Committee shall comprise of:
28 (a) the Provost of the Academy as Chairman;
29 (b) two external members of the Council;
30 (c) two internal members elected by the Academic Committee;

1 (d) two elected members from the Academic Committee who shall
2 not be below the rank of senior lecturer; and

3 (e) the Registrar of the Academy as the Secretary.

4 (3) The Committee shall:

5 (a) consider all appointments and promotions of all staff except those
6 of principal officers and make appropriate recommendations to the Council;

7 (b) determine cases for promotion to the rank of Professor and Reader
8 that should go for external assessment;

9 (c) handle all disciplinary cases involving members of staff who are
10 not para- military officers; and

11 (d) make recommendation to the Council on any matter involving
12 appointment, promotion and discipline of staff who are Para-military Officers.

13 (4) The quorum of this Committee shall be five including the
14 Chairman.

15 (5) The Committee shall have power to constitute a subcommittee to
16 handle cases of junior staff who are not para-military officers.

17 *Tenders Board*

18 4.-(1) There shall be a Tenders Board of whose membership shall
19 consist of

20 (a) the Commandant who shall be the Chairman;

21 (b) the Deputy Commandant;

22 (c) the Provost of the Academy; and

23 (d) two representatives of the Council and the Academic Committee.

24 (2) The functions of the Tenders Board shall include:

25 (a) advising Council on projects and constructions of building and
26 supply of goods and services;

27 (b) consideration and acceptance of tenders from contractors;.

28 (c) initiating action on the production of the tender's documents;

29 (d) considering tenders submitted by contractors wishing to execute
30 major project in the Academy;

1 (e) processing tenders and award of contracts which fall within its
2 spending limits and reporting such award of contract to the Council;

3 (f) referring to the Council for decision on tenders for contracts
4 above its spending limits.

5 *The Academic Committee*

6 5.-(1) There shall be constituted for the Academy an Academic
7 Committee for the purpose of giving effect to the provisions of this Act.

8 (2) The Academic Committee shall consist of:

9 (a) the Provost of the Academy who shall be the Chairman;

10 (b) a representative of Deputy Commandant (external member);

11 (c) Deans of Faculties, the Directors of Academic Units; and Heads
12 of Departments;

13 (d) all Professors;

14 (e) the Librarian of the Academy;

15 (f) two representatives elected from the academics; (e) Dean of the
16 Post Graduate School; and

17 (g) the Registrar who shall be the Secretary.

18 (3) Election shall be held for the selection of elected member in a
19 manner on such day in the month of June in each year as the Provost of the
20 Academy may from time to time determine.

21 (4) An elected member shall hold office for a period of two years
22 beginning on 1st August in the year of his election, and may be a candidate at
23 any election held in pursuance to section 4 of this second schedule in the
24 year in which his period of office expires, so however that no person shall be
25 such a candidate if at the end of his current period of office he will have held
26 office as an elected member for a continuous period of four years or would
27 have so held office if he had not resigned it.

28 (5) An elected member may, by notice to the Academic Committee
29 resign his office.

30 (6) Subject to the provision of this Act the Academic Committee

1 shall organize and control teaching and researches in the Academy and the
2 admission, and discipline of cadets and students on academic matters.

3 (7) Without prejudice to the generality of the provision of subsection
4 (6) of this section, the Academic Committee shall, regulate:

5 (a) the establishment, organization, control of faculties and
6 departments and allocate responsibility to such faculties and departments;

7 (b) standards for the appointment and promotion of academic staff;

8 (c) the organization and control of courses of study and of the
9 examinations on such courses;

10 (d) examinations and the award of degrees and other qualifications as
11 may be prescribed in connection with examinations held as aforesaid;

12 (e) the making of recommendations to the Council with respect to the
13 award to any person of the title of professor emeritus;

14 (f) participation in the selection of persons for admission as students
15 or cadets at the Academy; and

16 (g) the grant of fellowship, scholarship, prize and similar awards as
17 far as the awards are within the control of the Academy.

18 (8) The Quorum of the Academic Committee shall be one-third
19 rounded up to the nearest higher whole number.

20 (9) The Provost of the Academy shall be the Chairman at all meetings
21 of the Academic Committee and in his absence, the Dean of Postgraduate
22 School, Chairman Committee of Deans or such other members of the
23 Academic Committee present at the meeting as the Academic Committee may
24 appoint for the meeting, shall act as Chairman.

25 (10) The Academic Committee shall meet once in a month or at any
26 time at the request of the Provost of the Academy or at the written request of
27 one-third of its membership to the Chairman of the Academic Committee who
28 shall within two weeks convey a meeting in response to the request, and the
29 members making such request shall spell out the business of the meeting on
30 which the request is being made.

1 (11) The Chairman of the Academic Committee shall have one
2 vote as any other member but in the event of equality of vote, the Chairman
3 shall exercise in addition, a casting vote.

4 (12) Subject to the provision of this Act, the Academic Committee
5 shall regulate the procedure at the meeting.

6 (13) The Academic Committee may subject to the approval of the
7 Council make regulations for the purpose of exercising any function
8 conferred on it by the provisions of this Act.

9 (14) The regulations made by the Academic Committee shall
10 provide that at least one of the persons appointed as the external examiners
11 at each examination held in conjunction with any course of study is not a
12 Lecturer at the Academy but is a Lecturer of the branches of learning to
13 which the course relates at another University or other degree awarding
14 institution of high repute.

15 (15) The Academic Committee may withdraw from any person any
16 degree, diploma, certificate or other awards of the Academy who has been
17 found guilty of dishonourable or scandalous conduct in gaining admission
18 into the Academy or obtaining that award.

19 (16) The Academic Committee shall handle other matters that may
20 be referred to it by the Council or the Commandant.

21 *Sub-committee of the Academic Committee*

22 6.-(1) The Academic Committee shall have the following standing
23 Committees:

- 24 (i) Academic Planning and Curriculum Development Committee;
25 (ii) Library and Publications Committee;
26 (iii) Ceremonies Committee;
27 (iv) Research Grant Committee;
28 (v) Students' Welfare and Disciplinary Committee;
29 (vi) Committee of Deans and Academic Directors;
30 (vii) Sports Committee; and

1 (viii) Business Committee.

2 (2) Except as provided under the Third Schedule to this Act, the
3 Academic Committee shall by statute provide for the Constitution and terms of
4 reference of the Committees established in subsection (1) of this section.

5 *Academic board*

6 7.-(1) There shall be for the Academy an Academic Board, whose
7 membership shall consist of:

8 (a) The Commandant, who shall be the chairman;

9 (b) The Deputy Commandant;

10 (c) The Academy Provost;

11 (d) The Deans of Faculties;

12 (e) The Heads of Colleges;

13 (f) The Chief Instructor Nigeria Customs Service Wing;

14 (g) The Chief Instructor, Nigeria Immigration Service Wing;

15 (h) The Chief Instructor, Nigeria Security and Civil Defence Wing;

16 (i) The Chief Instructor, Nigerian Prisons Service

17 (j) Members of the Academy, not exceeding two in number, as may be
18 appointed by the Academy Coordination Committee; and

19 (k) The Registrar of the Academy, who shall be the Secretary.

20 (2) The Academic Board shall meet once at the end of each academic
21 semester, making it at least two meetings in any academic year provided that
22 additional meetings may be convened by the Commandant or the Deputy
23 Commandant.

24 (3) The functions of the Academic Board shall be primarily to enable
25 members of board, as a body, express their views on academic affairs of the
26 Academy.

27 (4) The Academic Board shall be a body through which the
28 recommendations of members of board are transmitted to the Council.

29 (5) The Academic Board shall only be concerned with all matters
30 affecting the academic and well-being of the academy and its functions shall

1 neither include those of an association of university teachers concerned with
2 salaries and conditions of service, nor a staff club, concerned with the
3 general amenities of social services.

4 (6) The Academy shall maintain a Register containing the names of
5 all the members of the Academic Board, which shall be kept by the
6 Registrar.

7 (7) The Academic Board shall have a Standing Committee and
8 such other committees as may be approved by the Board.

9 (8) The composition of the Standing Committee and other
10 committees of the Board shall be as may be directed by the Commandant.

11 (9) The Standing Committee of the Academic Board shall prepare
12 the agenda for each meeting of the Academic Board and arrange follow up
13 actions on matters agreed upon by the Academic Board.

14 *The Academy Advisory Council*

15 8.-(1) The Academy Advisory Council shall consist of:

16 (a) The Commandant, who shall be the chairman;

17 (b) The Deputy Commandant;

18 (c) The Academy Provost;

19 (d) The Director of training at each of Nigeria Customs Service,
20 Nigeria Immigration Service, Nigeria Security and Civil Defence Corps,
21 and the Nigerian Prisons Service;

22 (e) The Director of Education in each of the Nigeria Customs
23 Service, Nigeria Immigration Service, Nigeria Security and Civil Defence
24 Corps and Nigerian Prisons Service;

25 (f) The representative of Permanent Secretary of the Ministry of
26 Internal Affairs not below grade level 16;

27 (g) One representative of Federal Ministry of Science and
28 Technology not below the grade 16;

29 (h) Two representatives of other Nigerian Universities not below
30 the post of reader;

- 1 (i) One alumnus not below the rank of colonel or its equivalent;
2 (j) One member of the Academy Committee appointed by the
3 Commandant;
4 (k) One representative of the National Universities Commission not
5 below grade 15;
6 (l) The Registrar of the Academy who shall be the Secretary.
- 7 9.-(1) The Academy Co-ordination Committee shall consist of:
8 (a) The Deputy Commandant, who shall be the chairman;
9 (b) The Academy Provost;
10 (c) The Director of Para-military Training;
11 (d) The Cadet Brigade Commander;
12 (e) The Registrar of the Academy;
13 (f) The Civilian member, to be appointed by the Commandant;
14 (g) The General Staff Officer, Grade I (training), who shall be the
15 Secretary.
- 16 (2) Subject to the provisions of this Act, the Academy Co-ordination
17 Committee shall perform the following functions, that is-
18 (a) deliberate on the performance of all cadets and students in both
19 para- military and academic subjects at the end of every semester;
20 (b) determine the passes and failures among cadets and students of all
21 courses in accordance with the criteria for passing or failing as laid down in the
22 Academy assessment policy;
23 (c) determine and recommend to the Academy Board in accordance
24 with the Academy assessment policy, the cadets and students who-
25 (i) qualify for graduation or passing out or commissioning;
26 (ii) deserve to be given awards;
27 (iii) merit promotion to the next higher semester;
28 (iv) deserve to be allowed to resit in the subject failed;
29 (v) deserve to be relegated to the next lower class for poor
30 performance;

1 (vi) deserve to be withdrawn from the Academy for poor
2 performance.

3 10.-(1) The Para-military Training Committee shall consist of-

4 (a) The Director of Para-military Training, who shall be the
5 chairman;

6 (b) The Cadets Brigade Commander;

7 (c) The Chief Instructor, Nigeria Customs Service Wing;

8 (d) The Chief Instructor, Nigeria Immigration Service Wing;

9 (e) The Chief Instructor, Nigeria Security and Civil Defence Corps
10 Wing;

11 (f) The Chief Instructor Nigerian Prisons Service;

12 (g) Two representatives of the Academy Branch to be appointed by
13 the Commandant;

14 (h) The Academy Adjutant;

15 (i) The General Staff Officer Grade I, (Training), who shall be the
16 Secretary.

17 (2) Subject to the provisions of the Act, the Para-military Training
18 Committee shall, in relation to its teaching unit, exercise the following
19 function, that is-

20 (a) advise the Academy Board on all matters relating to the
21 organisation of para-military training, instructions and research into para-
22 military aspects of the subject taught by that teaching unit of the Academy,
23 including the curricula and the examinations connected with those subjects;

24 (b) monitor and regulate the conduct and progress of cadets and
25 students in that teaching unit and report thereon to the Academy Board;

26 (c) deliberate on the performance of all cadets and students in para-
27 military subjects at the end of each semester;

28 (d) determine the passes and failure among cadets and students of
29 all terms, in accordance with the criteria for passing or failure, as laid down
30 in the Academy assessment policy for para-military subjects.

1 (3) The Para-military Training Committee, shall also determine and
2 recommend to the Academy Co-ordination Committee, in accordance with
3 Academy assessment policy, the cadets and students who-

4 (a) qualify for graduation, passing out or commissioning;

5 (b) deserve to be given awards, such as:

6 (i) the Sword of Honour;

7 (ii) the Gold Medal;

8 (iii) the Silver Medal;

9 (iv) the Indian Shield;

10 (v) The Service Silver Medal;

11 (c) merit promotion to the next higher class;

12 (d) deserve to be allowed a resit in any para-military subject failed;

13 (e) deserve to be warned for poor performance in certain para military
14 subjects and certain aspects of cadet life;

15 (f) deserve to be relegated to the next lower class for poor
16 performance; or

17 (g) deserve to be withdrawn from the Academy for poor performance

18 *Faculties and Faculty Boards*

19 11.-(1) Each faculty shall be divided into such number of departments
20 as may be prescribed by the Council.

21 (2) There shall be established in respect of each faculty, a Faculty
22 Board which, subject to the provisions of this Act and to the direction of the
23 Commandant shall regulate the teaching, study and the conduct of
24 examinations connected with the courses assigned to the faculty; and

25 (a) deal with any other matter assigned to it by this Act or by the
26 Councilor Commandant or the Academic Board.

27 (3) Where a faculty consists of two or more colleges or schools, each
28 college or school shall have its own board, which shall be under the control of
29 the Academic Committee.

30 (4) Each Faculty Board shall consist of:

1 (a) the Dean of the faculty;
2 (b) persons in charge of the departments of the faculty;
3 (c) such number of the lecturers assigned to the faculty and having
4 prescribed qualifications as the Faculty Board may determine; and
5 (d) such number of persons whether or not members of the
6 Academy as the Faculty Board may, with the general or special approval of
7 the Academic Board, determine.

8 (5) The quorum of the Faculty Board shall be nine members or one
9 third of the members of the Faculty Board, whichever is greater, and subject
10 to the provision of this Act, and any provisions made by regulations on its
11 behalf, the Faculty Board may regulate its own procedure.

12 *The Dean of Faculty, etc.*

13 12.-(1) The Dean of a Faculty shall be appointed in such manner
14 and hold office for such term and subject to such conditions, as may be
15 prescribed by regulations made by the Council.

16 (2) Where there is no Professor in a faculty, the office of the Dean
17 of the faculty shall be held by a member of the faculty holding the rank of
18 Reader or Senior Lecturer or Senior Para-military Officer of comparative
19 academic experience, on the basis of seniority as may be determined by the
20 Commandant.

21 (3) The Dean shall be the Chairman of the Faculty Board and shall
22 be a member of all committees and Boards constituted by the Faculty, and
23 when the Dean is absent from any meeting, the most senior member present
24 shall preside at the meeting.

25 (4) The Dean of a Faculty shall exercise general superintendence
26 over the academic and administrative affairs of the Faculty, and it shall be
27 the functions of the Dean to present qualified cadets and students in
28 character and learning for the conferment of degrees, after having qualified
29 for the degree of the Academy at examinations held in the department.

30 (5) The Dean of the Faculty may be removed from office by the

1 Commandant for good course and in the event of a vacancy occurring,
2 following the removal of a Dean, an acting Dean may be appointed by the
3 Commandant, provided that arrangement shall be made for a new Dean to be
4 appointed in a manner prescribed within a period of three months from the date
5 when the acting Dean assumes office.

6 (6) For the purpose of subsection (5) of this section "good cause" shall
7 mean:

8 (a) conviction for any offence which the Commandant considers to be
9 such as to render the person concerned unfit for the discharge of the functions
10 of his office;

11 (b) any physical or mental incapacity which the Commandant, after
12 obtaining medical advice considers to be such as to render the person
13 concerned unfit to hold his office;

14 (c) conduct of a scandalous or of a disgraceful nature, which the
15 Commandant considers to be such as to render the person concerned unfit to
16 continue to hold his office;

17 (d) conduct which the Commandant considers to be such as to
18 constitute failure or inability of the person concerned to discharge the functions
19 of his office or to comply with the terms and conditions of his service; or

20 (e) conduct which the Commandant considers to be generally of such
21 nature as to render the continuous appointment or service of the person
22 concerned as prejudicial or detrimental to the interest of the Academy.

23 THIRD SCHEDULE

24 (Section 21)

25 SUB. COMMITTEES OF THE ACADEMIC COMMITTEE

26 *Academic and Curriculum Development Committee*

27 1.-(1) The Academic and Curriculum Development Committee shall
28 consist of:

29 (a) the Provost of the Academy as Chairman;

30 (b) the Deans of Faculties;

- 1 (c) the Directors of Academic Planning;
2 (d) the Bursar;
3 (e) the Librarian; and
4 (f) the Registrar as a member and Secretary.

5 (2) Quorum shall be 50% of the members including the Provost of
6 the Academy.

7 *Library and Publication Committee*

8 2.-(1) The Library and Publication Committee shall consist of:

- 9 (a) the Librarian of the Academy as Chairman;
10 (b) one representative of each Faculty;
11 (c) one representative of Postgraduate School; and
12 (d) the Registrar or his nominee as Secretary.

13 (2) The functions of the Committee shall be to:

- 14 (a) assist and advise the Academy on the development of the
15 Library as the centre of learning and research;
16 (b) formulate regulations for the use of the Library and its facilities;
17 (c) help prepare the Library budget;
18 (d) select and recommend manuscripts for publications by the
19 Academy;
20 (e) supervise the production of official publications that will bear
21 the emblem of the Academy;
22 (f) regulate the development and the use of e-library; and
23 (g) undertake other related tasks that may be assigned to the sub-
24 committee by the Academic Committee.

25 (3) The quorum of the Committee is 50% of the members including
26 the Chairman of the Committee.

27 *Ceremonies Committee*

28 3.-(1) There shall be a Ceremonies Committee which shall consist
29 of:

- 30 (a) a nominee of the Commandant as Chairman;

- 1 (b) staff representative of each Faculty;
2 (c) representative of the Academy Librarian;
3 (d) representative of the Bursar;
4 (e) representative of the Director Physical Planning;
5 (f) representative of the Protocol and Public Relations Units;
6 (g) representative of the Security Unit;
7 (h) representative of the Catering Services; and
8 (i) representative of the Registrar who will serve as Secretary.
- 9 (2) The quorum of the Committee shall be 50% of members including
10 the Chairman.
- 11 (3) The Ceremonies Committee shall have the following terms of
12 Reference:
- 13 (a) organizing public events of the Academy;
14 (b) recommending to the Academic Committee persons to be
15 considered for the award of honorary degrees;
16 (c) advising the Academy on matters concerning ceremonial matters
17 generally.
- 18 *Research Grant Committee*
- 19 4.-(1) There shall be a Research Grant Committee which shall consist
20 of:
- 21 (a) an appointee of the Provost of the Academy as Chairman;
22 (b) a representative of each Faculty;
23 (c) a representative of the Postgraduate School;
24 (d) a representative of the Information and Communications
25 Technology (ICT) Centre;
26 (e) Director of Academic Planning;
27 (f) the Librarian;
28 (g) a representative of the Registrar as Secretary.
- 29 (2) The quorum of the Committee shall be 50% of members including
30 the Chairman.

