

*Extraordinary*



# National Assembly Journal

**No. 69**

**Abuja - 16th July, 2019**

**Vol. 16**

## CONTENTS

### INDEX TO LEGISLATIVE INSTRUMENTS

<i>Bill No.</i>		<i>Long Title</i>	<i>Page</i>
HB. 278	A	Bill for an Act to Amend the Indian Hemp Act Cap. 116 LFN 2004 and for Related Matters ....	C 979 - 982
HB. 286	A	Bill for an Act to Establish Federal College of Land Resources Technology Owerri, and for Related Matters ....	C 983 - 997
HB. 302	A	Bill for an Act to Establish Federal College of Agriculture, Boko; and for Related Matters ....	C 999 - 1008
HB. 303	A	Bill for an Act to Provide for the Legal Framework to Establish the Federal Medical Centre Mangu and for Related Matters ....	C 1009 - 1024
HB. 306	A	Bill for an Act to Provide for the Establishment of Financial Control Department (FCD) in the Office of the President for the purpose of monitoring finances of all Federal Government Ministries, Extra-Ministerial Departments and Agencies and for Related Matters ....	C 1025 - 1029
HB. 307	A	Bill for an Act to Amend the National Library Act Cap. N56 LFN, 2004 and for Related Matters ....	C 1031 - 1037
HB. 308	A	Bill for an Act to Amend the Teachers Registration Council of Nigeria Act Cap. T3 LFN 2004 and for Related Matters ....	C 1039 - 1040
HB. 400	A	Bill for an Act to Establish Federal Polytechnic Gboko and for Related Matters ....	C 1041 - 1050
HB. 425	A	Bill for an Act to Amend Federal Colleges of Education Act Cap. F8 LFN 2004 and for Related Matters ....	C 1051 - 1052
HB. 478	A	Bill for an Act to Establish the National Institute for Educational Planning and Administration and for Related Matters ....	C 1053 - 1071

Printed and Published by the National Assembly Press, Abuja, Nigeria

**NASSP 69/167/2019/900**

Subscribers who wish to obtain the Journal after 1st January should apply to the Clerk, National Assembly, Abuja for amended Subscriptions.

INDIAN HEMP (AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

*Clause:*

1. Amendment of Cap. 116 LFN, 2004
2. Amendment of section 2
3. Amendment of section 3 (1)
4. Amendment of section 5 (1)
5. Amendment of section 6
6. Amendment of section 7 (1)
7. Amendment of section 9
8. Deletion of section 10
9. Citation

# A BILL

## FOR

AN ACT TO AMEND THE INDIAN HEMP ACT CAP. 116 LAWS OF THE  
FEDERATION OF NIGERIA, 2004 TO REDUCE THE DEATH PENALTY AND  
CONFER JURISDICTION ON THE MAGISTRATE COURT TO TRY OFFENCES  
UNDER THE ACT; AND FOR RELATED MATTERS

*Sponsored by Hon. Simon D. Mwadkwon*

[ ] Commencement

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

- |    |    |   |               |
|----|----|---|---------------|
| 1  | 2  | 1. The Indian Hemp Act Cap. 116 Laws of the Federation of                     | Amendment of  |
| 2  | 3  | Nigeria, 2004 (in this Bill referred to as the "Principal Act") is amended as | Cap. 116 LFN, |
| 3  | 4  | set out in this Bill.   | 2004          |
| 4  | 5  | 2. Section 2 of the Principal Act is amended:                                 | Amendment of  |
| 5  | 6  | (a) in subsection (1) by:   | Section 2     |
| 6  | 7  | (i) deleting the words, "either to death or" in line 3, and                   |               |
| 7  | 8  | (ii) substituting for the words, "twenty-one", the word, "ten"; and           |               |
| 8  | 9  | (b) in subsection (2), line 2, by substituting for the words, "judge of       |               |
| 9  | 10 | the High Court", the words, "Magistrate Court".                               |               |
| 10 | 11 | 3. Section 3 (1) (b) of the Principal Act is amended in line 2, by            | Amendment of  |
| 11 | 12 | substituting for the words, "one year", the words "ten years".                | Section 3 (1) |
| 12 | 13 | 4. Section 5 (1) (b) of the Principal Act is amended:                         | Amendment of  |
| 13 | 14 | (a) in line 2, by deleting the words, "not less than";                        | Section 5 (1) |
| 14 | 15 | (b) in subparagraph (ii), by substituting for:                                |               |
| 15 | 16 | (i) the words, "Children and Young Person Act", the words,                    |               |
| 16 | 17 | "Child's Right Act" in line 3; and  |               |
| 17 | 18 | (ii) the word, "borstal", the words, "approved institution" in line 6.        |               |
| 18 | 19 | 5. Section 6 of the Principal Act is amended in line 3, by deleting           | Amendment of  |
| 19 |    | the words, "not less than".   | Section 6     |

Amendment of Section 7 (1)	1	<b>6.</b> Section 7 (1) (c) of the Principal Act is amended, by deleting:
	2	(a) the words, "not less than" in line 2; and
	3	(b) the word, "thereby" in line 5.
Amendment of Section 9	4	<b>7.</b> Section 9 of the Principal Act is amended in line 3 by deleting the
	5	words "offence under this Act".
Deletion of Section 10	6	<b>8.</b> Section 10 of the Principal Act is deleted.
Citation	7	<b>9.</b> This Bill may be cited as the Indian Hemp (Amendment) Bill,
	8	2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend the Indian Hemp Act Cap. 116 Laws of the Federation of Nigeria, 2004 to reduce the penalty and confer jurisdiction on the Magistrate Court to try offences under the Act.