- 1 (3) The Committee shall be responsible for:
- 2 (a) assessing research projects submitted by Faculties,
- 3 Departments and members of staff, and approve those with merit for support
- 4 with research grant;
- 5 (b) administer research funds of the Academy;
- 6 (c) receive, consider and recommend to Academic Committee
- 7 Staff Development Proposals for each Department and ensure compliance
- 8 when approved; and
- 9 (d) advise Academic Committee on matters concerning research
- 10 policy and practice in the Academy.

11 *Committee of Deans and Academic Directors*

12 5.-(1) There shall be a Committee of Deans and Academic

13 Directors which shall consist of:

- 14 (a) the Academy Provost or his representative as Chairman;
- 15 (b) Director of Academic Planning;
- 16 (c) Deans of Faculties and Post Graduate School;
- 17 (d) all Directors of Academic, Institutes and Centers; and
- 18 (e) the Registrar or his representative as Secretary.
- 19 (2) The quorum of the Committee shall be 50% of members
- 20 including the Chairman and Director Academic Planning.
- 21 (3) The Committee shall have the following functions:
- 22 (a) review from time to time the minimum entering requirement for
- 23 degree and other programs of the Academy;
- 24 (b) formulate for the consideration of the Academic Committee,
- 25 regulations governing the conduct of examinations in the Academy;
- 26 (c) review the existing regulation from time to time, for appropriate
- 27 recommendation to the Academic Committee;
- 28 (d) considers matters on examinations as may be referred to it by
- 29 the Academic Committee;
- 30 (e) make recommendation to the Academic Committee on

1 academic matter as it deems necessary;
2 (f) undertake other related task as may be assigned by the Academic
3 Committee.

4 *Business Committee*

5 6.-(1) There shall be a Business Committee which shall consist of:

6 (a) a nominee of the Provost of the Academy who shall be a member
7 of the Academic Committee as Chairman;

8 (b) other members elected by the Academic Committee as it deems
9 necessary;

10 (c) a representative of each Faculty;

11 (d) a representative of the Post Graduate School; and

12 (e) the Registrar as Secretary.

13 (2) The quorum of the Committee shall be 50% of members including
14 the Chairman and the Secretary.

15 (3) The Business Committee shall be responsible for:

16 (a) preparing the agenda for each Academic Committee meeting; and

17 (b) dealing with matters referred to it by the Academic Committee
18 from time to time.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Para-Military Academy with powers to train, nurture, equip and produce globally competitive para-military graduates with requisite knowledge, skills, values and attitudes suitable for leadership, scholarship, policing and rendering of community service and to award degrees, diplomas and certificates in accordance with the highest academic standards.

FEDERAL COLLEGE OF EDUCATION (TECHNICAL) AKO, AGO-IWOYE,
OGUN STATE (ESTABLISHMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

Clauses

PART 1 - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
FEDERAL COLLEGE OF EDUCATION (TECHNICAL) AKO, AGO-IWOYE,
OGUN STATE

1. Establishment and Objectives of the Federal College of Education
(Technical) Ako, Ago- Iwoye, Ogun State
2. Constitution and Principal Officers of the College
3. Powers of the College and their exercise
4. Functions of the Chancellor and Pro-Chancellor
5. Composition, Tenure and Powers of the Council of the College
6. Functions of the Council and its Finance and General Purposes
Committee
7. Functions of the Senate of the College
8. Functions of the Provost

PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
COLLEGE AND CONDITION OF SERVICE OF EMPLOYEES

9. General Fund of the College
10. Transfer of Property, etc.

PART III - STATUTES OF THE COLLEGE

11. Power of the College to make Statutes
12. Mode of exercising power to make Statutes
13. Proof of Statutes

PART IV - SUPERVISION AND DISCIPLINE

14. The Visitor
15. Removal of certain members of the Council
16. Removal and discipline of academic, administrative and
professional staff

17. Removal of examiners

18. Participation and Discipline of Students

PART V - MISCELLANEOUS AND GENERAL

19. Exclusion of discrimination on account of race, religion etc.

20. Restriction on disposal of land by College

21. Quorum and procedure of bodies established by this Bill

22. Appointment of committees, etc

23. Retiring age of academic staff

24. Special provisions relating to pensions of Professors

25. Miscellaneous Administrative Provisions

26. Restriction of suits and execution

27. Interpretation

28. Short title

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION (TECHNICAL) AKO, AGO-IWOYE, OGUN STATE; AND FOR RELATED MATTERS

Sponsored by Hon. Adekoya Adesegun Abdel-Majid

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
2 FEDERAL COLLEGE OF EDUCATION (TECHNICAL) AKO, AGO-IWOYE,
3 OGUN STATE

4 1.-(1) There is hereby established the Federal College of Education
5 (Technical) Ako, Ago- Iwoye, Ogun State.

Establishment
and Objectives
of the Federal
College of
Education
(Technical) Ako,
Ago-Iwoye, Ogun
State

6 (2) The College shall be a body corporate with perpetual
7 succession and a common seal and may sue or be sued in its corporate name.

8 (3) The College shall be a training institution for the development
9 of teacher Education in the country.

10 (4) The College shall be supervised by the Federal Ministry of
11 Education through the National Universities Commission (NUC) who shall
12 be responsible for approving and regulating all academic programmes run in
13 the College, to ensure quality compliance and provide funds for academic
14 and research programmes, infrastructures and remunerations of employees.

15 (5) The objects of the College shall be:

16 (a) to encourage the advancement of learning and to hold out to all
17 persons without distinction of race, creed, sex or political conviction;

18 (b) to develop and offer academic and professional programmes
19 leading to the award of certificates, first degrees, post-graduate research,
20 diploma and higher degrees with emphasis on planning, developmental and

1 adaptive skills in Education, technology, applied science, agriculture,
2 commerce, arts, social science, humanities, management and allied
3 professional disciplines;

4 (c) to produce socially mature Educational men and women with
5 capabilities not to only understand Educational need of Nigeria as a nation, but
6 also to exploit existing Educational infrastructure and improve on it to develop
7 new ones;

8 (d) to act as agents and catalysts for effective Educational system,
9 through post graduate training , research and innovation, for effective
10 economic utilization and conservation of the country's human resources;

11 (e) to bring quality change in Education by focusing on teacher
12 Education through teaching and learning innovations;

13 (f) to collaborate with other national and international institutions
14 involved in training, research and development of Education with a view to
15 promoting governance, leadership and management skills among Educational
16 managers;

17 (g) to identify Educational needs of the society with a view to finding
18 solutions to them within the context of overall national development;

19 (h) to provide and promote sound basic Education training as a
20 foundation for the development of Nigeria, taking into account indigenous
21 culture and the need to enhance national unity;

22 (i) to provide higher Education and foster a systematic advancement
23 of the science and act of teacher Education;

24 (j) to provide for instruction in such branches of teacher Education as
25 it may deem necessary to make provision for research advancement and
26 dissemination of knowledge in such manner as it may determine;

27 (k) to provide teachers with operational competence for teaching in
28 pre-tertiary institutions, basic, senior secondary schools and non-formal
29 Education institutions.

30 (m) to undertake any other activities that is appropriate for a College

1 of Education of the highest standard.

2 **2.-(1)** The College shall consist of:

Constitution and
Principal Officers
of the College

3 (a) a Chancellor;

4 (b) a Pro-Chancellor and a Council;

5 (c) a Provost and a Senate;

6 (d) a body to be called Congregation;

7 (e) a body to be called Convocation;

8 (f) the campuses and colleges of the College;

9 (g) the colleges, institutes and other teaching and research units of

10 the College;

11 (h) the persons holding the offices constituted by the First Schedule

12 to this Bill other than those mentioned in paragraphs (a) to (c) of this

13 subsection;

14 (i) all graduates and undergraduates of the College; and

15 (j) all other persons who are members of the College in accordance

16 with provisions made by statute in that behalf.

17 (2) The First Schedule to this Bill shall have effect with respect to

18 the principal officers of the College.

19 (3) Subject to section 5 of this Bill provision shall be made by

20 statute with respect to the constitution of the Council, the Senate,

21 Congregation and Convocation.

22 **3.-(1)** For the carrying out of its objects as specified in section 1 of

Powers of the
College and their
exercise

23 this Bill, Federal College of Education (Technical) Ako, Ago-Iwoye, Ogun

24 State shall have power:

25 (a) to offer courses of instruction, training and research in

26 Education and allied areas for the production of quality and skilled teachers

27 required to teach at lower, middle and higher levels of Education in Nigeria

28 in particular and the world at large;

29 (b) to establish such colleges, campuses, institutes, schools,

30 departments and other teaching and research units within the College as may

1 from time to time be deemed necessary or desirable subject to the approval of
2 National Universities Commission;

3 (c) to institute professorships, readerships or associate
4 professorships, lectureships, and other posts and offices and to make
5 appointments thereto;

6 (d) to institute and award fellowships, scholarships, exhibitions,
7 bursaries, medals, prizes and other titles, distinctions, awards and forms of
8 assistance;

9 (e) to provide for the discipline and welfare of members of the
10 College;

11 (f) to hold examinations and grant degrees, diplomas, certificates and
12 other distinctions to persons who have pursued a course of study approved by
13 the College and have satisfied such other requirements as the College may lay
14 down;

15 (g) to grant honorary degrees, fellowships or academic titles;

16 (h) to demand and receive from any student or any other person
17 attending the College for the purposes of instruction, such fees as the College
18 may from time to time determine subject to the overall directives of the
19 Minister;

20 (i) subject to section 20 of this Bill, to acquire, hold, grant, Charge or
21 otherwise deal with or dispose of movable and immovable property wherever it
22 is situate;

23 (j) to accept gifts, legacies and donations, but without obligation to
24 accept the same for a particular purpose unless it approves the terms and
25 conditions attached thereto;

26 (k) to enter into contracts, establish trusts, act as trustee, solely or
27 jointly with any other person, and employ and act through agents;

28 (l) to erect, provide, equip and maintain libraries, laboratories,
29 workshops, lecture halls, halls of residence, refectories, sports grounds,
30 playing fields and other buildings or things necessary, suitable or convenient

1 for any of the objects of the College;

2 (m) to hold public lectures and to undertake printing, publishing
3 and book selling;

4 (n) subject to any limitations or conditions imposed by statute, to
5 invest any moneys appertaining to the College by way of endowment it, not
6 being immediately required for current expenditure in any investments or
7 securities or in the purchase or improvement of and, with power from time to
8 time, to vary any such investments to deposit any moneys for the time being
9 not invested with any bank on deposit or current account;

10 (o) to borrow, whether on interest or not and if need be upon the
11 security of any or all of the property, movable or immovable, of the College,
12 such moneys as the Council may from time to time in its discretion find it
13 necessary or expedient to borrow of to guarantee any loan, advances or
14 credit facilities;

15 (p) to make gifts for any charitable purpose;

16 (q) to do anything which it is authorized or required by this Bill or
17 by statute to do; and

18 (r) to do all such acts or things, whether or not incidental to the
19 foregoing powers, as may advance the Objects of the College.

20 (2) Subject to the provisions of this Bill and of the statutes and
21 without prejudice to section 7(2) of this Bill, the powers conferred on the
22 College by subsection (1) of this section shall be exercisable on behalf of the
23 College by the Council or by the Senate or in many other manner which may
24 be authorized by the statute.

25 (3) The power of the College to establish further campuses and
26 colleges within the College shall be exercisable by statute and not otherwise.

27 4.-(1) The Chancellor shall, in relation to the College, take
28 precedence before all other members of the College, and when he is present,
29 shall preside at all meetings of Convocation held for conferring degrees.

Functions of the
Chancellor and
Pro-Chancellor

30 (2) The Pro-Chancellor shall, in relation to the College, take

Composition,
Tenure and
Powers of the
Council of the
College

1 precedence before all other members of the College, except the Chancellor and
2 except the Provost when acting as chairman of Congregation or Convocation
3 and the Pro-Chancellor shall, when he is present, be the chairman at all
4 meetings of the Council.

5 **5.-(1)** The Council of the College shall consist of:

6 (a) the Pro-Chancellor who shall be appointed by the President on the
7 recommendation of the Honourable Minister of Education;

8 (b) the Provost;

9 (c) the Deputy Provost(s);

10 (d) one person from the Ministry responsible for Education;

11 (e) four persons representing a variety of interests and broadly
12 representative of the whole Federation to be appointed from:

13 (i) the Teacher's Registration Council;

14 (ii) Tertiary Education Trust Fund; and

15 (iii) two other persons, one of whom shall be a representative of the
16 College host community.

17 (f) four persons appointed by the Senate from among its members;

18 (g) two persons appointed by Congregation from among its members;

19 (h) one person appointed by Convocation from among its members.

20 (i) two persons representing the community appointed by the
21 President.

22 (2) Persons to be appointed to the Council shall be of proven integrity,
23 knowledgeable and familiar with the affairs and tradition of the College.

24 (3) The Council so constituted shall have a tenure of four years from
25 the date of its inauguration provided that where a Council is found to be
26 incompetent and corrupt, it shall be dissolved by the Visitor and a new Council
27 shall be immediately constituted for the effective functioning of the College.

28 (4) The powers of the Council shall be exercised, as in this Bill and to
29 that extent establishment circulars that are inconsistent with this Bill shall not
30 apply to the College.

1 (5) The Council shall be free in the discharge of its functions and
2 exercise of its responsibilities for the good management, growth and
3 development of the College.

4 (6) The Council in the discharge of its functions shall ensure that
5 disbursement of funds of the College complies with the approved budgetary
6 ratio for:

7 (a) personnel cost;

8 (b) overhead cost;

9 (c) research and development;

10 (d) library developments; and

11 (e) the balance in expenditure between academic vis-a-vis non-
12 academic activities.

13 6.-(1) Subject to the provisions of this Bill relating to the Visitor,
14 the Council shall be the governing body of the College and shall be charged
15 with the general control and superintendence of the policy, finances and
16 property of the College.

Functions of the
Council and its
Finance and
General Purposes
Committee

17 (2) There shall be a committee of the Council, to be known as the
18 Finance, and General Purposes Committee, which shall, subject to the
19 directions of the Council, exercise control over the property and expenditure
20 of the College and perform such other functions of the Council as the
21 Council may from time to time delegate to it.

22 (3) Provision shall be made by statute with respect to the
23 constitution of the Finance and General Purposes Committee.

24 (4) The Council shall ensure that proper accounts of the College are
25 kept and that the accounts of the College are audited annually by an
26 independent firm of auditors approved by the Council and that an annual
27 report is published by the College together with certified copies of the said
28 accounts as audited.

29 (5) Subject to this Bill and the statutes, the Council and the Finance
30 and General Purposes Committee may each make rules for the purpose of

1 exercising any of their respective functions or of regulating their own
2 procedure.

3 (6) Rules made under sub-section (5) of this section by the Finance
4 and General Purposes Committee shall not come into force unless approved by
5 the Council; and in so far and to the extent that any rules so made by that
6 Committee conflict with any direction given by the Council, whether before or
7 after the coming into force of the rules in question, the directions of the Council
8 shall prevail.

9 (7) There shall be paid to the members respectively of the Council, the
10 Finance and General Purposes Committee and of any other committee set up
11 by the Council, allowances in respect of travelling and other reasonable
12 expenses, at such rates as may from time to time be fixed by the Minister.

13 (8) The Council shall meet as and when necessary for the performance
14 of its functions under this Bill and shall meet at least three times in every year.

15 (9) If requested in writing by any five members of the Council, the
16 chairman shall within 28 days after the receipt of such request call a meeting of
17 the Council.

18 (10) Any request made under sub-section (9) of this section shall
19 specify the business to be considered at the meeting and no business not so
20 specified shall be transacted at that meeting.

Functions of
the Senate of the
College

21 7.-(1) Subject to section 6 of this Bill and subsections (3) and (4) of
22 this section and the provisions of this Bill relating to the Visitor, it shall be the
23 general function of the Senate to organize and control the teaching by the
24 College, the admission of student where no other enactment provides to the
25 contrary and the discipline of students; and to promote, research at the College.

26 (2) Without prejudice to the generality of subsection (1) of this section
27 and subject as therein mentioned, it shall in particular be the function of the
28 Senate to make provision for:

29 (a) the establishment, organization and control of campuses, colleges,
30 schools, institutes and other teaching and research units of the College and the

- 1 allocation of responsibility for different branches of learning;
- 2 (b) the organization and control of courses of study at the College
- 3 and of the examinations held in conjunction with those courses, including
- 4 the appointment of examiners, both internal and external;
- 5 (c) the award of degrees, and such other qualifications as may be
- 6 prescribed in connection -with examinations held as aforesaid;
- 7 (d) the making of recommendations to the Council with respect to
- 8 the award to any person of an honorary fellowship or honorary degree or the
- 9 title of professor emeritus;
- 10 (e) the establishment, organization and control of halls of residence
- 11 and similar institutions at the College;
- 12 (f) the supervision of the welfare of students at the College and the
- 13 regulation of their conduct;
- 14 (g) the granting of fellowships, scholarships, prizes and similar
- 15 awards in so far as the awards are within the control of the College; and
- 16 (h) determining what descriptions of dress shall be academic dress
- 17 for the purposes of the College, and regulating the use of academic dress.
- 18 (3) The Senate shall not establish any new campus, college, school,
- 19 department, institute or other teaching and research units of the College, or
- 20 any hall of residence or similar institution at the College without the
- 21 approval of the Council.
- 22 (4) Subject to this Bill and the statutes, the Senate may make
- 23 regulations for the purpose of exercising any function conferred on it either
- 24 by the foregoing provisions of this section or otherwise or for the purpose of
- 25 making provision for any matter for which provision by regulations is
- 26 authorized or required by this Bill or by statute.
- 27 (5) Regulations shall provide that at least one of the persons
- 28 appointed as the examiners at each final or professional examination held in
- 29 conjunction with any course of study at the College is not a teacher at the
- 30 College but is a teacher of the branch of learning to which the course relates

1 at some other College of high repute or a person engaged in practicing the
2 profession in a reputable organization or institution.

3 (6) Subject to right of appeal to the Council from a decision of the
4 Senate under this sub- section, the Senate may deprive any person of any
5 degree, diploma or other award of the College which has been conferred upon
6 him if after due enquiry he is found to have been guilty of dishonourable or
7 scandalous conduct in gaining admission into the College or obtaining that
8 award.

Functions of
the Provost

9 **8.-(1)** The Provost shall, in relation to the College, take precedence
10 before all other members of the College except the Chancellor and subject to
11 section 4 of this Bill except the Pro-Chancellor and any other person for the
12 time being acting as Chairman of the Council.

13 (2) Subject to sections 6, 7 and 14 of this Bill, the Provost shall have
14 the general function, in addition to any other functions conferred on him by this
15 Bill or otherwise of directing the activities of the College and shall be the Chief
16 Executive and Accounting Officer of the College and ex-officio Chairman of
17 the Senate.

18 (3) The Provost shall be the Chairman of the College Tenders' Board,
19 which is saddled with the responsibility of approving the conduct of public
20 procurement of goods, works and services within the approved threshold from
21 time to time.

22 (4) It shall be the responsibility of the Provost to establish and appoint
23 members of the Tenders' Board in line with the extant Public Procurement
24 Rules and Regulations.