FEDERAL COLLEGE OF LAND RESOURCES TECHNOLOGY OWERRI,

BILL 2019

ARRANGEMENT OF SECTIONS

*Section:*

PART I - ESTABLISHMENT OF THE FEDERAL COLLEGE OF LAND

RESOURCES TECHNOLOGY OWERRI

1. Establishment of Federal College of Land Resources Technology Owerri
2. Governing Council of each college
3. Membership of the Council of each college
4. Tenure of office of members of the college
5. Functions of each college
6. Powers of the Council
7. Visitation
8. The Academic Board and its functions.
9. Power of Minister to give direction to the College
10. The Provost of each college
11. Deputy Provosts.
12. The Registrar and other staff of each college
13. Other principal officers of the college
14. Resignation of appointment of principal officers
15. Other employees of the college
16. Selection Board for other principal officers
17. Pensions

PART II - FINANCIAL PROVISIONS

18. Establishment of fund of the college
19. Power to accept gifts
20. Accounts and audit
21. Annual reports

PART III - MISCELLANEOUS AND SUPPLEMENTARY

22. Offices and premises
23. Discipline of students
24. Interpretation
25. Short title



# A BILL

## FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF LAND RESOURCES  
TECHNOLOGY OWERRI, PROVIDE FOR THE FUNCTIONS AND FOR RELATED  
MATTERS

*Sponsored by Hon. Dachung Musa Bagos*

[ ] Commencement

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

1 PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF FEDERAL  
2 COLLEGE OF LAND RESOURCES TECHNOLOGY OWERRI

3 -(1) The Federal college of Land Resources Technology Owerri, as Establishment of  
4 it exist is hereby established by this Act and shall have such powers and Federal College  
5 exercise such functions as are conferred on them by this Act. of Land Resources  
Technology Owerri

6 (2) The college shall be a body corporate with perpetual succession  
7 and a common seal; with power to sue and be sued and shall have power to  
8 acquire and dispose of interests in movable and immovable property and  
9 may sue and be sued in its corporate name.

10 2.-(1) The governance of the college and the management of its Governing Council  
11 affairs shall vest in the Governing Council of the college concerned (in this of the College  
12 Act referred to as "the Council").

13 (2) Without prejudice to the generality of subsection (1) of this  
14 section, it shall be the responsibility of the Council to consider and approve-

15 (a) the day to day and plan of activities of the college;

16 (b) the programme of studies, courses, and research to be  
17 undertaken by the Academy;

18 (c) the yearly estimates of the college; and

19 (d) the structure and investment plans of the college.

Membership of the Council of each College	1	<b>3.-(1)</b> The Council of the college, shall consist of a chairman and the
	2	following other members, to be appointed by the President-
	3	(a) a representative of the Federal Ministry of education;
	4	(b) a representative of the alumni association of the college;
	5	(c) three persons appointed on individual merit on a nationwide basis
	6	who should have wide experience in the area of livestock or crop production;
	7	(d) two representatives of the Academic Board of the college;
	8	(e) one representative of the ministry of Science and Technology;
	9	(f) an Indigene of Imo State; and
	10	(g) the Provost of the college.
Tenure of office of members of the Council	11	<b>4.-(1)</b> Each member of the Council (other than an ex-officio member)
	12	shall hold office for a term of four years and shall be eligible for re-appointment
	13	for a further period of four years.
	14	(2) The office of a member appointed under sections 3 (1) (d) and 3 (2)
	15	(d) of this Act shall become vacant if-
	16	(a) the member resigns his office by notice in writing under his hand,
	17	addressed to the president through the Minister;
	18	(b) the member is convicted of any offence by any court;
	19	(c) the member becomes a person of unsound mind;
	20	(d) The member abuses his office.
Functions of the College	21	<b>5.</b> The functions of the college shall be-
	22	(a) to encourage the advancement of learning and to hold out to all
	23	persons without distinction of race, creed, sex or political conviction, the
	24	opportunity of acquiring a higher education in agriculture;
	25	(b) to develop and offer academic programmes leading to the award
	26	of diplomas and certificates in Land Resources, Environmental management,
	27	Technology, Agriculture and food production;
	28	(c) to act as agents and catalysts, through training, research and
	29	innovation for the effective and economic utilisation, exploitation and
	30	conservation of Nigeria's Environmental management, Technology,



- 1       Agriculture and food production;
- 2               (d) to offer to the general population, as a form of public service,
- 3       the results of training and research in Environmental management,
- 4       Technology, Agriculture and food production and to foster the practical
- 5       application of those results;
- 6               (e) to establish appropriate relationships with other national
- 7       institutions involved in training, research and development of
- 8       Environmental management, Technology, Agriculture and food production;
- 9               (f) to identify the Environmental management, Technology,
- 10       Agriculture and food production problems and needs of Nigeria and to find
- 11       solutions to them within the context of overall national development;
- 12               (g) to provide and promote sound basic scientific training as a
- 13       foundation for the development of Environmental management,
- 14       Technology, Agriculture and food production, taking into account
- 15       indigenous culture, the need to enhance national unity, the need to vastly
- 16       increase the practical content of student training, and adequate preparation
- 17       of graduates for self-employment in agriculture and allied professions;
- 18               (h) to promote and emphasise teaching, research and extension of
- 19       agricultural knowledge;
- 20               (i) to offer academic programmes in relation to the training of
- 21       manpower for agriculture in Nigeria;
- 22               (j) to organise research relevant to training of agriculture with
- 23       emphasis on small-scale farming;
- 24               (k) to organise extension services and out-reach programmes for
- 25       technology transfer;
- 26               (l) to establish institutional linkages in order to foster collaboration
- 27       and integration of training, research, and extension activities;
- 28               (m) to undertake any other activities appropriate for the college;
- 29       and
- 30               (n) to perform such other functions as in the opinion of the Council

	1	may serve to promote the objectives of the College.
Powers of the Council	2	7.-(1) For the carrying out of the functions of college, the Council
	3	shall have power to-
	4	(a) undertake examinations and award diplomas, professional
	5	certificates and other distinctions to persons who have pursued a course of
	6	study approved and accredited by the National university Commission;
	7	(b) collect from any student or any other person attending the
	8	Academy for the purpose of instruction such fees as the Council may, with the
	9	prior approval of the Minister, from time to time determine;
	10	(c) hold public lectures and undertake printing, publishing and
	11	bookselling;
	12	(d) make gifts for any charitable purpose;
	13	(e) hold examinations for student or teachers;
	14	(f) provide amenities for and make such other provision for the
	15	welfare of the staff of the college;
	16	(g) invest the funds of the academy in securities specified by law or in
	17	such other securities in Nigeria as may be approved by the Minister;
	18	(h) borrow money within Nigeria in such manner and upon such
	19	security as the Minister may from time to time authorise;
	20	(i) enter into such contracts as may be necessary or expedient for
	21	carrying into effect the objectives of the college;
	22	(j) recruit staff of the right calibre and determine the career structure
	23	of such staff;
	24	(k) establish and maintain such schools and other teaching units
	25	within the college; or extramural departments as the Council may, from time to
	26	time, decide;
	27	(l) institute and award fellowships, medals, prizes and other titles;
Visitation	28	8.-(1) The Minister of Agriculture shall be the Visitor of the college.
	29	(2) The Visitor shall, not less than once in every five years, conduct a
	30	visitation of the Academy; or appoint a visitation panel consisting of not less

1 than five experts to conduct the visitation-

2 (a) for the purpose of evaluating the academic and administrative  
3 performance of the college; or

4 (b) for such other purpose or in respect of any other affairs of the  
5 college; as the Visitor may deem fit.

6 **9. The Academic Board and its functions**

The Academic  
Board and its  
function

7 (1) The college shall have a board to be known as the Academic  
8 Board which shall consist of the following members-

9 (a) the Provost of the college; who shall be the chairman;

10 (b) all heads of departments;

11 (c) the college Librarian; and

12 (d) not more than two members of the academic staff other than  
13 heads of departments to be appointed by the Council.

14 (2) The Academic Board shall be responsible for-

15 (a) overseeing the management of academic matters of the college  
16 and among others the regulation of admission of students, the award of  
17 certificates, scholarships, prizes and other academic distinctions;

18 (b) providing reports from time to time on such academic matters  
19 to the Council as the Council may from time to time direct;

20 (c) carrying out any other functions which the Council may assign  
21 or delegate to it

22 **10. The Minister may give directive to the council with regard to**  
23 the exercise by the Council of its functions under this Act and it shall be the  
24 duty of the Council to comply with such directions.

Power of Minister  
to give directions  
to the Council

25 **11.-(1)** There shall be a Provost of the college (in this Act referred  
26 to as "the Provost") who shall be appointed by the President, in accordance  
27 with the provisions of this section.