25 **PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE**
26 **COLLEGE AND CONDITION OF SERVICE OF EMPLOYEES**

General Fund
of the College

27 **9.-(1)** There shall be a general fund of the College which shall consist
28 of the following:

29 (a) grants-in-aid;

30 (b) fees;

- 1 (c) income derived from investments;
- 2 (d) gifts, legacies, endowments and donations not accepted for a
- 3 particular purpose;
- 4 (e) income derived from the exercise of any functions conferred or
- 5 imposed on the College by this Bill;
- 6 (f) any other amounts, charges or dues recoverable by the College;
- 7 (g) revenue, from time to time, accruing to the College by way of
- 8 subvention;
- 9 (h) interests on investments;
- 10 (i) donations and legacies accruing to the College from any source
- 11 for the general or special purposes of the College; and
- 12 (j) Regular TETFUND interventions;
- 13 (2) The general fund shall be applied for the purposes of the
- 14 College.

15 **10.**-(1) All property held by or on behalf of the Provisional Council
 16 of the College shall, by virtue of this sub-section and without further
 17 assurance, vest in the College and be held by it for the purpose of the
 18 College.

Transfer of
Property, etc.

19 (2) The provisions of the Second Schedule to this Bill shall have
 20 effect with respect to, and to matters arising from, the transfer of property by
 21 this section and with respect to the other matters mentioned in that Schedule.

22 PART III - STATUTES OF THE COLLEGE

23 **11.**-(1) Subject to this Bill, the College may make statutes for any
 24 of the following purposes, that is to say:

Power of the
College to make
Statutes

- 25 (a) Making provision with respect to the composition and
- 26 constitution of any authority of the College;
- 27 (b) Specifying and regulating the powers and duties of any
- 28 authority of the College, and regulating any other matter connected with the
- 29 College or any of its authorities;
- 30 (c) Regulating the admission of students (where no other

1 enactment provides to the contrary), and their discipline and welfare;

2 (d) Determining whether any particular matter is to be treated as an
3 academic or non- academic matter for the purposes of this Bill and of any
4 statute, regulation or other instrument made thereunder; or

5 (e) Making provision for any other matter for which provision by
6 statute is authorized or required by this Bill.

7 (2) Subject to section 25(6) of this Bill, the Interpretation Act shall
8 apply in relation to any statute made under this section as it applies to a
9 subsidiary instrument within the meaning of section 28(1) of that Act.

10 (3) The statute contained in the Third Schedule to this Bill shall be
11 deemed to have come into force on the commencement of this Bill and shall be
12 deemed to have been made under this section by the College.

13 (4) The power to make statutes conferred by this section shall not be
14 prejudiced or limited in any way by reason of the inclusion or omission of any
15 matter in or from the statute contained in the Third Schedule to this Bill or any
16 subsequent statute.

Mode of exercising
power to make
Statutes

17 **12.-(1)** The power of the College to make statutes shall be exercised in
18 accordance with the provisions of this section and not otherwise.

19 (2) A proposed statute shall not become law unless it has been
20 approved:

21 (a) at a meeting of the Senate, by the votes of not less than two thirds
22 of the members present and voting; and

23 (b) at a meeting of the Council, by the votes of not less than two thirds
24 of the members present and voting.

25 (3) A proposed statute may originate either in the Senate or in the
26 Council, and may be approved as required by subsection (2) of this section by
27 either one of those bodies or the other.

28 (4) A statute which:

29 (a) makes provision for or alters the composition or constitution of the
30 Council, the Senate or any other authority of the College; or

1 (b) provides for the establishment of a new campus or college or for
2 the amendment or revocation of any statute.

3 (5) For the purpose of section 2(2) of the Interpretation Act, a
4 statute shall be treated as being made on the date on which it is duly
5 approved by the Council after having been duly approved by the Senate, or
6 on the date on which it is duly approved by the Senate after having been duly
7 approved by the Council, as the case may be or, in the case of a statute falling
8 within subsection (4) of this section, on the date on which it is approved by
9 the President.

10 (6) In the event of any doubt or dispute arising at any time:

11 (a) as to the meaning of any provision of a statute; or

12 (b) as to whether any matter is for the purposes of this Bill an
13 academic or non-academic matter as they relate to such doubt or dispute, the
14 matter may be referred to the Visitor, who shall take such advice and make
15 such decision thereon as he shall think fit.

16 (7) The decision of the Visitor on any matter referred to him under
17 sub-section (6) of this section shall be binding upon the authorities, staff and
18 students of the College and where any question as to the meaning of any
19 provision of a statute has been decided by the Visitor under that sub-section,
20 no question as to the meaning of that provision shall be entertained by any
21 court of law in Nigeria.

22 (8) Nothing in sub-section (7) of this section shall affect any power
23 of a court of competent jurisdiction to determine whether any provision of a
24 statute is wholly or partly void as being ultra vires or as being inconsistent
25 with the Constitution of the Federal Republic of Nigeria, 1999.

26 **13.** A statute may be proved in any court by the production of a
27 copy thereof bearing or having affixed to it a certificate purporting to be
28 signed by the Provost or the Secretary to the Council to the effect that the
29 copy is a true copy of a statute of the College.

Proof of Statute

PART IV - SUPERVISION AND DISCIPLINE

The Visitor

14. (1) The President shall be the Visitor of the College.

(2) The Visitor shall cause a visitation to the College when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the College.

(3) It shall be the duty of the bodies and persons comprising the College to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

(4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same.

Removal of
certain Members
of Council

15.-(1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Provost) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make recommendation to that effect through the Minister to the President, and the President, after making such enquiries (if any) as he may consider appropriate approves the recommendation, he may direct the removal of the person in question from office.

(2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Removal and
discipline of
academic,
administrative
and professional
staff

16.-(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the College, other than the Provost, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall:

(a) give notice of those reasons to the person in question;

1 (b) afford him an opportunity of making representations in person
2 on the matter by the Council; and

3 (c) for the person in question to be afforded an opportunity of
4 appearing before and being heard by the investigating committee with
5 respect to the matter, and if the Council, after considering the report of the
6 investigating committee, is satisfied that the person in question should be
7 removed as aforesaid, the Council may so remove him by an instrument in
8 writing signed on the directions of the Council.

9 (2) The Provost may, in a case of misconduct by a member of the
10 staff which in the opinion of the Provost is prejudicial to the interest of the
11 College, suspend such member and any such suspension shall forthwith be
12 reported to the Council.

13 (3) For good cause, any member of the staff may be suspended
14 from his duties or his appointment may be terminated by the Council; and
15 for the purposes of this subsection "good cause" means:

16 (a) conviction for any offence which the Council considers to be
17 such as to render the person concerned unfit for the discharge of the
18 functions of his office;

19 (b) any physical or mental incapacity which the Council, after
20 obtaining medical advice, considers to be such as to render the person
21 concerned unfit to continue to hold his office;

22 (c) conduct of a scandalous or other disgraceful nature which the
23 Council considers to be such as to render the person concerned unfit to
24 continue to hold his office;

25 (d) conduct which the Council considers to be such as to constitute
26 failure or inability of the person concerned to discharge the functions of his
27 office or to comply with the terms and conditions of his service; or

28 (e) conduct which the Council considers to be generally of such
29 nature as to render the continued appointment or service of the person
30 concerned prejudicial or detrimental to the interest of the College.

1 (4) Any person suspended pursuant to subsection (2) or (3) of this
2 section shall be on half pay and the Council shall before the expiration of a
3 period of three months after the date of such suspension consider the case
4 against that person and come to a decision as:

5 (a) whether to continue such person's suspension and if so on what
6 terms (including the proportion of his emoluments to be paid to him);

7 (b) whether to reinstate such person, in which case the Council shall
8 restore his full emoluments to him with effect from the date of suspension;

9 (c) whether to terminate the appointment of the person concerned, in
10 which case such a person shall not be entitled to the proportion of his
11 emoluments withheld during the period of suspension; or

12 (d) whether to take such lesser disciplinary action against such person
13 (including the restoration of such proportion of his emoluments that might
14 have been withheld) as the Council may determine.

15 (5) In any case where the Council, pursuant to this section, decides to
16 continue a person's suspension or decides to take further disciplinary action
17 against a person, the Council shall before the expiration of a period of three
18 months from such decision come to a final determination in respect of the case
19 concerning any such person.

20 (6) It shall be the duty of the person by whom an instrument of
21 removal is signed in pursuance of subsection (1) of this section to use his best
22 endeavours to cause a copy of the instrument to be served as soon as reasonably
23 practicable on the person to whom it relates.

24 (7) Nothing in the foregoing provisions of this section shall:

25 (a) apply to any directive given by the Visitor in consequence of any
26 visitation; or

27 (b) prevent the Council from making regulations for the discipline of
28 other categories of workers of the College as may be prescribed.

Removal of
examiners

29 17.-(1) If, on the recommendation of the Senate, it appears to the
30 Provost that a person appointed as an examiner for any examination of the

1 College ought to be removed from his office or appointment, then, except in
2 such cases as may be prescribed by the Provost may, after affording the
3 examiner an opportunity of making representations in person on the matter
4 to the Provost, remove the examiner from the appointment by an instrument
5 in writing signed by the Provost.

6 (2) Subject to the provisions of regulations made in pursuance of
7 section 7(5) of this Bill, the Provost may, on the recommendation of the
8 Senate, appoint an appropriate person as examiner in the place of the
9 examiner removed in pursuance of subsection (1) of this section.

10 (3) It shall be the duty of the Provost on signing an instrument of
11 removal pursuance to this section, to use his best endeavours to cause a copy
12 of the instrument to be served as soon as reasonably practicable on the
13 person to whom it is related.

14 **18.-(1)** The Students shall be:

Participation and
Discipline of
Students

15 (a) represented in the College's Students Welfare Board and other
16 committees that deal with the affairs of students;

17 (b) Participate in various aspects of curriculum development;

18 (c) Participate in the process of assessing academic staff in respect
19 of teaching; and

20 (d) Be encouraged to be more self-assured as part of the national
21 development process.

22 (2) Subject to the provisions of this section, where it appears to the
23 Provost that any student of the College has been guilty of misconduct, the
24 Provost may, without prejudice to any other disciplinary powers conferred
25 on him by statute or regulations, direct:

26 (a) that the student shall not, during such period as may be specified
27 in the directions, participate in such activities of the College, or make use of
28 such facilities of the College, as may be so specified;

29 (b) that the activities of the student shall, during such period as may

1 be specified in the direction, be restricted in such manner as maybe so
2 specified;

3 (c) that the student be rusticated for such period as may be specified in
4 the direction; or

5 (d) that the student be expelled from the College.

6 (3) Where a direction is given under subsection (1)(c) or (d) of this
7 section in respect of any student, that student may, within the prescribed period
8 and in the prescribed manner, appeal to the Council; and where such an appeal
9 is brought, the Council shall, after causing such inquiry to be made in the matter
10 as the Council considers just either confirm or set aside the direction or modify
11 it in such manner as the Council thinks fit.

12 (4) The fact that an appeal from a direction is brought in pursuance to
13 subsection (2) of this section shall not affect the operation of the direction while
14 the appeal is pending:

15 (a) The Provost may delegate his powers under this section to a
16 disciplinary board consisting of such members of the College as he may
17 nominate;

18 (b) Nothing in this section shall be construed as preventing the
19 restriction or termination of students' activities at the College otherwise than on
20 the ground of misconduct;

21 (c) A direction under subsection (2)(a) of this section may be
22 combined with a direction under subsection (2)(b) of this section.

23 PART V - MISCELLANEOUS AND GENERAL

Exclusion of
discrimination
on account of
race, religion, etc.

24 **19.-(1)** No person shall be required to satisfy requirements as to any of
25 the following matters, that is to say, race (including ethnic grouping), sex,
26 account of race, place of birth or of family origin, or religious or political
27 persuasion, as a condition of becoming or continuing to be a student at the
28 College, the holder of any degree of the College or of any appointment or
29 employment at the College, or a member of anybody established by virtue of
30 this Bill; and no person shall be subject to any disadvantage or accorded any

1 advantage relation to the College, by reference to any of those matters.

2 (2) Nothing in subsection (1) of this section shall be construed as
3 preventing the College from imposing any disability or restriction on any of
4 the persons mentioned in that subsection where such person willfully
5 refuses or fails on grounds of religious belief to undertake any duty
6 generally and uniformly imposed on all such person or any group of them
7 which duty, having regard to its nature and the special circumstances
8 pertaining thereto, is in the opinion of the College reasonably justifiable in
9 the national interest.

10 **20.** Without prejudice to the provisions of the Land Use Act, the
11 College shall not dispose of or charge any land or an interest in any land
12 (including any land transferred to the College by this Bill) except with the
13 prior written consent, either general or special, of the Governor:

Restriction on
disposal of land
by College

14 Provided that such consent shall not be required in the case of any
15 lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease
16 or tenancy to a member of the College for residential purpose.

17 **21.** Except as may be otherwise provided by statute or by
18 regulations, the quorum and procedure of any body of persons established
19 by this Bill shall be as determined by that body.

Quorum and
procedure of bodies
established by
this Bill

20 **22.-(1)** Anybody of persons established by this Bill shall, without
21 prejudice to the generality of the powers of that body, have power to appoint
22 committees, which need not consist exclusively of members of that body,
23 and to authorize a committee established by it:

Appointment of
committee, etc.

24 (a) to exercise, on its behalf, such of its functions as it may
25 determine;

26 (b) to co-opt members, and

27 (2) Any two or more such bodies may arrange for the holding of
28 joint meetings of those bodies, or for the appointment of committees
29 consisting of members of those bodies, for the purpose of considering any
30 matter within the competence of those bodies or any of them, and either of

1 dealing with it or of reporting on it to those bodies or any of them.

2 (3) Except as may be otherwise provided by statute or by regulations,
3 the quorum and procedure of a committee established or meeting held in
4 pursuance of this section, shall be such as may be determined by the body or
5 bodies which have decided to establish the committee or hold the meeting.

6 (4) Nothing in the provisions of subsection (1), (2) and (3) of this
7 section shall be construed as:

8 (a) enabling the statutes to be made otherwise than in accordance with
9 section 1 of this Bill; or

10 (b) enabling the Senate to empower any other body to make
11 regulations of the award degrees or other qualifications.

12 (5) The Pro-Chancellor and the Provost shall be members of every
13 committee of which the members are wholly or partly appointed by the Council
14 (other than a committee appointed to inquire into the conduct of the officer in
15 question); and the Provost shall be a member of every committee of which the
16 members are wholly or partly appointed by the Senate.

Retiring age of
academic staff

17 **23.**-(1) Notwithstanding anything to the contrary in the Pension Act,
18 the compulsory retiring age of the following categories of staff shall be as
19 follows:

20 (a) Academic staff of the College in the non-Professorial cadre shall
21 be 65 years;

22 (b) Academic staff of the College in the Professorial Cadre shall be 70
23 years;

24 (c) Non-academic staff of the College shall be 65 years.

25 (2) A law or rule requiring a person to retire from the public service
26 after serving for 35 years shall not apply to an academic staff of the College.

Special Provisions
relating to Pension
of Professors

27 **24.** An academic staff of the College who retires as a Professor in the
28 College shall be entitled to pension at a rate equivalent to his annual salary
29 provided that the Professor has served continuously in the College up to the
30 retirement age.

1 **25.**-(1) The seal of the College shall be such as may be determined
2 by the Council and approved by the Chancellor, and the affixing of the seal
3 shall be authenticated by any member of the Council and by the Provost,
4 Secretary to the Council or any other person authorized by statute.

5 (2) Any document purporting to be a document executed under the
6 seal of the College shall be received in evidence and shall, unless the
7 contrary is proved, be presumed to be so executed.

8 (3) Any contract or instrument which if made or executed by a
9 person not being a body corporate would not be required to be under seal,
10 may be made or executed on behalf of the College by any person generally or
11 specially authorized to do so by the Council.

12 (4) The validity of any proceedings of anybody established in
13 pursuance of this Bill shall not be affected by any vacancy in the
14 membership of the body, or by any defect in the appointment of a member of
15 the body or by reason that any person not entitled to do so took part in the
16 preceding.

17 (5) Any member of any such body who has a personal interest in
18 any matter proposed to be considered by that body shall forthwith disclose
19 his interest to the body and shall vote on any question relating to that matter.

20 (6) Nothing in section 12 of the Interpretation Act (which provides
21 for the application in relation to subordinate legislation of certain incidental
22 provisions) shall apply to statutes or regulations made in pursuance to this
23 Bill.

24 (7) The power conferred by this Bill on anybody to make statutes or
25 regulations shall include power to revoke or vary any statute (including the
26 statute contained in the Third Schedule of this Bill) or any regulation by a
27 subsequent statute or as the case may be, by a subsequent regulation and
28 statutes and regulations may make different provisions in relation to
29 different circumstances.

30 (8) No stamp or other duty shall be payable in respect of any f

Restriction of
suits and execution

1 transfer of property to the College by virtue of section 8 or section 18 of this
2 Bill or the Second Schedule to this Bill.

3 (9) Any notice or other instrument authorized to be served by virtue of
4 this Bill may, without prejudice to any other mode of service, be served by post.

5 **26.-(1) Pre-Action Notice:**

6 (a) No legal proceeding shall be instituted and/or commenced against
7 the College or any of its agents in the course of their official duties unless a 3
8 months' Pre-Action Notice of such intention is served on the College by an
9 aggrieved party;

10 (b) The Notice shall state the reason and the cause of action intended
11 to be taken against the College, the particulars of the claim, the name and place
12 of abode of the intending plaintiff and the relief which he claims;

13 (c) For the avoidance of doubt, it is hereby declared that no suit shall
14 be commenced against an officer or servant of the College, in any case where
15 the College is vicariously liable for any alleged act, neglect or default of the
16 officer or servant in the performance or intended performances of his duties,
17 unless three months at least has elapsed after written notice of intention to
18 commence the same shall have been served on the College by the intending
19 plaintiff or his agent;

20 (d) In any suit against this College, no execution or attachment or
21 process in the nature thereof shall be issued against the College, but any sums
22 of money which may be judgment of the court be awarded against the College
23 shall, subject to any direction given by the court where notice of appeal has
24 been given by the College in respect of the said judgment, be paid by the
25 College from its general fund.

26 **(2) Service of Notices:**

27 Service upon the College of any notice, order or other document may
28 be effected by delivering the same or by sending it by registered post addressed
29 to the Registrar and Secretary of the Council.