The Provost of  
the College

28 (2) Where a vacancy occurs in the post of Provost, the Council  
29 shall-

30 (a) advertise the vacancy in a reputable journal or a widely read

- 1 newspaper Nigeria specifying-
- 2 (i) the qualities of the person who may apply for the post;
- 3 (ii) the terms and conditions of service applicable to the post; and
- 4 thereafter draw up a short list of suitable candidates for consideration;
- 5 (b) constitute a search team consisting of-
- 6 (i) a member of the Council not being a member of the Academic
- 7 Board, as chairman;
- 8 (ii) two members of the academic Board not below the rank of chief
- 9 lecturer;
- 10 (iii) two members of the academic community of the college not
- 11 below the rank of chief lecturer to be selected by the Council, to identify and
- 12 draw up a short list of suitable persons who are not likely to apply for the post
- 13 for any reason whatsoever.
- 14 (3) A Joint Council and Academic Selection Board consisting of-
- 15 (a) the chairman of the Council;
- 16 (b) two members of the Council not being members of the Academic
- 17 Board;
- 18 (c) two members of the Academic Board not below the rank of chief
- 19 lecturer, who were not members of the search team, shall consider the
- 20 candidates and persons on the short lists drawn up under subsection (2) of this
- 21 section through an examination of their curriculum vitae and interaction with
- 22 them and recommend through the Council to the President, three candidates for
- 23 his consideration.
- 24 (4) The President shall appoint as Provost one of the candidates
- 25 recommended to him under the provisions of subsection (3) of this section.
- 26 (5) Subject to this Act and the general control of the Council, the
- 27 Provost shall be the chief executive of the college; and shall be charged with
- 28 general responsibility for matters relating to the day-to-day management
- 29 operations of the college.
- 30 (6) The Provost-

1 (a) shall hold office for a period of four years beginning with the  
2 effective date of his appointment and on such terms and conditions as may  
3 be specified in his letter of appointment; and

4 (b) may be reappointed for one further period of four years and no  
5 more.

6 **12.-(1)** There shall be for the college a Deputy Provost.

Deputy Provosts

7 (2) The Council shall appoint the Deputy Provost from among the  
8 chief lecturers in the Academy in one of the following ways, that is-

9 (a) from a list of three candidates in order of preference, submitted  
10 by the Provost; or

11 (b) on the recommendation of a Selection Board constituted under  
12 this section for that purpose; or

13 (c) on the nomination of the Provost.

14 (3) The Selection Board referred to in subsection (2) of this section  
15 shall-

16 (a) consist of-

17 (i) the chairman of the Council;

18 (ii) the Provost;

19 (iii) two members of the Council not being members of the  
20 Academic Board;

21 (iv) two members of the Academic Board; and

22 (b) make such inquiries as it deems fit before making the  
23 recommendation required under that subsection.

24 (4) The Deputy Provost shall-

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

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

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

The Registrar  
and other staff  
of the College

1 (5) The Deputy Provost-

2 (a) shall hold office for a period of two years beginning from the  
3 effective date of his appointment and on such terms and conditions as may be  
4 specified in his letter of appointment; and

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

7 **13.-(1)** The Council of the College shall appoint a Registrar to the  
8 college (hereinafter referred to as the Registrar") who shall keep the records  
9 and conduct the correspondence of the Council and shall perform such other  
10 duties as the Council and subject thereto as the Provost may from time to time  
11 direct.

12 (2) The Registrar shall, in addition to other duties conferred on him by  
13 or under this Act, be the secretary to the Council, the Academic Board and any  
14 committee of the Council and in his absence, the Councilor any such  
15 committee may appoint some other person to act as secretary, and he shall not  
16 vote on any question before the Councilor count towards a quorum.

17 (3) A Registrar-

18 (a) shall hold office for a period of five years beginning from the  
19 effective date of his appointment and on such terms and conditions as may be  
20 specified in his letter of appointment; and

21 (b) may be reappointed for one further period of five years and no  
22 more.

23 (4) Where, on the commencement of this section, a Registrar  
24 appointed before the commencement of this section has held office-

25 (a) for five years or less, he shall be deemed to be serving his first term  
26 of office and may be reappointed for a further term of five years;

27 (b) for more than five years but less than ten years, he shall complete  
28 the maximum period of ten years and thereafter relinquish his post and be  
29 assigned other duties in the College;

30 (c) for ten years or more, the Council may allow him to serve as

1 Registrar for a further period of one year only and thereafter he shall  
2 relinquish his post and be assigned other duties in the College.

3 **14.-(1)** There shall be for the college the following principal  
4 officers in addition to the Registrar, that is-

Other principal  
officers of the  
college

5 (a) the Bursar; and

6 (b) the Librarian, who shall be appointed by the Council on the  
7 recommendation of the Selection Board constituted under this Act.

8 (2) The Bursar shall be the chief financial officer of the Academy;  
9 and be responsible to the Provost for the day-to-day administration and  
10 control of the financial affairs of the college.

11 (3) The college Librarian shall be responsible to the Provost for the  
12 administration of the Academy Library and the coordination of the library  
13 services in the teaching units of the Academy.

14 (4) A Bursar or Librarian-

15 (a) shall hold office for a period of five years beginning from the  
16 effective date of his appointment and on such terms and conditions as may  
17 be specified in his letter of appointment; and

18 (b) may be reappointed for a further period of five years and no  
19 more.