1	27.-(1) In this Bill, unless the context otherwise requires:	Interpretation
2	"Campus" means any campus which may be established by the College;	
3	"College" means the College established pursuant to section 2 (1) (b) of this	
4	Bill for the	
5	College;	
6	"Council" means the Governing Council of the College established by	
7	section 5 of this Bill;	
8	"Functions" includes powers and duties;	
9	"Graduate" means a person on whom a degree, other than an honorary	
10	degree, has been conferred by the College and any other person as may be	
11	designated as a graduate by the Council, acting in accordance with the	
12	recommendation of the Senate;	
13	(Erroneously omitted)	
14	"Minister" means the Hon. Minister of Education;	
15	"Notice" means notice in writing;	
16	"Officer" does not include the Visitor;	
17	"Prescribed" means prescribed by statute or regulations;	
18	"Professor" means a person designated as a Professor of the College in	
19	accordance with provisions made in that behalf by statute or by regulations;	
20	"Property" includes rights, liabilities and obligations;	
21	"Provisional Council" means the provisional council appointed for the	
22	College;	
23	"Regulations" means regulations made by the Senate or the Council;	
24	"Senate" means the Senate of the College established pursuant to section	
25	2(1)(e) of this Bill;	
26	"School" means a unit of closely related academic programmes;	
27	"Statute" means a statute made by each College under section 10 of this Bill	
28	and in accordance with the provisions of section 11 of this Bill;	
29	"the statutes" means all such statutes as are in force from time to time;	
30	"Teacher" means a person holding a full-time appointment as a member of	

1 the teaching or research staff of the College;
2 "Undergraduate" means a person registered as a student undergoing a course of
3 study for a first degree of the College or such other course in the College as may
4 be approved by the Senate as qualifying a student undergoing it for the status of
5 an under-graduate;

6 "College" means the Federal College of Education (Technical) Ako, Ago-
7 Iwoye, Ogun State established and incorporated by section 1 of this Bill.

8 (2) It is hereby declared that where in any provision of this Bill it is
9 laid down that the proposals are to be submitted or a recommendation is to be
10 made by one authority or another through one or more intermediate authorities,
11 it shall be the duty of every such intermediate authority to forward any
12 proposals of that or recommendations received by it in pursuance of that
13 provision to the appropriate authority; but any such intermediate authority
14 may, if it thinks fit, forward therewith its own comments thereon.

Short title

15 **28.** This Bill may be cited as the Federal College of Education
16 (Technical) Ako, Ago-Iwoye, Ogun State (Est.) Bill, 2019.

1 SCHEDULES

2 FIRST SCHEDULE

3 [Section 2(2)]

4 PRINCIPAL OFFICERS OF THE COLLEGE

5 *The Chancellor*6 1. The Chancellor shall be appointed by and hold office at the
7 pleasure of the President.8 *The Pro-Chancellor*9 2.-(1) The Pro-Chancellor who shall be the Chairman of Council
10 shall be appointed or removed from office by Mr. President upon
11 recommendation by the Minister of Education.12 (2) Subject to the provisions of this Bill, the Pro-Chancellor shall
13 hold office for a period of four years beginning with the date of his
14 appointment.15 *The Provost*16 3.-(1) There shall be a Provost of the College who shall be
17 appointed by the Council in accordance with the provisions of this
18 paragraph.19 (2) Where a vacancy occurs in the post of a Provost, the Council
20 shall:21 (a) advertise the vacancy in a reputable journal or a widely read
22 newspaper in Nigeria, specifying:

23 (i) the qualities of the persons who may apply for the post; and

24 (ii) the terms of conditions of service applicable to the post, and
25 thereafter draw up a short list of suitable candidates for the post for
26 consideration:

27 (b) constitute a Search Team consisting of:

28 (i) a member of the Council, who is not a member of the Senate, as
29 chairman;

30 (ii) two members of the Senate who are not members of the

1 Council, one of whom shall be a Professor;

2 (iii) two members of Congregation who are not members of the
3 Council, one of whom shall be a Professor, to identify and nominate for
4 consideration, suitable persons who are not likely to apply for the post on their
5 own volition because they felt that it is not proper to do so.

6 (3) A Joint Council and Senate Selection Board consisting of:

7 (a) the Pro-Chancellor, as chairman:

8 (b) two members of the Council, not being members of the Senate;

9 (c) two members of the Senate who are Professors, but who were not
10 members of the Search Team, shall consider the candidates and persons in the
11 shortlist drawn up under subsection (2) of this paragraph through an
12 examination of their curriculum vitae and interaction with them, and
13 recommend to the Council three candidates for further consideration.

14 (4) The Council shall select and appoint as the Provost one candidate
15 from among the three candidates recommended to it under subsection (3) of
16 this section and thereafter inform the Visitor.

17 (5) The Provost shall hold office for a single term of five years only on
18 such terms and conditions as may be specified in his letter of appointment.

19 (6) The Provost may be removed from office by the Council on
20 grounds of gross misconduct or inability to discharge the functions of his office
21 as a result of infirmity of the body or mind, at the initiative of the Council,
22 Senate or the Congregation after due process.

23 (7) When the proposal for the removal of the Provost is made, the
24 Council shall constitute a Joint Committee of Council and Senate consisting of:

25 (i) three members of the Council, one of whom shall be the Chairman
26 of the committee; and

27 (ii) two members of the Senate,

28 Provided that where the ground for removal is infirmity of the body or
29 mind, the Council shall seek appropriate medical opinion.

30 (8) The committee shall conduct investigation into the allegations

1 made against the Provost and shall report its findings to the Council.

2 (9) The Council may where the allegations are proved remove the
3 Provost or apply any other disciplinary action it may deem fit and notify the
4 Visitor accordingly provided that a Provost who is removed shall have right
5 of appeal to the Visitor.

6 (10) There shall be no sole administrator in the College.

7 (11) In any case of a vacancy in the office of the Provost, the
8 Council shall appoint an acting Provost on recommendation of the Senate.

9 (12) An acting Provost in all circumstances shall not be in office for
10 more than 6 months.

11 *Deputy Provost*

12 4.-(1) There shall be for the College such number of Deputy
13 Provosts as Council may from time to time deem necessary for the proper
14 administration of the College.

15 (2) Where a vacancy occurs in the post of Deputy Provost, the
16 Provost shall forward to the Senate a list of two candidates for each post of
17 Deputy Provost that is vacant.

18 (3) The Senate shall select for each vacant post one candidate from
19 each list forwarded for it under subsection (2) of this paragraph and forward
20 his name to the Council for confirmation.

21 (4) A Deputy Provost shall:

22 (a) assist the Provost in the performance of his functions;

23 (b) act in the place of the Provost when the post of the Provost is
24 vacant or if the Provost is, for any reason, absent or unable to perform his
25 functions as Provost; and

26 (c) perform such other functions as the Provost or the Council may,
27 from time to time, assign to him.

28 (5) A Deputy Provost:

29 (a) shall hold office for a period of two years beginning from the
30 effective date of his appointment and on such terms and conditions as may

1 be specified in his letter of appointment; and

2 (b) may be reappointed for one further period of two years and no
3 more.

4 (c) may be removed from office for good cause by the Council acting
5 on the recommendations of the Provost and Senate.

6 (d)"Good cause" for the purpose of this section means gross
7 misconduct or inability to discharge the functions of his office arising from
8 infirmity of the body or mind.

9 *Office of the Registrar*

10 5.-(1) There shall be for the College, a Registrar, who shall be the
11 chief administrative officer of the College and shall be responsible to the
12 Provost for the day-to-day administrative work of the College except as
13 regards matters for which the Bursar is responsible in accordance with
14 paragraph 6(2) of this Schedule.

15 (2) The person holding the office of the Registrar shall by virtue of
16 that office be Secretary to the Council, the Senate, Congregation and
17 Convocation.

18 *Other Principal Officers of the College*

19 6.-(1) There shall be for the College the following principal officers,
20 in addition to the Registrar, that is:

21 (a) the Bursar; and

22 (b) the College Librarian, who shall be appointed by the Council on
23 the recommendation of the Selection Board constituted under paragraph 7 of
24 this Schedule.

25 (2) The Bursar shall be the Chief Financial Officer of the College and
26 be responsible to the Provost for the day-to-day administration and control of
27 the financial affairs of the College.

28 (3) The College Librarian shall be responsible to the Provost for the
29 administration of the College Library and the co-ordination of the library
30 services in the College and its campuses, colleges, schools, departments,

1 institutes and other teaching or research units.

2 (4) Any question as to the scope of the responsibilities of the
3 aforesaid officers shall be determined by the Provost

4 *Selection Board for other Principal Officers*

5 7.-(1) There shall be, for the College, a Selection Board for the
6 appointment of principal officers, other than the Provost or Deputy Provost,
7 which shall consist of-

8 (a) the Pro-Chancellor, as chairman;

9 (b) the Provost;

10 (c) four members of the Council not being members of the Senate;

11 and

12 (d) two members of the Senate.

13 (2) The functions, procedure and other matters relating to the
14 Selection Board constituted under subsection (1) of this paragraph shall be
15 as the Council may, from time to time, determine.

16 (3) The Registrar, Bursar and Librarian shall hold office for a single
17 term of five years only beginning from the effective date of their
18 appointments and on such terms and conditions as may be specified in their
19 letters of appointment.

20 (4) Notwithstanding subsection (3) of this section, the Council
21 may, upon satisfactory performance, extend the tenure of the Registrar,
22 Bursar or Librarian for a further period of one year only and thereafter such
23 principal officer shall relinquish his post and be assigned to other duties in
24 the College.

25 *Resignation and Re-appointment*

26 8.-(1) Any officer mentioned in the foregoing provisions of this
27 Schedule may resign his office:

28 (a) in the case of the Chancellor or Pro-Chancellor, by notice to the
29 Visitor;

30 (b) in any other case, by notice to the Council and the Council shall,

1 in the case of the Provost, immediately notify the Visitor.

2 (2) Without prejudice to paragraph 4 of this Schedule, a person who
3 has ceased to hold an office so mentioned otherwise than by removal for
4 misconduct shall be eligible for re-appointment to that office.

5 SECOND SCHEDULE

6 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

7 *Transfer of Property to College*

8 1. Without prejudice to the generality of section 9 (1) of this Bill:

9 (a) the reference in that subsection to property held by the Provisional
10 Council shall include a reference to the right to receive and give a good
11 discharge for any grants or contributions which may have been voted or
12 promised to the Provisional Council;

13 (b) all debts and liabilities of the Provisional Council .outstanding
14 shall become debts or liabilities of the College.

15 2.-(1) All agreements, contracts, deeds and other instruments to
16 which the Provisional Council was a party shall, so far as possible and subject
17 to any necessary modifications, have effect as if the College had been a party
18 thereto in place of the Provisional Council.

19 (2) Documents not falling within subsection (1) of this paragraph,
20 including enactment which refer, whether specially .or generally, to the
21 Provisional Council, shall be construed in accordance with that sub-section so
22 far as applicable.

23 (3) Any legal proceedings or application to any authority pending by
24 or against the Provisional Council may be continued by .or against the College.

25 *Registration of transfers*

26 3.-(1) If the law in force at the place where any property transferred by
27 this Bill is situated provides for the registration of transfers of property of the
28 kind in question (whether by reference to an instrument of transfer .or
29 otherwise), the law shall, so far as it provides for alterations of a register (but
30 not for avoidance of transfers, the payment of fees or any other matter) apply,

1 with necessary modifications, to the property aforesaid.

2 (2) It shall be the duty of the body to which any property is
3 transferred by this Bill to furnish the necessary particulars of the transfer to
4 the proper officer of the registration authority, and of that officer to register
5 the transfer accordingly.

6 *Transfer of Functions, etc.*

7 4.-(1) The first meeting of the Council shall be convened by the
8 Pro-Chancellor on such date and in such manner as he may determine.

9 (2) The persons who were members of the Provisional Council
10 shall be deemed to constitute the Council until the date when the Council as
11 set up under the Third Schedule to this Bill shall have been duly constituted.

12 (3) The first meeting of the Senate as constituted by this Bill shall
13 be convened by the Provost on such date and in such manner as he may
14 determine.

15 (4) The persons who were members of the Academic Board
16 immediately before the coming into force of this Bill shall be deemed to
17 constitute the Senate of the College until the date when the Senate as set up
18 under the Third Schedule to this Bill shall have been duly constituted.

19 (5) Subject to any regulations which may be made by the Senate
20 after the date on which this Bill is made, the schools, school boards and
21 students of the College immediately before the coming into force of this Bill
22 shall on that day become schools, school boards and students of the College
23 as constituted by this Bill.

24 (6) Persons who were Deans of schools and Heads of Academic
25 Departments shall continue to be Deans or HODs of the corresponding
26 School/Department, until new appointments are made in pursuance of the
27 statutes.

28 (7) Any person who was a member of the staff of the College as
29 established or was otherwise employed by the Provisional Council shall
30 become the holder of an appointment at the College with the status,

1 designation and functions which correspond as nearly as may be to those which
2 appertained to him as member of that staff or as such an employee.

3 **THIRD SCHEDULE**

4 *[Section 9 (3)]*

5 **FEDERAL COLLEGE OF EDUCATION (TECHNICAL) AKO, AGO-IWOYE,**

6 **OGUN STATE**

7 **Statute No.1**

8 **ARRANGEMENT OF ARTICLES**

9 **Articles**

10 1. The Council

11 2. The Finance and General Purposes Committee

12 3. The Senate

13 4. The Congregation

14 5. Convocation

15 6. Division of Colleges

16 7. College/School Boards

17 8. Dean of the College

18 9. Selection of certain Principal Officers

19 10. Creation of academic posts

20 11. Appointment of academic staff

21 12. Appointment of administrative and professional staff

22 13. Interpretation

23 14. Short Title

24 *The Council*

25 1.-(1) The composition of the Council shall be as provided in section 5
26 of this Bill.

27 (2) Any member of the Council holding office otherwise than in
28 pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the
29 Council, resign his office.

30 (3) A member of the Council holding office otherwise than in

1 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he
2 previously vacates it, vacate that office on the expiration of the period of
3 four years beginning with effect from 1 August in the year which he was
4 appointed.

5 (4) Where a member of the Council holding office otherwise than
6 in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before
7 the expiration of the period aforesaid, the body or person by whom he was
8 appointed may appoint a successor to hold office for the residue of the term
9 of his predecessor.

10 (5) A person ceasing to hold office as a member of the Council
11 otherwise than by removal for misconduct shall be eligible for re-
12 appointment for only one further period of four years.

13 (6) The quorum of the Council shall be five, at least one of whom
14 shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.

15 (7) If the Pro-Chancellor is not present at a meeting of the Council,
16 such other member of the Council present at the meeting as the Council may
17 appoint as respects that meeting shall be the chairman at that meeting, and
18 subject to section 4 of this Bill and the foregoing provisions of this
19 paragraph, the Council may regulate its own procedure.

20 (8) Where the Council desires to obtain advice with respect to any
21 particular matter may co-opt not more than two persons for that purpose, and
22 the persons co-opted may take part in the deliberations of the Council at any
23 meeting but shall not be entitled to vote.

24 *The Finance and General Purposes Committee*

25 2.-(1) The Finance and General Purposes Committee of the
26 Council shall consist of:

27 (a) the Pro-Chancellor, who shall be the chairman of the
28 Committee at any meeting at which he is present;

29 (b) the Provost and Deputy Provosts;

30 (c) six other members of the Council appointed by the Council, two

1 of whom shall be selected from among the four members of the Council
2 appointed by the Senate and one member appointed to the Council by
3 Congregation;

4 (d) the Permanent Secretary of the Federal Ministry of Education, or
5 in his absence, such member of his Ministry as he may designate to represent
6 him; and

7 (e) the Executive Secretary of the Petroleum Technology
8 Development Fund, or in his absence, such member of the Fund as he may
9 designate to represent him.

10 (2) The quorum of the Committee shall be five.

11 (3) Subject to any directions given by the Council, the Committee
12 may regulate its own procedure.

13 *Annual budget and estimates, etc.*

14 (4) (i) The estimates of income and expenditure for a financial year
15 shall be presented by the Provost to the Council and may be approved by the
16 Council before the beginning of that financial year;

17 Provided that the Provost may during any financial year present and
18 the Council may approve supplementary estimates of income or expenditure.

19 (ii) The annual and supplementary estimates shall be prepared in such
20 form and shall contain such information as the Council may direct.

21 *Gifts, donations, etc.*

22 (5) (i) The Council may on behalf of the College accept by way of
23 grants, gift, testamentary disposition or otherwise, property and money in aid
24 of the finances of the College on such conditions as it may approve;

25 (ii) Registers shall be kept of all donations to the College including
26 the names of donors and any special conditions under which any donation may
27 have been given;

28 Provided that the College shall not be obliged to accept a donation for
29 a particular purpose unless it approves of the terms and conditions attaching to
30 such donation.

(iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank:

(6) All sums of money received on account of the College shall be paid into such bank as may be approved by the Council for the credit of the College's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit

3.-(1) The Council shall cause the accounts of the College to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.

(2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

The Senate

4.-(1) The Senate shall consist of:

- (i) the Provost;
- (ii) Deputy Provosts;
- (iii) the Deans of respective Colleges;
- (iv) the Professors in the College;
- (v) Heads of Academic Departments and Units;
- (vi) the College Librarian;
- (vii) One elected representative of each College;
- (viii) Two members of Academic Staff elected by the Congregation;
- (ix) One elected representative of each department;

1 (x) Two members representing a variety of interests of the
2 professional bodies outside the College appointed by the Senate on the
3 recommendation of the Provost;

4 (xi) Registrar - Secretary.

5 (2) The procedure for election of members of Senate to the Council
6 shall be prescribed by Regulations.

7 (3) The Provost shall be the chairman at all meetings of the Senate
8 when he is present, and in his absence any of the Deputy Provosts present at the
9 meeting as the Senate may appoint for that meeting shall be the chairman at the
10 meeting.

11 (4) The quorum of the Senate shall be one quarter or the nearest whole
12 number less than one quarter; and subject to paragraph (3) of this Article, the
13 Senate may regulate its own procedure.

14 (5) An elected member may, by notice to the Senate, resign his office.

15 (6) Subject to paragraph (8) of this article, there shall be elections for
16 the selection of elected members which shall be held in the prescribed manner
17 on such day in the month of May or June in each year as the Provost may from
18 time to time determine.

19 (7) An elected member shall hold office for the period of two years
20 beginning with 1 August in the year of his election, and may be a candidate at
21 any election held in pursuance to paragraph (6) of this article in the year in
22 which his period of office expires, so however that no person shall be such a
23 candidate if at the end of his current period of office he will have held office as
24 an elected member for a continuous period of six years or would have so held
25 office if he had not resigned it.

26 (8) No election shall be held in pursuance of this article in any year if
27 the number specified in the certificate given in pursuance to paragraph (11) of
28 this article does not exceed by more than one the figure which is thrice the
29 number of those elected members holding office on the date of the certificate

1 who do not vacate office during that year in pursuance of paragraph (7) of
2 this article.

3 (9) For the avoidance of doubt it is hereby declared that no person
4 shall be precluded from continuing in or taking office as an elected member
5 by reason only of reduction in the after 30 April in any year in which he is to
6 continue in or take office as all elected member.

7 (10) If so requested in writing by any fifteen members of the
8 Senate, the Provost or in his absence any of the Deputy Provost duly
9 appointed by him, shall convene a meeting of the Senate to be held not later
10 than the tenth day following that on which the request was received.

11 (11) In this article "total of non-elected members" means as respect
12 any year, such number as may be certified by the Provost on 30 April of that
13 year to be the number of persons holding office as members of the Senate on
14 that day otherwise than as elected members.

15 *Congregation*

16 5. -(1) Congregation shall consist of:

17 (i) Provost;

18 (ii) the Deputy Provosts;

19 (iii) the full-time members of the academic staff;

20 (iv) The Registrar;

21 (v) The Librarian;

22 (vi) Every member of the administrative staff who holds a degree,
23 other than honorary degree, of any College recognized for the purposes of
24 this statute by the Provost.