20 (5) Where, on the commencement of this section, a Bursar or  
21 Librarian has held office.

22 (a) for five years or less, he shall be deemed to be serving his first  
23 term of office and may be reappointed for a further term of five years;

24 (b) for more than five but less than ten years, he shall complete the  
25 maximum period of ten years and thereafter relinquish his post and be  
26 assigned other duties in the College;

27 (c) for ten years or more, the Council may allow him to serve in that  
28 capacity for a further period of one year only and thereafter he shall  
29 relinquish his post and be assigned other duties in the college.

Resignation of appointment of principal officers	1	<b>15.</b> A principal officer may resign his appointment-
	2	(a) in the case of the Provost, by notice to the Visitor; and
	3	(b) in any other case, by notice to the Council.
Other employees of the College	4	<b>16.-(1)</b> The Council may appoint such other persons to be employees
	5	of the college as the Council may determine to assist the Provost and the
	6	principal officers of the college in the performance of their functions under this
	7	Act.
	8	(2) Subject to the provisions of this Act, the remuneration, tenure of
	9	office and conditions of service of the employees of the Council shall be
	10	determined by the Council in consultation with the Federal Civil Service
	11	Commission.
Selection Board for other principal officers	12	<b>17.-(1)</b> There shall be, for the college, a selection Board which shall
	13	consist of-
	14	(a) the chairman of the Council;
	15	(b) the Provost;
	16	(c) four members of the Council not being members of the Academic
	17	Board; and
	18	(d) two members of the Academic Board.
	19	(2) The functions, procedure and other matters relating to the
	20	Selection Board constituted under subsection (1) of this section shall be as the
	21	Council may, from time to time, determine.
Pensions	22	<b>18.-(1)</b> It is hereby declared that service in the college shall be in
	23	accordance with the pension Act.
	24	PART II - FINANCIAL PROVISIONS
Establishment of fund of the College	25	<b>19.-(1)</b> The Council shall establish and maintain a fund which shall be
	26	applied towards the promotion of the objectives specified in this Act.
	27	(2) There shall be paid and credited to the fund established under
	28	subsection (1) of this section-
	29	(a) such sums as may be made to the college through Annual budget;
	30	(b) all moneys raised for the purposes of the Council by way of gifts,



1 grants-in-aid or testamentary disposition; and

2 (c) all subscriptions, fees and charges for services rendered by the  
3 Council and all other sums that may accrue to the Council from any source.

4 (3) The Council shall submit to the Minister, through the  
5 University commission not later than three months before the end of each  
6 financial year or at such other time as he may direct, an estimate of its  
7 revenue and expenditure for the next succeeding financial year.

8 **20.**-(1) The Council may accept gifts

Power to accept  
gifts

9 (2) The Council shall not accept any gift if the conditions attached  
10 by the person making the gift are inconsistent with the functions of the  
11 Council.

12 **21.** The Council shall keep proper accounts and shall in respect of  
13 each year cause the accounts to be audited.

Accounts and  
audit

14 **22.** The Council shall prepare and submit to the Minister a report  
15 of its activities during the immediately preceding financial year.

Annual reports

### 16 PART III - MISCELLANEOUS AND SUPPLEMENT

17 **23.**-(1) For the purpose of providing offices and premises  
18 necessary for the performance of its functions, the Council may-

Offices and  
premises

19 (a) purchase any interest in or take on lease any land; and

20 (b) build, equip and maintain offices and premises.

21 (2) The Council may, with the approval of the Minister, sell any  
22 interest in or lease any land, offices or premises held by it and no longer  
23 required for the performance of its functions.

24 **24.**-(1) The Council may make rules providing for the Provost to  
25 conduct enquiries into alleged breaches of discipline (including lack of  
26 diligence) by students and such rules may make different provisions for  
27 different circumstances.

Discipline of  
students

28 (2) The rules shall provide for the procedure and rules of evidence  
29 to be followed at enquiries under this section.

30 (3) Subject to the provisions of subsection (1) of this section, where

1 it is proved during the enquiry that any student of the Academy has been guilty  
2 of misconduct, the Provost may, without prejudice to any other disciplinary  
3 powers conferred on him by this Act or any regulations made there under,  
4 direct-

5 (a) that the student shall not, during such period as may be specified in  
6 the direction, participate in such activities of the Academy, or make use of such  
7 facilities of the Academy, as he may specify; or

8 (b) that the student may be suspended for such period as may be  
9 specified in the direction; or

10 (c) that the student be expelled from the Academy.

11 (4) Where there is temporarily no Provost or where the Provost  
12 refuses to apply any disciplinary measures, the Council may, either directly or  
13 through some other staff, apply such disciplinary actions as are specified in  
14 subsection (3) of this section to any student of the college who is guilty of  
15 misconduct.