25 (2) Subject to section 4 of this Bill, the Provost shall be the
26 chairman at all meetings of Congregation when he is present; and in his
27 absence any of the Deputy Provosts present at the meeting as Congregation
28 may appoint for that meeting, shall be the chairman at the meeting.

29 (3) The quorum of Congregation shall be one third or the whole
30 number nearest to one third of the total number of members of Congregation

1 of fifty, whichever is less.

2 (4) A certificate signed by the Provost specifying:

3 (a) the total number of members of Congregation for the purpose of
4 any particular meeting or meetings of Congregation; or

5 (b) the names of the persons who are members of Congregation
6 during a particular period, shall be conclusive evidence of that number or, as
7 the case may be, of the names of those persons.

8 (5) The procedure for election of members of Congregation to the
9 Council and the Senate shall be prescribed by Regulations.

10 (6) Subject to the foregoing provisions of this article, Congregation
11 may regulate its own procedure.

12 (7) Congregation shall be entitled to express by resolutions or
13 otherwise its opinion on all matters affecting the interest and welfare of the
14 College and shall have such other functions, in addition to the function of
15 electing a member of the Council, as may be provided by statute or regulations.

16 *Convocation*

17 6.-(1) Convocation shall consist of:

18 (i) the officers of the College mentioned in the First Schedule to this
19 Bill;

20 (ii) All teachers within the meaning of this Bill;

21 (iii) All other persons whose names are registered in accordance with
22 paragraph (2) of this article.

23 (2) A person shall be entitled to have his name registered as a member
24 of convocation if:

25 (a) he is either a graduate of a College or a person satisfying such
26 requirements as may be prescribed for the purposes of this paragraph; and

27 (b) he applies for the registration of his name in the prescribed manner
28 and pay the prescribed fees.

29 (3) Regulations shall provide for the establishment and maintenance
30 of a register for the purpose of this paragraph and subject to paragraph (4) of

1 this article may provide for the payment, from time to time, of further fees by
2 persons whose names are on the register and for the removal from the
3 register of the name of any person who fails to pay those fees.

4 (4) The person responsible for maintaining the register shall,
5 without the payment of any fees, ensure that the names of all persons who
6 are for the time being members of the Convocation by virtue of paragraph
7 (1)(a) or (b) of this article are entered and retained on the register.

8 (5) A person who reasonably claims that he is entitled to have his
9 name on the register shall be entitled on demand to inspect the register or a
10 copy of the register at the principal times of the College at all reasonable
11 times.

12 (6) The register shall, unless the contrary is proved, be sufficient
13 evidence that any person named therein is not, a member of Convocation;
14 but for the purpose of ascertaining whether a particular person was such a
15 member on a particular date, any entries in and deletions from the register
16 made on or after that date shall be disregarded.

17 (7) The quorum of Convocation shall be fifty or one third or the
18 whole number nearest to one third or the whole number of members of
19 Convocation whichever is less.

20 (8) Subject to section 4 of the Act, the Chancellor shall be chairman
21 at all meetings of Convocation when he is present, and in his absence the
22 Provost shall be the chairman at the meeting.

23 (9) Convocation shall have such functions, in addition to the
24 function of appointing a member of the Council, as may be provided by
25 statute or regulations.

26 *Division of Colleges*

27 7. Each College shall be divided into such number of branches as
28 may be prescribed.

29 *College Boards*

30 8.-(1) There shall be established in respect of each College, a Board

1 of Studies which, subject to the provisions of this Statute, and subject to the
2 directions of the Provost, shall:

3 (a) Regulate the teaching and study of, and the conduct of
4 examinations connected with, the subjects assigned to the college;

5 (b) Deal with any other matter assigned to it by statute or by the
6 Provost or by the Senate; and

7 (c) Advise the Provost or the Senate on any matter referred to it by the
8 Provost or the Senate.

9 (2) Each College Board of Studies shall consist of:

10 (a) the Provost;

11 (b) the Dean;

12 (c) the persons severally in charge of the branches of the school;

13 (d) the College Examination Officer;

14 (e) such of the teachers assigned to the college and having the
15 prescribed qualifications as the Board may determine; and

16 (f) such persons, whether or not members of the College, as the Board
17 may determine with the general or special approval of the Senate.

18 (3) The quorum of the Board shall be eight members. or one quarter,
19 whichever is greater, of the members for the time being of the board; and
20 subject to the provisions of this statute and to any provision made by
21 regulations in that behalf, the Board may regulate its own procedure.

22 *Deans of the Colleges*

23 9.-(1) The Board of each College shall, at a meeting in the last term of
24 any academic year which the term of office of the Dean expires, nominate one
25 of its members, being one of the Professors assigned to that teaching unit, for
26 appointment by the Senate as Dean of the College.

27 (2) The person appointed under paragraph 1 of this Article shall act as
28 Dean of the College and chairman of all meetings of the College Board when he
29 is present and shall be a member of all committees and other boards appointed
30 by the College.

1 (3) The Dean shall hold office for two years and shall be eligible for
2 re-appointment one further period of two years. Thereafter he shall not be
3 eligible for re-appointment until two years have elapsed.

4 (4) The Dean of a College shall exercise general superintendence
5 over the academic and administrative affairs of the College.

6 (5) It shall be the function of the Dean to present to Convocation for
7 the conferment of degrees to persons who have qualified for the degrees of
8 the College at examination held in the branches of learning for which
9 responsibility is allocated to that College.

10 (6) There shall be a committee to be known as the Committee of
11 Deans consisting of all the Deans of the several Colleges and that
12 Committee shall advise the Provost on all academic matters and on
13 particular matters referred to the College by the Senate.

14 (7) The Dean of a College may be removed from office for good
15 cause by the College Board after a vote would have been taken at a meeting
16 of the Board, and in the event of a vacancy occurring following the removal
17 of a Dean, an acting Dean may be appointed by the Provost:

18 Provided that at the next College Board meeting an election shall be held for
19 a new Dean.

20 (8) In this article "good cause" has the same meaning as in section
21 15(3) of the Act.

22 *Departmental Board of Studies*

23 10.-(1) There shall be a Departmental Board of Studies whose
24 membership shall be made of all academic staff of the Department;

25 (2) It shall be headed by a Professor who shall be appointed by the
26 Provost and in the absence of a Professor, a senior academic staff shall be
27 appointed in acting capacity;

28 (3) For a Professor the term is for 3 years while 1 year is for acting
29 capacity.

30 (4) The Board shall superintend over all teachings and

1 examinations in the Department;

2 (5) The Board shall handle all disciplinary matters in the Department
3 and make recommendations to the College where necessary;

4 (6) Allocation of courses in the department shall be done by the
5 Departmental Board on recommendation of the Head of Department.

6 Selection of Directors of Physical Planning and Development, Works and
7 Services and Health

8 11.-(1) When a vacancy occurs in the office of the Directors of
9 Physical Planning and Development, Works and Services and Health, a
10 Selection Board shall be constituted by the Council which shall consist of:

11 (a) the Pro-Chancellor;

12 (b) the Provost;

13 (c) two members appointed by the Council, not being members of the
14 Senate;

15 (d) Two members appointed by the Senate.

16 (2) The Selection. Board after making such inquiries as it thinks fit,
17 shall recommend a candidate to the Council for appointment to the vacant
18 office; and after considering the recommendation of the board the Council may
19 make an appointment to that office.

20 *Tenure of Directors*

21 12. A Director shall hold office on such terms and conditions as may
22 be specified in his letter of appointment subject to the extant Regulations.

23 *Creation of Academic Posts*

24 13. Recommendations for the creation of academic posts other than
25 principal officers shall be made by the Senate to the Council through the
26 Finance and General Purposes Committee.

27 *Appointment of Academic Staff*

28 14.-(1) Subject to the Act and statutes, the filling of vacancies in
29 academic posts (including newly created ones) shall be the responsibility of the
30 Council through the Departments and Colleges.

1 (2) For the purpose of filling such vacancies, suitable selection
2 boards to select and make appointments on behalf of the Council shall be set
3 up.

4 (3) For appointment to Professorships, Associate Professorship or
5 Readerships or equivalent posts, a Board of Selection, with power to
6 appoint, shall consist of:

7 (a) the Provost - Chairman;

8 (b) Deputy Provost - Member;

9 (c) The Dean of the College - Member;

10 (d) Head of Department - Member;

11 (e) such other person(s), not exceeding two in number, deemed
12 capable of helping the Board in assessing both the professional and
13 academic suitability of a candidate under consideration, as the Senate may
14 from time to time appoint;

15 (f) Registrar - Secretary.

16 (4) For other academic posts, a Selection Board, with power to
17 appoint, shall consist of:

18 (a) the Provost or his representative- Chairman;

19 (b) The Dean of the College - Member;

20 (c) Head of the Department concerned - Member;

21 (d) An internal member of Council (not below the Rank of Senior
22 Lecturer from the sister college in the Candidate's subject-area) - Member;

23 (e) Registrar or his representative - Secretary.

24 (5) All appointments to senior library posts shall be made in the
25 same way as equivalent appointments in the academic cadre; and for all such
26 posts other than that of the Librarian, the Librarian shall be a member of the
27 Selection Board.

28 (6) Boards of Selection may interview candidates directly or
29 consider the reports of specialist interviewing panels and shall in addition, in
30 the case of Professorships, Associate Professorship, Readerships or uivalent

1 equivalent Posts, consider the reports of External Assessors relevant to the area
2 in which the appointment is being considered. Quorum shall be three (3)
3 including the Chairman.

4 *Appointment of Administrative and Professional Staff*

5 15.-(1)The administrative and professional staff of the College other
6 than principal officers shall be appointed by the Council on its behalf by the
7 Provost in accordance with delegation of powers made by the Council on its
8 behalf.

9 (2)A Selection Board, with power to appoint, shall consist of:

10 (i) Provost;

11 (ii) Deputy Provost;

12 (iii) Registrar;

13 (iv) Bursar;

14 (v) College Librarian;

15 (vi) The Head of Department concerned;

16 (vii) Establishment and Human Resources Officer who shall serve as
17 Secretary Quorum shall be three (3) including the Chairman.

18 *Interpretation*

19 16. In this Statute, the expression "the Act" means the Federal
20 College of Education (Technical) Ako, Ago-Iwoye, Ogun State Act and any
21 word or expression defined in the Act has the same meaning in this Statute.

22 *Short Title*

23 17. This Statute may be cited as the Federal College of Education
24 (Technical) Ako, Ago-Iwoye, Ogun State Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Education (Technical) Ako,
Ago-Iwoye, Ogun State.

FIRE (HAZARD PREVENTION AND SAFEGUARD) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Application for building permit
2. Alteration of building plan to incorporate fire safety device
3. Provision of functional fire safety devices in the building
4. Offence
5. Structural alteration
6. Application for certificate
7. Fees
8. Inspection
9. Register
10. Regulations
11. Interpretation
12. Citation

A BILL

FOR

AN ACT TO MAKE PROVISION FOR THE PREVENTION OF FIRE HAZARDS
AND THE SAFEGUARD OF PERSONS AND PROPERTY FROM FIRE DISASTER
AND FOR RELATED MATTERS

Sponsored by Hon. Ochiglegor Idagbo

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria-

1 1.-(1) A developer applying for a development permit from the Application for
2 authority to develop any land shall incorporate into the plan of the building a building permit
3 fire safety device.

4 (2) A developer of a new building shall, before or at the time of
5 submitting the building plan to the authority having power to approve the
6 plan under any Act, Law or Bye-Law, submit to the fire officer in the state
7 where the building is to be developed two copies of the plan incorporating
8 the fire safety device.

9 (3) Where the plan incorporating the fire safety device is in respect
10 of-

11 (a) a residential building; or

12 (b) a commercial building;

13 the fire officer, within 3 months of the receipt of the building plan, shall-

14 (i) examine the fire safety device incorporated in the building plan,

15 and

16 (ii) if he is satisfied that the building plan meets the requirements
17 set out in this Bill, issue a certificate to the applicant.

18 (4) If after due examination of the building plan, the fire officer is
19 of the opinion that it does not meet the requirements of this section, he may
20 refuse to issue a certificate to the applicant stating the reason for his refusal.

Alteration of
building plan to
incorporate fire
safety device

- 1 **2.-(1)** The alteration of any existing building is unlawful unless-
- 2 (a) the developer has incorporated in the plan of the building, as
- 3 altered, a fire safety device;
- 4 (b) two copies of the building plan, as altered, have been submitted to
- 5 the fire officer in the state where the building to be altered is situate, for
- 6 examination and approval by the authority.
- 7 (2) Where the building plan that meets the requirements set out in
- 8 Subsection (1) (a) of this section is in respect of a residential or commercial
- 9 building, the fire officer shall within 3 months of the receipt of the building
- 10 plan-
- 11 (a) examine the fire safety device incorporated in the building plan as
- 12 altered; and
- 13 (b) issue a certificate to the developer where he is satisfied that the
- 14 building plan meets the requirements set out under this Bill.
- 15 (3) If after due examination of the building plan the fire officer is of
- 16 the opinion that the building plan does not meet the requirements set out in this
- 17 section, he may refuse to issue a certificate to the applicant stating the reasons
- 18 for his refusal.

Provision of
functional fire
safety devices
in the building

- 19 **3.-(1)** A building shall be equipped with functional fire safety devices
- 20 for the effective control of any fire outbreak.
- 21 (2) It is not a defence for a developer under this section to claim that
- 22 the building was developed before the commencement of this Bill.
- 23 (3) The fire safety devices include-
- 24 (a) signpost;
- 25 (b) fire extinguisher;
- 26 (c) landing valve;
- 27 (d) sprinkler; and
- 28 (e) emergency exist.

Offence

- 29 **4.-(1)** Where the provisions of this Bill or the conditions stipulated in
- 30 certificate issued under this Bill have been contravened by-

- 1 (a) the developer; or
- 2 (b) any architect, engineer or surveyor employed by him to carry
- 3 out building works in relation to any building for which a certificate has
- 4 been obtained, the person commits an offence, and is liable on conviction to-
- 5 (i) a fine not exceeding N10,000,
- 6 (ii) imprisonment for a term not exceeding 6 months, or
- 7 (iii) both fine and imprisonment.
- 8 (2) Where the offence has continued, one year from the date of
- 9 discharge of the penalty, the sentence specified in Section 4 (1), shall be
- 10 imposed for every year the offence continues until the breach is terminated.
- 11 (3) A developer or any architect, engineer or surveyor employed by
- 12 him to carry out building works on any building is not guilty of an offence
- 13 under this Bill if he proves that at the time the building work was carried out,
- 14 he did not know and could not reasonably have known that the work was
- 15 carried out in contravention of any provision of this Bill or the terms of a
- 16 certificate issued under this Bill.
- 17 **5.-(1)** If, after the issue of a certificate, the applicant seeks to make
- 18 a structural alteration to a building he shall-
- 19 (a) apply in writing to the fire officer informing him of the
- 20 proposed alteration; and
- 21 (b) subject to Section 2 of this Bill, attach to the application the plan
- 22 of the building as altered.
- 23 (2) The fire officer within 1 month of the receipt of the documents
- 24 as stated in Subsection (1)-
- 25 (a) shall examine the fire safety device incorporated in the altered
- 26 building plan;
- 27 (b) shall, if he is satisfied that the altered building plan meets the
- 28 requirements set under this Bill, issue a certificate as altered to the applicant;
- 29 and
- 30 (c) if after examining the building plan as altered, he is of the

Structural
alteration

	1	opinion that it does not meet the requirements of this Bill, may refuse to issue
	2	the certificate to the applicant stating the reasons for his refusal.
Application for certificate	3	6. An application for a certificate under this Bill may be made by the
	4	developer or any other person authorized by him in writing.
Fees	5	7. All fees payable for a certificate under this Bill shall be paid to the
	6	fire service office in the state where the land to be developed or the existing
	7	building is situate.
Inspection	8	8.-(1) After the issuance of a certificate, the fire officer may authorise
	9	in writing any of his officers to enter and inspect any building and any
	10	certificate issued under this Bill, for the purpose of ascertaining whether the
	11	provisions of this Bill or the terms of the certificate issued under it, have been
	12	complied with.
	13	(2) (a) The monitoring unit of the development authority while
	14	conducting routine inspection of buildings within the area shall, in addition to
	15	their powers, have the power to request, for sighting and examination, a
	16	certificate from-
	17	(i) the developer; or
	18	(ii) any architect, engineer or contractor retained by him.
	19	(b) Where a developer fails to produce for sighting and examination
	20	the certificate as requested, the development authority in the area shall serve
	21	him with a written notice directing that the work shall stop.
	22	(3) Before entering into any building, an authorized officer shall
	23	produce a written letter of authority duly signed by the fire officer in the
	24	locality where the building is situate.
	25	(4) A person who willfully interferes or obstructs an authorized
	26	officer from exercising the power of entry under this section commits an
	27	offence, and is liable on conviction to-
	28	(a) a fine not exceeding N10,000;
	29	(b) imprisonment for a term not exceeding 6 months; or
	30	(c) both fine and imprisonment.

1 (5) A person who, in a purported compliance with the provision of
2 this Bill, produces or makes use of a document which he knows to be false in
3 a material particular, commits an offence and is liable on conviction to-

4 (a) a fine not exceeding N10,000;

5 (b) imprisonment for a term not exceeding 6 months; or

6 (c) both fine and imprisonment.

7 **9.** The fire officer shall keep a register of all certificates issued to Register
8 applicants under this Bill.

9 **10.** The Minister shall, immediately after the commencement of Regulations
10 this Bill, issue guidelines as to-

11 (a) the fees payable for a certificate; and

12 (b) any other matter pertaining to the issuance of certificates under
13 this Bill.

14 **11.** In this Bill- Interpretation

15 "applicant" means a developer of any building, or any person whom he may
16 authorize in writing;

17 "Certificate" means a fire safety compliance certificate;

18 "Commercial building" means a building where commercial activities are
19 carried out;

20 "Developer" includes the owner of an existing building;

21 "Existing building" means any building of which the roofing has been
22 completed before the commencement of this Bill;

23 "Fire Officer" means the Chief Executive of the Nigerian Fire Service or a
24 State Fire Service;

25 "Minister, means the Minister charged with the responsibility for works;

26 "New building" means any building of which at the commencement of this
27 Bill-

28 (a) the development authority is yet to approve its building plan; or

29 (b) the actual erection above its footing or supporting concrete has
30 not begun;

1 "Owner" means-

2 (a) any person in whose name the certificate of occupancy of a
3 building is issued; or

4 (b) any person who receives the rent due on the building.

Citation

5 12. This Bill may be cited as the Fire (Hazard Prevention and
6 Safeguard) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to ensure the mandatory inclusion of functional fire safety gadgets into building plan by the developer before approval and issuance of certificate

A BILL

FOR

AN ACT TO AMEND THE NATIONAL BOUNDARY COMMISSION
(ESTABLISHMENT) ACT CAP N10 LFN 2004 AND FOR RELATED MATTERS

Sponsored by Hon. Ochiglegor Idagbo

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows:

- 1 **1.** The National Boundary Commission (Establishment) Act (in
2 this Act referred to as "the Principal Act") is amended as set out in this Act. Amendment of
the Principal Act
- 3 **2.** Section 7 of the Principal Act is amended: Amendment of
Section 7
- 4 (a) by inserting after paragraph (p) a new paragraph (q) to read:
- 5 (q) carry out an annual inspection of International, State and Local
- 6 Government boundary lines with a view to averting unlawful encroachment
- 7 by border communities;
- 8 (b) by renumbering the existing paragraph (q) as new paragraph
- 9 (r).
- 10 **3.** This Bill may be cited as the National Boundary Commission Citation
- 11 Act (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to avert loss of lives and property that may arise from
boundary disputes by making provision for a yearly routine inspection of
Nigeria's external and internal boundary lines by the National Boundary
Commission.