16 (5) Where a direction is given under subsection (3) (c) or (d) of this  
17 section in respect of any student, the student may, within 21 days from the date  
18 of the letter communicating the decision to him, appeal from the direction to  
19 the Council, and where such an appeal is brought, the Council shall, after  
20 causing such inquiry to be made in the matter as the Council considers just,  
21 either confirm or set aside the direction or modify it in such manner as the  
22 Council may think fit.

23 (6) The fact that an appeal from a direction is brought in pursuance of  
24 subsection (5) of this section shall not affect the operation of the direction while  
25 the appeal is pending.

26 (7) The Provost may delegate his powers under this section to a  
27 disciplinary committee consisting of such members of the college as he may  
28 nominate.

29 (8) Nothing in this section shall be construed as preventing the  
30 restriction or termination of a student's activities at the college otherwise than

1 on the ground of misconduct

2 (9) It is hereby declared that the direction under subsection (3) (a)  
3 of this section may be combined with a direction under subsection (3) (b) of  
4 this section.

5 (10) In all cases under this section, the decision of the Council shall  
6 be final unless reversed by the Minister on appeal by the student

7 **25.** In this Act, unless the context otherwise requires- Interpretation

8 "college " means Federal college of Land Resources Technology Owerri  
9 established under section 1 of this Act ;

10 chairman" means the chairman of the Council;

11 "Council" means the Governing Council of any of the college established by  
12 or pursuant to section 2 of this Act;

13 "Provost" means the Provost of an college appointed under section 9 of this  
14 Act;

15 "functions" includes powers and duties;

16 "Minister" means the Minister of Education;

17 "member" means a member of the Council including the chairman.

18 **25.** This Bill may be cited as the Federal College of Land Citation  
19 Resources Technology Owerri Bill, 2019.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal College of Land Resources Technology Owerri and to act as agents and catalysts, through training, research and innovation for the effective and economic utilisation, exploitation and conservation of Nigeria's Environmental management, Technology, Agriculture and food production.



# A BILL

## FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF AGRICULTURE, BOKKOS TO PROVIDE FULL-TIME COURSES LEADING TO THE AWARD OF DIPLOMA, HIGHER NATIONAL DIPLOMA IN AGRICULTURE AND ALLIED FIELD, AND BE RESPONSIBLE FOR THE DUE ADMINISTRATION OF THE COLLEGE; AND FOR RELATED MATTERS

*Sponsored by Hon. Solomon B. Maren*

[ ] Commencement

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

- |  |  |   |
|--|--|---|
| <p>1           <b>1.</b>-(1) There is established the Federal College of Agriculture,<br/> 2           Bokkos (herein after referred to as "the college").</p> | <p>(2) The College shall be a body corporate with perpetual<br/> 4           succession and common seeds and shall have the power to acquire and<br/> 5           dispose of interest in movable and immovable property.</p> | <p>Establishment<br/> of Federal College<br/> of Agriculture,<br/> Bokkos</p> |
| <p>6           (3) The College may sue and be sued in its corporate name.</p>  |  |   |
| <p>7           <b>2.</b>-(1) There is established for the college a governing council (in<br/> 8           the Bill referred to as "the Council").</p>         | <p>Governing Council<br/> of the College</p>   |   |
| <p>9           (2) The Council shall have the responsibility to consider and<br/> 10          approve:</p>   |  |   |
| <p>11          (a) the Programme of studies to be undertaken in the college;</p>   |  |   |
| <p>12          (b) the annual estimates of the college; and</p>  |  |   |
| <p>13          (c) the investment plan of the college.</p>   |  |   |
| <p>14          (3) The Provision of the Schedule to this Bill shall have effect with<br/> 15          respect to the proceeding of the council.</p>            |  |   |
| <p>16          <b>3.</b>-(1) The council of the college shall consist of:</p>  | <p>Membership of<br/> the Council in<br/> the College</p>  |   |
| <p>17          (a) a chairman and other members to be appointed by the President;</p>  |  |   |
| <p>18          (b) a representative of the Federal Ministry of Agriculture and</p>   |  |   |

	1	Natural Resources;
	2	(c) a representative of the University of which the College is affiliated
	3	to for the purpose of moderation;
	4	(d) two representatives of the academic board of the College; and
	5	(e) the Provost of the College.
Tenure of Members of the Council	6	<b>4.-(1)</b> A member of the council (other than the ex-official members)
	7	shall hold office for a term of four years and subject to the provision of sub-
	8	section (2) of this section shall be eligible for re-appointment for a further
	9	period of four years and also move.
	10	(2) The office of a member appointed under section 3 of this Bill shall
	11	become vacant of:
	12	(a) the member resigns in office by notice of writing under his hand
	13	addressed to the Minister; or
	14	(b) the Minister is satisfied that it is not in the interest of the college for
	15	the person appointed to continue in office and notifies the member in writing to
	16	that effect.
Functions of the College	17	<b>5.</b> The functions of the college shall be:
	18	(a) to provide full-time courses in teaching instruction and training:
	19	(i) in Agriculture and allied matters; and
	20	(ii) in such other fields of applied learning relevant to the needs of
	21	development of Nigeria.
	22	(b) to conduct courses in Agriculture for qualified teachers;
	23	(c) to arrange conferences, seminars and workshops relative to the
	24	functions of the college ; and
	25	(d) to perform such other functions as in the opinion of the council
	26	may serve to promote the objective of the college.
Power of the Council	27	<b>6.</b> The council of the college shall have power to:
	28	(a) hold examinations and grant Diplomas, Professional Certificates
	29	and other distinctions to persons, who have pursued of study approved and
	30	accredited by the relevant regulatory body;

- 1 (b) hold examinations in Agriculture for qualified teachers;
- 2 (c) recruit staff and determine structure of such staff;
- 3 (d) demand and receive from any student or any other person
- 4 attending the college for the purpose of study such fees as the council may
- 5 with the prior approval of the Minister, from time to time determine;
- 6 (e) hold public lectures and undertake printing, publishing and
- 7 bookselling;
- 8 (f) award fellowship, medals, prizes and other titles;
- 9 (g) establish and maintain such schools and other teaching units
- 10 with the college or extra moral departments as the councils may from time to
- 11 time determine;
- 12 (h) erect, provide, equip and maintain such educational
- 13 recreational and residential facilities as the college may require;
- 14 (i) create lectureships and other academic post and offices and to
- 15 make appointment thereof;
- 16 (j) receive and make gifts;
- 17 (k) enter into such contracts as may be necessary or expedients for
- 18 carrying into effects the objections of the college;
- 19 (l) provide amenities for and make such other provision for the
- 20 welfare of the staff and students of the college;
- 21 (m) encourage and make provision for research in the college;
- 22 (n) do such acts and things whether or not incidental to the
- 23 foregoing power as may advance the objects of the college.
- 24 7.-(1) The Minister responsible for Agriculture and Natural Visitation
- 25 Resources shall be the visitor of the college.
- 26 (2) The visitor shall, not less than once in every five year, conduct a
- 27 visitation to the college or appoint a visitation panels consists of not less than
- 28 five experts to conduct the visitation:
- 29 (a) for the purpose of evaluating the academic and administrative
- 30 performance of the college; or

	1	(b) for such other purpose as the visitor may deem fit.
The Academic Board and its functions	2	8.-(1) There shall be established for the college a Board to be known
	3	as the Academic Board which shall consist of the following members:
	4	(a) the Provost of the college as the chairman;
	5	(b) all heads of departments;
	6	(c) the college bursar;
	7	(d) the college Librarian; and
	8	(e) not more than three members of the Academic staff other than the
	9	heads of departments to be appointed by the council.
	10	(2) The Academic Board shall be responsible for:
	11	(a) the direction and management of academic matters of the college
Power of Minister	12	including the regulation of admission of students, the award of certificates,
	13	scholarships, prizes and other academic distinction;
	14	(b) discharging any other functions which the council may from time
	15	to time delegate to it.
	16	9. The Minister may give to the council directions of the general
	17	character or relating generally to matter with regard to the exercise by the
	18	council of its functions and it shall be the duty of the council to comply with such
	19	directions.
	20	10.-(1) There shall be a Provost for the college (herein after referred to
	21	as "the Provost") who shall be appointed by the president on the
The Provost of the College	22	recommendation of the Minister.
	23	(2) Where a vacancy occurs in the post of the provost, the council
	24	shall:
	25	(a) advertise the vacancy in reputable widely read newspaper in
	26	Nigeria specifying:
	27	(i) the qualities of the person who may apply for the post:
	28	(ii) the terms and conditions of service applicable to the post and
	29	thereafter draw up a short list of suitable candidates for consideration of the
	30	Minister.



1 (3) The President shall appoint as provost one of the candidates  
2 recommended by the Minister.

3 (4) Subject to the general control of the council the provost shall be  
4 the chief executive of the college and shall be charged with general  
5 responsibility for matters relating to the day-to-day management and  
6 operations of the college.

7 (5) The Provost shall hold office for a period of five years only and  
8 on such terms and conditions as may be specified in his letter of  
9 appointment.

10 **11.**-(1) There shall be for the college two deputy provosts namely: Deputy Provost  
11 Deputy Provost (Academic) and the Deputy Provost (Administration).

12 (2) The council shall the deputy provosts from among the chief  
13 lecturers in the college in any of the following ways, that is:

14 (a) from a list of five candidates in order of preference, submitted  
15 by the provost;

16 (b) on the recommendation of a selection Board constituted for  
17 their purpose; or

18 (c) on the nomination of the provost.

19 (3) The selection Board referred to in subsection 2 (b) of this  
20 section shall:

21 (a) consist of:

22 (i) the Chairman of the council;

23 (ii) the Provost of the college;

24 (iii) two members of the Academic board; and

25 (iv) two members of the council not being members of the  
26 Academic Board.