A BILL

FOR

AN ACT TO AMEND THE CRIMINAL JUSTICE (RELEASE FROM CUSTODY)
(SPECIAL PROVISIONS) ACT, AND FOR RELATED MATTERS

Sponsored by Hon. Ochiglegor Idagbo

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows:

1 **1.** The Criminal Justice (Release from Custody) (Special
2 Provisions) Act, CAP C40 LFN (in this Bill referred to as the "Principal
3 Act") is amended as set out in this Bill.

4 **2.** Section 1 of the Principal Act is amended:

Amendment of
the Principal Act
Amendment of
Section 1

5 (a) by inserting after subsection (2) a new subsection (3) to read as
6 follows:

7 (3) the Controller of Prisons shall in every year and according to
8 prison records send list of persons detained in prison not being persons
9 detained in execution of a sentence of a court or tribunal duly constituted by
10 law to the Chief Judge of Nigeria, Chief Judges of states and Attorney-
11 General of the Federation.

12 **3.** Section 2 of the Principal Act is amended by inserting a new
13 section 2 and renumbering the existing section 2 as section 3;

Amendment of
Section 2

14 2. The Attorney-General of the Federation shall compel the
15 representation and appearance of such detained persons before a magistrate
16 court within the district.

17 **4.** This Bill may be cited as the Criminal Justice (Release from
18 Custody) (Special Provisions) Act (Amendment) Bill, 2019.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Criminal Justice (Release from Custody) (Special Provisions) Act CAP C40 LFN to make provisions for the decongestion and reduction in the number of awaiting trial inmates in Nigerian prisons.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF NATIONAL OFFENDERS
CENTRAL REGISTRY AND FOR RELATED MATTERS

Sponsored by Hon. Ochiglegor Idagbo

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows:

PART 1 - ESTABLISHMENT OF THE NATIONAL OFFENDERS

CENTRAL REGISTRY

1 1.-(1) There is hereby established a body to be known as the Establishment
2 National Offenders Registry (in this Act referred to as "The Registry"). of the Registry

3 (2) The Registry:

4 (a) shall be a body corporate with perpetual succession;

5 (b) shall have a common seal which shall be kept in such custody as
6 the Registry may, from time to time authorize; and

7 (c) may sue and be sued in its corporate name.

8 2. The objectives of the Registry shall be to:

9 (a) consult and obtain from Nigerian courts vested with criminal Objectives of
10 jurisdiction data of persons convicted of criminal offence; the Registry

11 (b) consult and obtain from the Nigeria Prison Service, borstal
12 homes and other remand centres, data of persons who have served or are
13 serving any term of imprisonment as convicts;

14 (c) consult and demand from Nigerian missions abroad, police
15 authorities and such other relevant institutions, information and records
16 relating to Nigerians that have been convicted of criminal offences in other
17 countries or are serving or have served any term imprisonment in such
18 countries;

19 (d) provide a central record of information of persons convicted of

	1	criminal offences whether in Nigeria or in other countries;
	2	(e) formulate, initiate and implement such policies, programmes and
	3	measures that will enhance information and record-keeping or persons
	4	convicted of criminal offences with a view to having and maintaining an
	5	efficient and reliable data-base system of criminal records in Nigeria;
	6	(f) do anything which in its opinion may advance the objects for
	7	which the registry is set up.
Establishment of the Management Board	8	3.-(1) There is hereby established a board to be known as the
	9	management Board for the Registry which shall, subject to this Act, have
	10	general control of the Registry.
	11	(2) The Management Board shall consist of:
	12	(a) Chairman, who shall be retired judicial officer;
	13	(b) One representative each of the following:
	14	(i) the Federal Ministry of Justice;
	15	(ii) the Federal Ministry of Interior;
	16	(iii) Inspector-General of Police or his nominee not below the rank of
	17	a Commissioner of Police;
	18	(iv) Comptroller-General of Prisons or his nominee not below the
	19	rank of an Assistant Comptroller of Prison;
	20	(v) Nigerian Bar Association; and
	21	(vi) Six other members appointed from each of the six geo-political
	22	zones in the country with relevant public service or professional experience.
	23	(3) The Chairman and other members shall be appointed by the
	24	President subject to the confirmation of the National Assembly.
Tenure of Office	25	4.-(1) Subject to the provisions of this section, a member of the Board
	26	shall hold office for four years and shall be eligible for re-appointment for
	27	another four years except if appointed on zonal basis under section 3 (2) (vi) of
	28	this Act in which case the appointment shall terminate at the end of the first four
	29	years.
	30	(2) Notwithstanding the provisions of subsection (1) of this section, n

1 the President may at any time remove a member of the Board, if the
2 President is of the opinion that it is not in the National interest or the interest
3 of the Board for the member to continue in office, and shall notify the
4 member in writing to that effect.

5 (3) Any member may, in writing under his hand addressed to the
6 President at any time, resign his appointments.

7 (4) The office of a member of the Board shall become vacant if:

8 (a) the period of his appointment has expired;

9 (b) he is guilty of misconduct in his office as a member and a
10 resolution of the Board approves the termination of his membership; and

11 (c) he dies, resigns or he is removed from office.

12 5. Soon after the office of a member becomes vacant, the authority
13 by whom he was appointed shall appoint another person in his place in
14 accordance with the provisions of this Act.

15 6. Members of the Board shall be paid out of the moneys at the
16 disposal of the Board such remunerations and allowances the Board shall fix
17 subject to the approval of the Revenue Mobilization and Allocation
18 Commission.

19 7. The provisions contained in the schedule to this Act shall have
20 effect with respect to the proceedings of the Board and other matters
21 contained therein.

Procedure of
the Board

22 PART 11 - FUNCTIONS AND POWERS OF THE REGISTRY

23 8. The Registry shall:

Functions of
the Registry

24 (a) develop and evolve an efficient and reliable database of
25 information of persons convicted of criminal offences in and outside
26 Nigeria;

27 (b) create a national central register and documentation system
28 capable of receiving and storing information and records relating to all
29 persons convicted in Nigeria or anywhere in the world of criminal offences
30 and/or have served or are serving any term of imprisonment whether in or

1 outside Nigeria;

2 (c) promote and undertake research programmes that will enhance its
3 functions generally.

4 (d) create and maintain offices in each state of the federation and the
5 Federal Capital Territory of Abuja and in such other places to assist facilitate or
6 enhance its performance of the task of ensuring that there exists an efficient,
7 functional and reliable documentation and record keeping procedures of
8 criminal records and information in the country;

9 (e) liaise and collaborate with all relevant institutions (f) acquire and
10 hold movable and immovable properties;

11 (f) charge and receive fees and other payments for services rendered
12 to the public;

13 (g) receive or accept gifts from governments and other bodies
14 whether in cash or kind that may enable it to efficiently and effectively
15 discharge its functions in the National interest; and

16 (h) do or cause to be done anything which in its opinion may advance
17 the objects for which the Registry was set up.

Powers to co-opt
Members

18 **9.-(1)** The Board may, from time to time, co-opt any person or persons
19 not exceeding two in number, to assist the Registry to carry out the objects for
20 which it was set up under this Act.

21 (2) Any person co-opted under subsection (1) of this section, may take
22 part in the deliberation of the Board but shall not be deemed a member for this
23 purpose of voting at a meeting or forming a quorum.

Appointment,
etc.. of the
Registrar

24 **10.-(1)** There shall be a Registrar who shall be appointed by the
25 President on the recommendation of the Minister.

26 (2) The Board shall not exercise any disciplinary control over the
27 Registrar without the approval of the Minister.

28 (3) Subject to the provisions of this Act and the control of the Board
29 over matters affecting the finance of the Registry, the Registrar shall be the
30 Chief Executive of the Registry and shall be charged with the general

1 responsibility for the day to day running and the management of the affairs
2 of the Registry and in particular shall:

3 (a) be charged with the execution of the policies and decisions of
4 the Board;

5 (b) keeping proper records of proceedings of the Board; and

6 (c) the direction and control of all other employees.

7 (4) The Registrar shall hold office:

8 (a) For a term of 5 years and no more; and

9 (b) On such terms and conditions as to emoluments and otherwise
10 as may be specified in his letter of appointment.

11 (5) Without prejudice to the provisions of subsection (I) of this
12 section, the Board may appoint persons as employees of the Registry either
13 by way of transfer or secondment from any of the public service of the States
14 or of the public service of the Federation, may also appoint qualified persons
15 as employees of the Registry from the public.

16 (6) Service in the Registry shall be approved service for the
17 purposes of the Pensions Reform Act and the employees of the Registry
18 shall be entitled to pensions, gratuities and other retirement benefit as
19 prescribed in the Act.

20 **11.-(1)** The Registry shall establish and maintain a fund from Fund of the
21 which shall be defrayed all expenditure incurred by the Registry. Registry

22 (2) There shall be paid and credited to the fund in pursuance section
23 (1) of this section:

24 (a) all moneys as may be granted to the Registry by the Federal
25 Government;

26 (b) all monies accruing to the Registry by any means including
27 grants-in-aid, endowments and donations; and

28 (c) all charges, clues, fees or amounts collected and received by the
29 Registry.

30 (3) All sums of money received by the Registry as accruing to it, it

	1	shall be paid into the Central Bank of Nigeria for the credit of the Registry.
Accounts and Audit	2	12. -(1) The Registry shall keep proper accounts and shall cause to be
	3	prepared in each year:
	4	(a) a statement showing the income and expenditure of the Registry
	5	for the immediately proceeding year, and
	6	(b) a statement of the assets and liabilities of the Registry as at the last
	7	day of the immediately proceeding year.
	8	(2) The Registry shall cause every statement prepared under this
	9	section to be audited within six months after the end of the year to which
	10	statement relates by auditors appointed from the list and in accordance with the
	11	guidelines supplied by the Auditor- General of the Federation.
Annual Estimates	12	13. The Board shall cause to be prepared not later than 1st September
	13	in each year, an estimate of the expenditure necessary to carry out the
	14	programme approved by the Board for the next succeeding year and shall not
	15	later than 31st October in each year submit to the President an estimate of
	16	expenditure and that of its income during the next succeeding year.
Annual Report	17	14. The Registry shall prepare and submit to the President once every
	18	year a report on the activities of the Registry during the immediately preceding
	19	year and shall include in the report a copy of the audited accounts of the
	20	Registry for that year and of the auditor's report thereon.
	21	PART 111 - MISCELLANEOUS PROVISIONS
Power of the Registry to issue Clearances Certificates, etc.	22	15. -(1) The Registry shall upon an application made to it by any
	23	person, issue or cause to be issued a clearance certificate stating among other
	24	things, that the applicant is not a convict and is not serving nor has served any
	25	term of imprisonment nor been indicted for a criminal offence for which he was
	26	found guilty and convicted either in Nigeria or in any other country.
	27	(2) Any application made pursuant to the provision of subsection (1)
	28	of this section, shall as far as practicable, be accorded expeditious
	29	consideration and shall be within a period not exceeding fourteen working days
	30	(3) Notwithstanding anything to the contrary in any other Law and

1 subject to the provisions of this Act, every person seeking election into any
2 public office in Nigeria or seeking employment in the public service of the
3 Federation or of any state, shall apply for a clearance certificate pursuant to
4 the provisions of sub-section (1) of this section.

5 (4) Non-compliance with the provisions of sub-section (3) of this
6 section shall invalidate the election or employment of any person affected
7 by the provisions of this Act.

8 (5) It shall be lawful for the Registry to impose and collect fees and
9 other charges for services rendered in accordance with the provisions of this
10 Act and in accordance with the regulations made by the Board prescribing
11 such fees and charges.

12 (6) Any regulations made under subsection(s) of this section shall
13 be published in the Federal Gazette.

14 **16.** In this Act, unless the context otherwise requires:

Interpretation

15 "Board" means the management Board of the National Offenders Central
16 Registry established under Section 3 (1) of this Act;

17 "Registry" means the National Offenders Central Registry established
18 under section 1 (1) of this Act;

19 "Chairman" means the chairman of the Management Board;

20 "Member" means a member of the Management Board and includes the
21 chairman;

22 "Registry" means the Registrar of the Registry appointed under section 9 (1)
23 of this Act;

24 "President" means the President of the Federal Republic of Nigeria;

25 "Minister" means the minister charged with the responsibility for matters
26 relating to the Federal Ministry of Justice;

27 "Power" includes duties and functions;

28 **17.** This Bill may be cited as the National Offenders Central
29 Registry Bill, 2019.

Short Title

1 SCHEDULE

2 *Section 3 (3)*

3 1. Subject to this Act and section 27 of the interpretation Act, the
4 Board may make standing orders regulating the proceedings of the Board and
5 any committee thereof.

6 *[Cap. 123.]*

7 2. Every meeting of the Board shall be presided over by the chairman
8 and if the chairman is unable to attend a particular meeting, the members
9 present at the meeting shall elect one of their members to preside at the
10 meeting.

11 3. The quorum at a meeting of the Board shall consist of the chairman
12 (or in an appropriate case, the person presiding at the meeting pursuant to
13 paragraph 2 of this Schedule) and six other members.

14 4. The Board may, on any special occasion, co-opt any person to be a
15 member for as many meetings as may be necessary, and that person while so
16 co-opted shall have all the rights and privileges of a member, except that he
17 shall not be entitled to vote or count towards a quorum.

18 *Committees*

19 5.-(1) Subject to its standing orders, the Board may appoint such
20 number of standing and ad hoc committees as it thinks fit to consider and report
21 on any matter with which the Registry is concerned.

22 (2) every committee appointed under the provisions of sub-paragraph
23 (1) of this paragraph shall be presided over by a member of the Board and shall
24 be made up of such number of persons, not necessarily members of the Board,
25 as the Board may determine in each case,

26 6. The decision of a committee shall be of no effect until it is
27 confirmed by the Board.

28 7. The fixing of the seal of the Registry shall be authenticated by the
29 signature of the Chairman and of the Registrar of the Registry or such other
30 member authorized generally or specially by the Board to act for that purpose.

1 8. A contract or an instrument which, if made by a person not
2 being a body corporate, would not be required to be under seal, may be made
3 or executed on behalf of the Registry by the Registrar or by any other person
4 authorized generally or specifically by the Board to act for that purpose.

5 9. A document purporting to be a contract, an instrument or other
6 document signed or sealed on behalf of the Registry shall be received in
7 evidence and, unless the contrary is proved, be presumed without further
8 proof, to have been so signed or sealed.

9 10. The validity of a proceeding of the Board or of a committee
10 thereof shall not be adversely affected:

11 (a) by a vacancy in the membership of the Board;

12 (b) by a defect in the appointment of a member of the Board or
13 committee; or

14 (c) by reason that a person not entitled to do so took part in the
15 proceeding.

16 11. A member of the Board or committee who has a personal
17 interest in a contract or an arrangement entered into or proposed to be
18 considered by the Board or committee shall forthwith disclose his interest to
19 the Board or committee and shall not vote on any question relating to the
20 contract or arrangement.

EXPLANATORY NOTE

This Bill seeks to establish a National Offenders Central Registry to provide for the establishment of a Central registry with regard to the collation and storage of criminal information and records for the country.

A BILL

FOR

AN ACT TO AMEND THE FLAG AND COAT OF ARMS ACT CAP F30 LAWS OF
THE FEDERATION OF NIGERIA, 2004 AND FOR RELATED MATTERS

Sponsored by Hon. Ochiglegor Idagbo

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows:

- 1 **1.** The Flag and Coat of Arms Act, CAP F30 (in this Bill referred to
2 as the "Principal Act") is amended as set out in this Bill. Amendment of
the Principal Act
- 3 **2.** Section 7 of the Principal Act is amended by substituting the
4 entire section as follows: Amendment of
Section 7
- 5 "Any person or organization that flies or exhibits the National Flag
6 or the Coat of Arms in a defaced, disrespectful or bad condition shall be
7 guilty of an offence against this Act".
- 8 **3.** Section 10 of the Principal Act is amended by substituting the Amendment of
Section 10
9 words "one hundred naira" with the words "five hundred Thousand naira"
10 immediately after the phrase "fine of" and substitute the words "ten naira"
11 with the words "fifteen thousand naira" immediately after the phrase "fine
12 of".
- 13 **4.** This Bill may be cited as the Flag and Coat of Arms Act Citation
14 (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Flag and Coat of Arms Act, CAP F30 Laws of the Federation of Nigeria, to provide for stiffer punishments for persons and organizations that exhibit the National Flag and Coat of Arms in a defaced, disrespectful and bad condition. It also seeks to ensure that the National Flag and Coat of Arms are treated with utmost regards.

CHARTERED INSTITUTE OF ISLAMIC FINANCE PROFESSIONALS BILL, 2019

ARRANGEMENT OF SECTIONS

1. Preliminary Section/Objectives
2. Establishment of the Chartered Institute of Islamic Finance Professionals
3. Election of President and Vice-Presidents of the Institute
4. Governing Council of the Institute and membership, etc.
5. Fund of the-Council
6. Appointment of Registrar, etc., and preparation of register
7. Publication of register and list of corrections
8. Registration of chartered members of the profession
9. Approval of qualifications, etc.
10. Supervision of instructions, etc.
11. Establishment of Disciplinary Tribunal and Investigating Panel
12. Penalties for unprofessional conduct
13. Application of Act to un-enrolled persons
14. Rules as to articles, etc.
15. Provision of library
16. Regulations and rules
17. Offences and penalties
18. Transfer to the Institute of certain assets and liabilities
19. Interpretation
20. Short title

SCHEDULES

FIRST SCHEDULE

Supplementary provisions relating to the Council

SECOND SCHEDULE

Supplementary provisions relating to the Disciplinary Tribunal and the Investigative Panel of the Tribunal

THIRD SCHEDULE

Transitional provisions as to assets and liabilities

An Act to establish the Chartered Institute of Islamic Finance Professionals to regulate the activities of members of the profession and for matters connected therewith.

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF ISLAMIC FINANCE
PROFESSIONALS TO REGULATE THE ACTIVITIES OF MEMBERS OF THE
PROFESSION AND FOR RELATED MATTERS

Sponsored by Hon. Jimoh Abdulraheem Olajide

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria as follows:

PART 1 - PRELIMINARY

1. The objects of the Chartered Institute of Islamic Finance The Objects

Professionals shall be to:

(a) determining the standard of knowledge and skill to be attained by persons seeking to become registered members of the Institute and raising those standards from time to time as circumstances may permit;

(b) the Islamization in the economy involved one principal point: the Elimination of Interest in all deposits and financing transactions; The objectives of the Institute is to offer financing and banking needs to Muslims and regulate the activities of the chartered practitioners;

(c) the objectives of Chartered Institute of Islamic Finance Professional is to further develop, strengthen, foster and promote the use of Islamic Principles, laws, and traditions in all banking transactions, financing, business and other related areas;

(d) another objective is to promote and strengthen the establishment of investment companies or other business enterprises in accordance with Shariah laws;

(e) ensuring that the financing and practice of the Institute practitioners conform to Shariah practice, In principle, business institutions aim for profit maximization. But Islamic banks and financing would have to

- 1 conform and comply with Islamic principles as well as ethical practice;
2 (f) providing consultancy services on investment financing and
3 business opportunities;
4 (g) holding conference, workshops, seminars, and symposia on
5 contemporary economic issues, investment opportunities and commercial
6 transactions;
7 (h) securing in accordance with the provisions of this Bill, the
8 establishment and maintenance of a register of members, and the publication
9 from time to time of the list of those members;
10 (i) performing any other duties as the Institute may deem fit from time
11 to time.

Establishment
the Institute of
Chartered
Institute of Islamic
Finance
Professionals

12 **2.-(1)** There is hereby established a body to be known as the Chartered
13 Institute of Islamic Finance Professionals (in this Act referred to as lithe
14 institute") which shall be a body corporate under that name and be charged with
15 the general duty of:

16 (a) determining what standards of knowledge and skill are to be
17 attained by persons seeking to become chartered members of the Institute and
18 raising those standards from time to time as circumstances may permit;

19 (b) securing in accordance with the provisions of this Act the
20 establishment and maintenance of a register of honorary fellows, associate
21 members, fellows, graduate members, ordinary members and students of the
22 profession and the publication from time to time of the lists of those persons;
23 and

24 (c) performing through the Council established by section 3 of this
25 Act the functions conferred on it by this Act.

26 (2) The Institute shall have perpetual succession and a common seal
27 which shall be kept in such custody as the Council may, from time to time,
28 authorize.

29 (3) The Institute may sue and be sued in its corporate name and may,
30 subject to the Land Use Act, hold, acquire and dispose of any property,

1 movable or immovable.

2 (4) Subject to the provisions of this Act, members admitted to the
3 Institute shall be enrolled as members of the profession in the category of:

4 (a) fellows; or

5 (b) graduate members; or

6 (c) associates; or

7 (d) honorary members; or

8 (e) honorary fellows.

9 (5) A person accorded by the Council under this Act status as a
10 Chartered Member of the Institute shall be entitled to the use of that name
11 and shall be enrolled as:

12 (a) a fellow:

13 (i) if he satisfies the Council that for a continuous period of five
14 years immediately preceding the application he has been in continuous
15 active practice as an Islamic Finance Professional;

16 (ii) if he is the holder of a certificate of the examination of the
17 Institute and approved professional qualification;

18 (iii) if he is otherwise considered by the Council to be a fit person to
19 be so enrolled;

20 (b) a graduate member:

21 (i) if he is the holder of a certificate of the examination of the
22 Institute and approved academic professional qualification; and

23 (ii) if he is otherwise considered by the Council to be a fit person to
24 be so enrolled;

25 (c) an associate:

26 (i) if for a continuous period of not less than three years
27 immediately preceding the application (the period of membership of the
28 Institute in the discretion of the Council, counting in that behalf) he has been
29 enrolled as an associate; and

30 (ii) if he is otherwise considered by the Council to be a fit person to

Election of
President and
Vice-Presidents
of the Institute

1 be so enrolled.

2 (6) An honorary fellow or an honorary member of the Institute shall
3 be a person admitted as such by a resolution of the Council.

4 3.-(1) There shall be for the Institute a President and two Vice-
5 Presidents who shall be fellows of the Institute, to be elected by the Council and
6 hold office each for a term of five years from the date of election.

7 (2) The President shall be the chairman at meetings of the Institute, so
8 however that in the event of the death, incapacity or inability for any reason of
9 the President, the first Vice-President shall act in his stead for the unexpired
10 portion of the term of office, or as the case may require, and references in this
11 Act to the President shall be construed accordingly.

12 (3) The President and one of the Vice-Presidents shall respectively be
13 chairman and vice-chairman of the Council established by section 3 of this Act.

14 (4) If the President or Vice-President ceases to be a member of the
15 Institute he shall also cease to hold any of the offices designated under
16 this section.

Governing
Council of the
Institute and
membership,
etc.

17 4.-(1) There is hereby established for the Institute a Governing
18 Council of the Institute, (in this Act referred to as the "Council") which shall be
19 charged with responsibility for the administration and general management of
20 the Institute.

21 (2) The Council shall consist of the following members, that is:

22 (a) the President of the Institute, who shall be the chairman;

23 (b) the two Vice-Presidents of the Institute;

24 (c) a representative of the Securities and Exchange Commission;

25 (d) a representative of the Bankers Committee;

26 (e) a representative of the Nigerian Bar Association;

27 (f) a representative of the National Insurance Association;

28 (g) a representative of the Nigerian Stock Exchange;

29 (h) a representative of the Committee of Vice Chancellors;

30 (i) persons to be elected by the Institute;

1 (j) two persons to represent institutions of higher learning in
2 Nigeria offering courses leading to an approved qualification to be
3 appointed by the Minister;

4 (k) a representative each of the following Ministries, and Agencies
5 that is:

6 (i) Finance;

7 (ii) Education;

8 (iii) Women Affairs and Youth Development; and

9 (iv) the Central Bank of Nigeria.

10 (l) past Presidents of the Institute who shall be entitled to serve on
11 the Council for a maximum period of three years from the expiration of their
12 terms of office as President of the Institute.

13 (3) The provisions of the First Schedule to this Act shall have effect
14 with respect to the qualifications and tenure of office of members of the
15 Council and the other matters therein mentioned.

16 *[First Schedule.]*

17 **5.-(1)** The Council shall establish and maintain a fund for the Fund of the
18 Institute. Council

19 (2) There shall be paid and credited into the fund established
20 pursuant to subsection (1) of this section:

21 (a) all fees and other moneys payable to the Council in pursuance
22 of this Act; and

23 (b) such moneys as may be payable to the Council in the course of
24 the discharge of its functions under this Act.

25 (3) There shall be paid out of the fund of the Institute:

26 (a) all expenditure incurred by the Council in the discharge of its
27 functions under this Act;

28 (b) the remuneration and allowances of the Registrar and other
29 employees of the Institute; and

30 (c) such reasonable travelling and subsistence allowances of

1 members of the Council in respect of the time spent on the duties of the
2 Institute, as the Council may, with the approval of the Minister, determine.

3 (4) The Council may invest moneys in the Halaal fund in any security
4 created or issued by or on behalf of the Government of the Federation or in any
5 other securities in as may be approved by the Council.

6 (5) The Council shall keep proper accounts on behalf of the Institute
7 in respect of each year and proper records in relation to those accounts; and the
8 Council shall cause the accounts to be audited by an auditor appointed by the
9 Council.

10 (6) The auditor, appointed for the purposes of this section, shall not be
11 a member of the Institute.

Appointment
of Registrar, etc.,
and preparation
of register

12 6.-(1) It shall be the duty of the Council to appoint a fit and proper
13 person, who shall be a member of the Institute, to be the Registrar for the
14 purposes of this Act, and such other persons as the Institute may, from time to
15 time, think necessary.

16 (2) It shall be the duty of the Registrar to prepare and maintain, in
17 accordance with rules made by the Council, a register of names, addresses and
18 approved qualifications and of such other particulars as may be specified in the
19 rules, of all persons who are entitled in accordance with the provisions of this
20 Act to be registered as members of the profession in the category of fellows,
21 graduate members, associates, honorary members, honorary fellows and
22 students and ordinary members and, who, in the manner prescribed by such
23 rules, apply to be so registered.

24 (3) The register shall consist of five parts of which the first part shall
25 be in respect of honorary fellows, the second part shall be in respect of fellows,
26 the third part shall be in respect of associate members, the fourth part in respect
27 of student members, the fifth part shall be in respect of graduate members.

28 (4) Subject to the following provisions of this section, the Council
29 may make rules with respect to the form and keeping of the register and the
30 making of entries therein and in particular:

1 (a) regulating the making of applications for registration and
2 providing for the evidence to be produced in support of such applications;

3 (b) providing for the notification to the Registrar, by the person to
4 whom any registered particulars relate, of any change in those particulars;

5 (c) authorising an enrolled or a registered person to have any
6 qualification which is in relation to the relevant division of the profession,
7 either an approved qualification for the purposes of this Act registered in
8 relation to his name in addition to or, as he may elect, in substitution for any
9 other qualifications so registered;

10 (d) specifying the fees, including any annual subscription, to be
11 paid to the Institute in respect of the entry of names on the register, and
12 authorising the Registrar to refuse to enter a name on the register until any
13 fee specified for the entry has been paid;

14 (e) specifying anything falling to be specified under the foregoing
15 provisions of this section.

16 (5) Any rules made for the purposes of paragraph (d) of subsection
17 (4) of this section, shall not come into force until they are confirmed at a
18 special meeting of the Institute convened for the purpose or at the next
19 annual general meeting, as the case may be.

20 (6) It shall be the duty of the Registrar:

21 (a) to correct, in accordance with the directions of the Council, any
22 entry in the register which the Council directs him to correct as being in the
23 opinion of the Council an entry which was incorrectly made;

24 (b) to make, from time to time, any necessary alteration to the
25 registered particulars of registered persons;

26 (c) to record the names of members of the Institute who are in
27 default for more than six months in the payment of annual subscriptions, and
28 to take such action in relation thereto (including removal of the names of
29 defaulters from the register) as the Council may direct or require.

30 (7) If the Registrar:

1 (a) sends by post to any registered person a registered letter addressed
2 to him at his address on the register enquiring whether the registered particulars
3 relating to him are correct and receives no reply to the letter within the period of
4 six months from the date of posting it; and

5 (b) upon the expiration of that period, sends in the like manner to the
6 person in question a second similar letter and receives no reply to that letter
7 within three months from the date of posting it, the Registrar may remove the
8 particulars relating to the person in question from the register:

9 Provided that the Council may, for any reason which seems to it
10 sufficient, direct the Registrar to restore to the appropriate part of the register
11 any particulars removed therefrom under this subsection.

Publication of
register and list
of corrections

12 7.-(1) It shall be the duty of the Registrar:

13 (a) to cause the register to be printed, published and put out on sale to
14 members of the public not later than two years from the coming into force of
15 this Act;

16 (b) in each year after that in which a register is first published under
17 paragraph (a) of this subsection, to cause to be printed, published and put on
18 sale as aforesaid, either a corrected edition of the register or a list of alterations
19 made to the register since it was last printed; and

20 (c) to cause a print of each edition of the register and of each list of
21 corrections to be deposited at the principal office of the Institute, and it shall be
22 the duty of the Council to keep the register and lists so deposited available at all
23 reasonable times for inspection by members of the public.

24 (2) A document purporting to be a print of an edition of a register
25 published under this section by authority of the Registrar or documents
26 purporting to be prints of an edition of a register so published and of a list of
27 corrections to that edition so published, shall (without prejudice to any other
28 mode of proof) be admissible in any proceedings as evidence that any person
29 specified in the document, or documents read together, as being registered, is
30 so registered at the date of the edition or of the list of corrections, as the case

1 may be, and that any person not so specified was not so registered.

2 (3) Where in accordance with subsection (2) of this section, a
3 person is in any proceedings shown to have been or not to have been
4 registered at a particular date, he shall, unless the contrary is proved, be
5 taken for the purposes of those proceedings as having at all material times
6 thereafter continued to be or not to be so registered.

7 **8.-(1)** Subject to section 13 of this Act and to rules made under
8 section 5 of this Act, a person shall be entitled to be registered as a member of
9 the profession if:

Registration of
Chartered members
of the profession

10 (a) he passes the qualifying examination for registration
11 recognised or conducted by the Council under this Act and completes the
12 practical training prescribed; or

13 (b) he holds a qualification granted and for the time being accepted
14 by the Institute and satisfies the Council that he has had sufficient practical
15 experience as a professional Islamic Finance Practitioner; or

16 (c) he holds a qualification granted outside Nigeria and for the time
17 being accepted by the Institute and is by law entitled to practice for all
18 purposes as a professional Islamic Finance expert in the country in which the
19 qualification was granted.

20 (2) An applicant for registration under this Act shall, in addition to
21 evidence of qualification, satisfy the Council that:

22 (a) he is of good character;

23 (b) he has attained the age of 21 years; and

24 (c) he has not been convicted in Nigeria or elsewhere of an offence
25 involving fraud or dishonesty.

26 (3) The Council may, in its sole discretion, provisionally accept a
27 qualification produced in respect of an application for registration under this
28 section, or direct that the application be renewed within such period as may
29 be specified in the direction.

30 (4) Any entry directed to be made in the register under subsection

Approval of
qualifications, etc.

1 (3) of this section, shall show that the registration is provisional and
2 no entry so made shall be converted to full registration without the consent of
3 the Council, signified in writing in that behalf.

4 (5) The Council shall, from time to time, publish in the Gazette
5 particulars of qualifications for the time being acceptable for registration by the
6 Institute.

7 **9.-(1)** The Council may approve any qualification for the purposes of
8 this Act and may for those purposes approve:

9 (a) any course of training at an approved institution which is intended
10 for persons who are seeking to become or are already members of the
11 profession and which the Council considers is designed to confer on persons
12 completing it sufficient knowledge and skill for the practice of that profession;

13 (b) any qualification which, as a result of examination taken in
14 conjunction with the course of training approved by the Council under this
15 section, is granted to candidates reaching a standard at the examination,
16 indicating in the opinion of the Council, that the candidates have sufficient
17 knowledge and skill for the practice of the profession.

18 (2) The Council may, if it thinks fit, withdraw any approval given
19 under this section in respect of any course, qualification or institution but
20 before withdrawing such an approval the Council shall:

21 (a) give notice that it proposes to do so to the person in Nigeria
22 appearing to the Council to be a person by whom the course is conducted or the
23 qualification is granted or the institution is controlled, as the case may be;

24 (b) afford such person an opportunity of making to the Council
25 representations with regard to the proposal; and

26 (c) take into consideration any representations made as respects the
27 proposal in pursuance of paragraph (b) of this subsection.

28 (3) As regards any period during which the approval of the Council
29 under this section for a course, qualification or institution is withdrawn, the
30 course, qualification or institution shall not be treated as approved under this

1 section; but the withdrawal of such an approval shall not prejudice the
2 registration or eligibility for registration of any person who, by virtue of the
3 approval, was registered or eligible for registration immediately before the
4 approval was withdrawn.

5 (4) The giving or withdrawal of an approval under this section shall
6 have effect from such date, either before or after the execution of the
7 instrument signifying the giving or withdrawal of the approval, as the
8 Council may specify in the instrument and the Council shall:

9 (a) as soon as may be, publish a copy of every such instrument in
10 the Gazette; and

11 (b) not later than seven days before its publication, send a copy of
12 the instrument to the Minister.

13 **10.-(1)** The Council shall, subject to the provisions of section 11 of
14 this Act, keep itself informed of the nature of:

Supervision of
instructions, etc.

15 (a) the instructions given at approved institutions to persons
16 attending approved courses of training; and

17 (b) the examinations as a result of which approved qualifications
18 are granted, and for the purposes of performing that duty the Council may
19 appoint, either from among its own members or otherwise, persons to visit
20 approved institutions or to attend such examinations.

21 (2) It shall be the duty of the person appointed under subsection (1)
22 of this section to report to the Council on:

23 (a) the sufficiency or otherwise of the instruction given to persons
24 attending approved courses of training at institutions visited by him;

25 (b) the adequacy or otherwise of the examinations conducted at
26 any institution inspected by him; and

27 (c) any other matter relating to the institutions or examinations on
28 which the Council may, either generally or in a particular case, request him
29 to report, but no person shall interfere with the giving of any instruction or
30 the holding of any examination.

Establishment
of Disciplinary
Tribunal and
Investigating
Panel

1 (3) On receiving a report made in pursuance of this section, the
2 Council may, if it thinks fit and shall, if so required by the Institute, send a copy
3 of the report to the person appearing to the Council to be in charge of the
4 institution or responsible for the examinations to which the report relates;
5 requesting that person to make observations or report to the Council within
6 such period as may be specified in the request, not being less than one month
7 beginning with the date of the request.

8 **11.-(1)** There shall be a tribunal to be known as the Institute of
9 Chartered Islamic Finance Professionals Disciplinary Tribunal (in this Act
10 referred to as "the Tribunal"}, which shall be charged with the duty of
11 considering and determining any case referred to it by the Investigating Panel
12 established under subsection (3) of this section, and any other case of which the
13 Tribunal has cognisance under the following provisions of this Act.

14 (2) The Tribunal shall consist of the President of the Council and six
15 other members of the Council appointed by the Council.

16 (3) There shall be a body, to be known as the Institute of Chartered
17 Islamic Finance Professionals Investigating Panel (in this Act referred to as
18 lithe Panel") which shall be charged with the duty of:

19 (a) conducting a preliminary investigation into any case where it is
20 alleged that a member of the profession has misbehaved in his capacity as such
21 a member or should for any other reason be the subject of proceedings before
22 the Tribunal; or

23 (b) deciding whether the case should be referred to the Tribunal; or

24 (c) submitting a report on any action taken in the past to the Tribunal.

25 (4) The Panel shall be appointed by the Council and shall consist of
26 four members of the Council and one member who is not a member of the
27 Council.

28 (5) The provisions of the Second Schedule to this Act shall, so far as
29 they are applicable to the Tribunal and Panel respectively, have effect with
30 respect to those bodies.

1 *[Second Schedule.]*

2 (6) The Council may make rules not inconsistent with this Act as to
3 acts which constitute professional misconduct.

4 **12.-(1)** Where:

Penalties for
unprofessional
conduct

5 (a) a person registered under this Act is adjudged by the tribunal to
6 be guilty of infamous conduct in any professional respect; or

7 (b) a person registered under this Act is convicted, by any court in
8 Nigeria or elsewhere by any court 'or tribunal having power to award
9 punishment for an offence (whether or not such offence is punishable with
10 imprisonment) which in the opinion of the Tribunal is incompatible with the
11 status of a member of the profession; or

12 (c) the Tribunal is satisfied that the name of any person has been
13 fraudulently registered, the Tribunal may, if it thinks fit, give a direction
14 reprimanding that person or ordering the Registrar to strike his name off the
15 relevant part of the register.

16 (2) The Tribunal may, if it thinks fit, defer its decision as to the
17 giving of a direction under subsection (1) of this section until a subsequent
18 meeting of the Tribunal.

19 (3) No decision of the Tribunal shall be deferred under subsection
20 (2) of this section for periods exceeding one year in the aggregate.

21 (4) As far as possible no person shall be a member of the Tribunal
22 for the purposes of reaching a decision which has been deferred or further
23 deferred, unless he was present as a member of the Tribunal when the
24 decision was deferred.

25 (5) For the purposes of subsection (1) of this section, a person shall
26 not be treated as convicted unless the conviction stands at a time when no
27 appeal or further appeal is pending or may (without extension of time) be
28 brought in connection with the conviction.

29 (6) When the Tribunal gives a direction under subsection (1) of this
30 section, the Tribunal shall cause notice of the direction to be served on the

1 person to whom it relates.

2 (7) The person to whom such a direction relates may, at any time
3 within twenty-eight days from the date of service on him of the direction,
4 appeal against the direction to the Federal High Court and the Tribunal may
5 appear as respondent to the appeal and, for the purpose of enabling directions to
6 be given as to the costs of the appeal and of proceedings before the Tribunal, the
7 Tribunal shall be deemed to be a party thereto whether or not it appears on the
8 hearing of the appeal.

9 (8) A direction of the Tribunal given under subsection (1) of this
10 section shall take effect where:

11 (a) no appeal under this section is brought against the direction within
12 the time limited for such an appeal, or on the expiration of that time; or

13 (b) such an appeal is brought and is withdrawn or struck out for want
14 of prosecution, on the withdrawal or striking out of the appeal;

15 (c) such an appeal is brought and is not withdrawn or struck out as
16 aforesaid, if and when the appeal is dismissed.

17 (9) A person whose name is removed from the register in pursuance of
18 a direction of the tribunal under this section shall not be entitled to be registered
19 again except in pursuance of a direction in that behalf given by the Tribunal on
20 the application of that person.

21 (10) A direction under this section for the removal of a person's name
22 from the register, may prohibit an application under subsection (9) of this
23 section by that person until the expiration of such period from the date of the
24 direction (and where he has duly made such an application, from the date of his
25 last application) or as may be specified in the direction.

Application of
Act to un-enrolled
persons

26 **13.-(1)** Any person not being a member of the Incorporated Institute
27 who, but for this Act, would have been qualified to apply for and obtain
28 membership of the Incorporated Institute may, within a period of three months
29 from the commencement of this Act, apply for the membership of the Institute
30 in such a manner as may be prescribed by the Council.

1 (2) Where an application under subsection (1) of this section is
2 approved by the Council, the applicant shall be registered, as the case may
3 be, according to his qualification.

4 **14.-(1)** The Council may make rules for:

Rules as to
articles, etc.

5 (a) the training of registered members of the profession and of
6 suitable persons in professional practice; or

7 (b) the supervision and regulation of the engagement, training and
8 transfer of such person.

9 (2) The Council may also make rules:

10 (a) prescribing the amount and date for payment of the annual
11 subscription and annual renewal of a student's hip and for such purpose,
12 different amounts may be prescribed by the rules for a fellow, graduate
13 member, associate, honorary member, honorary fellow or student of the
14 Institute;

15 (b) prescribing the form of license to practice to be issued annually
16 or, if the Council thinks fit, by endorsement on an existing license;

17 (c) restricting the right to practice as a chartered member of the
18 profession in default of payment of the amount of the annual subscription
19 where the default continues for longer than such period as may be prescribed
20 by the rules;

21 (d) restricting the right to practice as a member of the profession if
22 the qualification granted outside Nigeria does not entitle the holder to
23 practice as a member of the profession; and

24 (e) prescribing the period of practical training in the office of a
25 chartered member of the profession in practice to be completed before a
26 person qualifies for a license to practice as a member of the profession.

27 (3) Rules when made shall, if the chairman of the Council so
28 directs, be published in the Gazette.

29 **15.** The Institute shall:

Provision of
library

30 (a) provide and maintain a library comprising books and

	1	publications for the promotion and advancement of knowledge of the
	2	profession, and such other books and publications as the Council may think
	3	necessary for that purpose; and
	4	(b) encourage research into Islamic Finance allied subjects to the
	5	extent that the Council may, from time to time, determine.
Regulations and rules	6	16. Rules made for the purposes of this Act shall be subject to
	7	confirmation by the Institute at its next annual meeting or at any special
	8	meeting of the Institute convened for the purpose, and if then annulled shall
	9	cease to have effect on the day after the date of annulment, but without
	10	prejudice to anything done in pursuance or intended pursuance of any such
	11	rules.
Offences and penalties	12	17.-(1) If any person, for the purpose of procuring the registration of
	13	any name, qualification or other matter:
	14	(a) makes a statement which he believes to be false in a material
	15	particular; or
	16	(b) recklessly makes a statement which is false in a material
	17	particular, he is guilty of an offence.
	18	(2) If, on or after the coming into force of this Act, any person who is
	19	not a member of the Institute practices as a member or uses any name, title,
	20	addition or description implying that he is a member of the Institute, he is guilty
	21	of an offence.
	22	(3) In the case of a person referred to in section 12 of this Act:
	23	(a) the provisions of subsection (2) of this section shall not apply in
	24	respect of anything done by him during the period of three months mentioned
	25	in that section; and
	26	(b) if within that period he duly applies for membership of the
	27	Institute, then unless within that period he is notified that his application has
	28	not been approved, the provision of subsection (2) of this section shall not
	29	apply in respect of anything done by him between the end of that period and the
	30	date which he is registered or is notified as aforesaid.

1 (4) If the Registrar or any other person employed by or on behalf of
 2 the Institute willfully makes any falsification in any matters relating to the
 3 register, he commits an offence.

4 (5) A person guilty of an offence under this section is liable:

5 (a) on summary conviction, to a fine of an amount not exceeding
 6 N1,000; or

7 (b) on conviction on indictment, to a fine of an amount not
 8 exceeding N5,000 or to imprisonment for a term not exceeding two years, or
 9 to both such fine and imprisonment.

10 (6) Where an offence under this section which has been committed
 11 by a body corporate is proved to have been committed with the consent or
 12 connivance of or to be attributable to any neglect on the part of any director,
 13 manager, secretary or other similar officer of the body corporate or any
 14 person purporting to act in any such capacity, he, as well as the body
 15 corporate, shall be deemed to be guilty of that offence and shall be liable to
 16 be proceeded against and punished accordingly.

17 **18.-(1)** On the commencement of this Act:

18 (a) all assets and liabilities held or incurred immediately before
 19 that day by or on behalf of the Incorporated Institute shall, by virtue of this
 20 Act and without any further assurance, vest in the Institute and be held by it
 21 for the purposes of the Institute established;

22 (b) the Incorporated Institute shall cease to exist; and

23 (c) subject to subsection (2) of the section, any act or thing made or
 24 done by the Incorporated Institute shall be deemed to have been made or
 25 done by the Institute established by this Act.

26 (2) The provisions of the Third Schedule to this Act shall have
 27 effect with respect to matters arising from the transfer by this section to the
 28 Institute of the property of the Incorporated Institute and with respect to the
 29 other matters mentioned therein.

Transfer to the
Institute of certain
assets and liabilities

Third Schedule

Comm

Interpretation

1 **19.** In this Bill:

2 "Council" means the Council established as the governing body of the Institute

3 under section 3 of this Act;

4 "Fees" includes annual subscriptions;

5 "Incorporated Institute" means the Chartered Institute of Islamic Finance

6 Professionals incorporated under the Companies and Allied Matters Act;

7 [Cap. C20.]

8 "Institute" means the Chartered Institute of Islamic Finance Professionals

9 established under section 1 of this Act;

10 "Member" means a member of the Council and includes the President and

11 Vice-Presidents;

12 "Panel" has the meaning assigned thereto by section 10 of this Act;

13 "President" and "Vice-President" mean respectively the office holders under

14 those names in the Institute;

15 "Register" means the register maintained in pursuance of section 5 of this Act;

16 "Tribunal" has the meaning assigned thereto by section 10 of this Act.

Short title

17 **20.** This Bill may be cited as the Chartered Institute of Islamic
18 Finance Professionals Bill, 2019.

19 SCHEDULES

20 FIRST SCHEDULE

21 [Section 3 (3).]

22 *Supplementary Provisions Relating to the Council, Qualifications and*
23 *Tenure of Office of Members*

1.-(1) Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of five years beginning with the date of his appointment or election.

(2) In the case of a person who is a member by virtue of having been President of the Institute, he shall hold office for a period of three years from the date of his having ceased to be President of the Institute.

30 (3) Any member of the Institute who ceases to be a member thereof

1 shall, if he is also a member of the Council, cease to hold office on the
2 Council.

3 (4) Any elected member may, by notice in writing under his hand
4 addressed to the President of the Institute, resign his office, and any
5 appointed member may, with the consent of the Minister, in the same
6 manner resign his office.

7 (5) A person who retires from or otherwise ceases to be an elected
8 member of the Council, shall be eligible again to become a member of the
9 Council and any appointed member may be re-appointed.

10 (6) Members of the Council shall at its meeting next before the
11 annual meeting of the Institute arrange for the five members of the Council
12 appointed or elected and longest in office to retire at that annual meeting.

13 (7) Elections to the Council shall be held in such manner as may be
14 prescribed by rules made by the Council, and until so prescribed; they shall
15 be decided by a show of hands.

16 (8) If for any reason there is a vacation of office by a member:

17 (a) and such member was appointed by the Minister, the Minister
18 shall appoint another fit and proper person to replace such member; or

19 (b) and the member was elected, the Council may, if the time
20 between the unexpired portion of the term of office and the next meeting of
21 the Institute appears to warrant the filling of the vacancy, co-opt some fit and
22 proper person for such time as aforesaid.

23 *Powers of Council*

24 2. The Council shall have power to do anything which in its
25 opinion is calculated to facilitate the carrying on of the activities of the
26 Institute.

27 3.-(1) Subject to the provisions of this Act, the Council may in the
28 name of the Institute make standing orders regulating the proceedings of the
29 Institute, the Council or any of the Institute's committees.

30 (2) The standing orders shall provide for decisions to be taken by a

1 majority of the members, and in the event of equality of votes, the President of
2 the Institute or the chairman, as the case may be, shall have a second or casting
3 vote.

4 (3) The standing orders made for a committee shall provide that the
5 committee reports back to the Council on any matter referred to it by the
6 Council.

7 4. The quorum of the Council shall be seven and the quorum of a
8 committee of the Council shall be determined by the Council.

9 *Meeting of the Institute*

10 5.-(1) The Council shall convene the annual meeting of the Institute
11 on 30 September in every year or on such other day as the Council may, from
12 time to time, appoint so however that if the meeting is not held within one year
13 after the previous annual meeting not more than fifteen months shall elapse
14 between the respective dates of the two meetings.

15 (2) A special meeting of the Institute may be convened by the Council
16 at any time; and if not less than twenty members of the Institute require it by
17 notice in writing addressed to the Registrar of the Institute setting out the
18 objects of the proposed meeting, the chairman of the Council shall convene a
19 special meeting of the Institute.

20 (3) The quorum of any meeting of the Institute shall be ten members
21 and that of any special meeting of the Institute shall be fifteen members.

22 *Meeting of the Council*

23 6.-(1) Subject to the provisions of any standing orders of the Council,
24 the Council shall meet whenever it is summoned by the chairman, and if the
25 chairman is required to do so by notice in writing given to him by not less than
26 seven other members, he shall summon a meeting of the Council to be held
27 within seven days from the date on which the notice is given.

28 (2) At any meeting of the Council, the chairman or, in his absence, the
29 vice-chairman shall preside; if both are absent, the members present at the
30 meeting shall appoint one of their member to preside at that meeting.

1 (3) Where the Council desires to obtain the advice of any person on
2 a particular matter, the Council may co-opt him as a member for such period
3 as the Council thinks fit; but a person who is a member by virtue of this sub-
4 paragraph shall not be entitled to vote at any meeting of the Council and
5 shall not count towards a quorum.

6 (4) Notwithstanding anything in the foregoing provisions of this
7 paragraph, the first meeting of the Council shall be summoned by the
8 Minister, who may give such directions as he thinks fit as to the procedure
9 which shall be followed at the meeting.

10 *Committees*

11 7.-(1) The Council may appoint one or more committees to carry
12 out on behalf of the Institute or of the Council, such functions as the Council
13 may determine.

14 (2) A committee appointed under this paragraph shall consist of the
15 number of persons determined by the Council, of whom not more than one
16 third shall be persons who are not members of the Council and a person other
17 than a member of the Council shall hold office on the Committee in
18 accordance with the terms of the instrument by which he is appointed.

19 (3) A decision of a committee of the Council shall be of no effect
20 until it is confirmed by the Council.

21 *Miscellaneous*

22 8.-(1) The fixing of the seal of the Institute shall be authenticated
23 by the signature of the President of the Institute or of some other member of
24 the Council authorised generally or specially by the Institute to act for that
25 purpose.

26 (2) Any contract or instrument which, if made or executed by a
27 person not being a body corporate, would not be required to be under seal,
28 may be made or executed on behalf of the Institute or of the Council as the
29 case may require, by any person generally or specially authorised to act for
30 that purpose by the Council.

1 (3) Any document purporting to be a document duly executed under
2 the seal of the Institute shall be received in evidence and shall, unless the
3 contrary is proved, be deemed to be so executed.

4 9. The validity of any proceedings of the Institute or the Councilor of
5 a committee of the Council shall not be adversely affected by any vacancy in
6 membership, or by any defect in the appointment of a member of the Institute
7 or of the Councilor of a person to serve on the Committee or by reason that a
8 person not entitled to do so took part in the proceedings.

9 10. Any member of the Institute or of the Council, and any person
10 holding office on a committee of the Council, who has a personal interest in any
11 contract or arrangement entered into or proposed to be considered by the
12 Council on behalf of the Institute, or on behalf of the Councilor a committee
13 thereof, shall forthwith disclose his interest to the President of the Institute or to
14 the Council, as the case may be, and shall not vote on any question relating to
15 the contract or arrangement.

16 SECOND SCHEDULE

17 [Section 10 (5).]

18 *Supplementary Provisions Relating to the Disciplinary Tribunal and*
19 *Investigating Panel of the Institute*

20 1. The quorum of the Tribunal shall be four of whom at least two shall
21 be members of the profession.

22 2.-(1) The Attorney-General of the Federation may make rules as to
23 the selection of members of the tribunal for the purposes of any proceedings
24 and as to the procedure to be followed and the rules of evidence to be observed
25 in proceedings before the Tribunal.

26 (2) The rules shall in particular provide:

27 (a) for securing that notice of the proceedings shall be given at such
28 time and in such manner as may be specified by the rules, to the person who is
29 the subject of the proceedings;

30 (b) for determining who in addition to the person aforesaid, shall be

- 1 party to the proceedings;
- 2 (c) for securing that any party to the proceedings shall, if so
3 required, be entitled to be heard by the Tribunal;
- 4 (d) for enabling any party to the proceedings to be represented by a
5 legal practitioner;
- 6 (e) subject to the provisions of section 11 (7) of this Act, as to the
7 costs of proceedings before the Tribunal;
- 8 (f) for requiring in a case where it is alleged that the person who is
9 subject of the proceedings is guilty of infamous conduct in any professional
10 respect, that where the Tribunal adjudges that the allegation has not been
11 proved, it shall record a finding that the person is not guilty of such conduct
12 in respect of the matters to which the allegation relates;
- 13 (g) for publication in the Gazette notice of the direction of the
14 Tribunal which has taken effect providing that a person's name shall be
15 struck off the register.
- 16 3. For the purposes of any proceedings before the Tribunal, any
17 member of the Tribunal may administer oaths and any party to the
18 proceedings may issue out of the registry of the Court of Appeal writs of
19 subpoena ad testificandum and duces tectum; but no person appearing
20 before the Tribunal shall be compelled:
- 21 (a) to make any statement before the Tribunal tending to
22 incriminate himself; or
- 23 (b) to produce any document under such a writ which he could not
24 be compelled to produce at the trial of an action.
- 25 4. For the purpose of advising the Tribunal on questions of law
26 arising in the proceedings before it, there shall in all such proceedings be an
27 assessor to the Tribunal who shall be appointed by the Council on the
28 nomination of the Attorney-General of the Federation and shall be a legal
29 practitioner of not less than ten years' standing.

Functions of assessors

5.-(i) The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph, and in particular, such rules shall contain provisions for securing that:

(a) where an assessor advises the Tribunal on any question of law as to evidence, procedure or any other matters specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advice the assessor has tendered;

(b) every such party or person as aforesaid shall be informed if in any case the Tribunal does not accept the advice of the assessor on such a question as aforesaid.

(2) An assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceeding and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

The Panel

6. The quorum of the Panel shall be three.

7.-(1) The Panel may, at any meeting of the Panel attended by all the members of the Panel, make standing orders with respect to the Panel.

(2) Subject to the provisions of any such standing orders, the Panel may regulate its own procedure.

Miscellaneous

8.-(1) A person ceasing to be a member of the Tribunal or the Panel shall be eligible for re-appointment as a member of that body.

(2) A person may, if otherwise eligible, be a member of both the Tribunal and the Panel; but no person who acted as a member of the Panel with respect to any case shall act as a member of the Tribunal with respect to that case.

9. The Tribunal or the Panel may act notwithstanding any vacancy in its membership; and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body, or (subject to paragraph 8 (2) of this Schedule) by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.

10. Any document authorised or required by virtue of this Act to be served on the Tribunal or the Panel shall be served on the Registrar appointed in pursuance of section 5 of this Act.

11. Any expenses of the Tribunal or the Panel shall be defrayed by the Institute.

THIRD SCHEDULE

[Section 17 (2).]

TRANSITIONAL PROVISIONS AS TO ASSETS AND LIABILITIES

Transfer of assets and liabilities

1.-(1) Every agreement to which the Incorporated Institute was a party immediately before the commencement of this Act, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations there under could be assigned by the Incorporated Institute, shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by these sub-paragraphs, have effect from the commencement of this Act so far as it relates to assets and liabilities transferred by this Act to the Institute, as if:

(a) the Institute had been a party to the agreement;

(b) for any reference (however worded and whether expressed or implied) to the Incorporated Institute, there were substituted as respects anything falling to be done on or after the commencement of this Act a reference to the Institute;

(c) for any reference, however worded and whether express or implied, to a member or members of the Council of the Incorporated

1 Institute or an officer of the Incorporated Institute, there were substituted, as
2 respects anything falling to be done on or after the commencement of this Act, a
3 reference to a member or members of the Council under this Act or the officer
4 of the Incorporated Institute corresponds as nearly as may be to the member or
5 officer in question of the Incorporated Institute.

6 (2) Other documents which refer, whether specially or generally, to
7 the Incorporated Institute shall be considered in accordance with subparagraph
8 (1) of this paragraph so far as applicable.

9 (3) Without prejudice to the generality of the foregoing provisions of
10 this Schedule, where, by the operation of section 17 of this Act, any right,
11 liability or obligation vests in the Institute, the Institute and all other persons
12 shall, as from the commencement of this Act, have the same rights, powers and
13 remedies (and, in particular, the same rights as to the taking or resisting of legal
14 proceedings or the making or resisting of applications to any authority) for
15 ascertaining, perfecting or enforcing that right, liability or obligation as they
16 would have if it had at all times been a right, liability or obligation of the
17 Institute.

18 (4) Any legal proceeding or application to any authority pending on
19 the commencement of this Act by or against the Incorporated Institute and
20 relating to assets or liabilities transferred by this Act to the Institute may be
21 continued on or after that day by or against the Institute.

22 2. At the commencement of this Act, any person holding any paid
23 appointment in the Incorporated Institute shall hold a corresponding
24 appointment in the Institute on the same terms and conditions as to tenure and
25 otherwise but shall not be entitled to receive remuneration both from the
26 Incorporated Institute and from the Institute in respect of the same period of
27 service.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Institute of Islamic Finance Professionals to regulate the activities of Members of the profession.