27 (4) (a) The Deputy Provost (Academic) shall:

28 (i) assist the provost in the performance of his function in  
29 Academic matters of the college;

30 (ii) act as the provost when the post of the provost is vacant or if the

1 provost is for any reason, absent or unable to perform his function;

2 (b) The Deputy Provost (Administration) shall:

3 (i) assist the provost in administrative matters of the college; and

4 (ii) perform such other functions as the provost or the council may  
5 from time to time assign to him.

6 (5) Each of the deputy provosts shall hold office for a period of two  
7 years and no more.

The Registrar  
and other staff  
of the College

8 **12.**-(1) There shall be a registrar for the college to be appointed by the  
9 council.

10 (2) The registrar shall keep the records and conduct the  
11 correspondence of the council.

12 (3) The registrar shall be the secretary to:

13 (a) the Council;

14 (b) the Academic Board; and

15 (c) any Committee of the council.

16 (4) The Registrar may perform any duty as may be assigned to him by  
17 the council or the Provost.

18 (5) The Registrar shall hold office for a period of five years and no  
19 more.

Other principal  
officers of the  
College

20 **13.**-(1) There shall be for the college in addition to the registrar:

21 (a) the Bursar; and

22 (b) the College Librarian who shall be appointed by the Council

23 (2) The Bursar shall be the chief financial officer of the college and be  
24 responsible to the Provost for the day -to- day administration and control of the  
25 financial affairs of the college.

26 (3) The college Librarian shall be responsible to the provost for the  
27 administration of the college library and the coordination of the library services  
28 in the teaching units of the college.

29 (4) The Bursar and the college librarian shall each hold office for a  
30 period of five years and no more.

1	<b>14.</b> A principal officer of the college may resign his appointment:	Resignation of appointment of principal officer
2	(a) in case of the provost by notice to the visitor; and	
3	(b) in any other case by advise to the Council.	
4	<b>15.</b> -(1) The council may appoint other persons to be employees of	Other employees of the College t
5	the college as the council may deem to assist the Provost and the Principal	
6	Officers in the performance of their functions.	
7	(2) The remuneration tenure of office and condition of service of	
8	the employee of the college shall be determined by the council- consultation	
9	with the Federal Civil Service Commission.	
10	<b>16.</b> Service in the college shall be approved service for the purpose	Pensions
11	of the pension's reform and accordingly, officers and other persons	
12	employed in the college shall be entitled to pension's gratitude and other	
13	retirement benefit as may be prescribed in their respective letters of	
14	appointment.	
15	<b>17.</b> -(1) These shall be a selection Board for the college which shall	Selection board for other principal officers
16	consist of:	
17	(a) the Chairman of the council;	
18	(b) the Provost;	
19	(c) four members of the council not being members of the	
20	Academics Board; and	
21	(d) two members of the Academic Board.	
22	(2)The functions, procedure and other matters relating to the	
23	selection Board constituted under subsection (1) of this section shall be	
24	determined from time to time by the council.	
25	<b>18.</b> -(1) The college shall establish and maintain a fund which shall	Fund of the College
26	be applied towards the promotion of the objection of this Bill.	
27	(2) There shall be paid and credited to the fund established under	
28	subsection (1) of this section:	
29	(a) such sums as may from time to time be granted by the Federal	

	1	Government through the Federal Ministry of Agriculture and Natural
	2	Resources;
	3	(b) all monies raised by the council by way of gifts, grants III aid or
	4	test monetary disposition; and
	5	(c) all subscription fees and charges for services rendered by the
	6	council and all other sums that may accrue to the council from any source.
	7	(3) The council shall submit to the Minister not later than three
	8	months before the end of each financial year or at such other time as he may
	9	direct an estimate of its revenue and expenditure for the next succeeding
	10	financial year.
Power to accept gifts	11	<b>19.</b> -(1 )The College may accept gifts of loan, money or of other
	12	property upon such terms and conditions, of any as may be specified by the
	13	person making the gifts.
	14	(2) The College shall not any gift of the conditions attached to the gifts
	15	are inconsistent with the functions of the college.
Account and audit	16	<b>20.</b> The college shall keep proper accounts of its receipt, payments,
	17	assets and liabilities and shall in respect of each year cease the account to be
	18	audited.
Annual reports	19	<b>21.</b> The council shall as soon as may be after the expiration of each
	20	financial year, prepare and submit to the minister a report of its activities during
	21	the immediate proceeding financial year and shall include in the report a copy
	22	of the audited accounts of the college for that year and of the auditor's report of
	23	the accounts.
Interpretation	24	<b>22.</b> In this Bill:
	25	"Chairman" means the chairman of the council;
	26	"College" means the Federal College of Agriculture, Bokkos established under
	27	section (1) of this Bill;
	28	"Council" means the Governing Council of the college established under
	29	section 2 of this Bill;
	30	"Function" includes power and duties;

1 "Minister" means the Minister charged with responsibility of Agriculture  
2 and Natural Resources;  
3 "Member" means a member of the council including the chairman;  
4 "Provost" means the provost of the college established under section 10 of  
5 this Bill.

6 **23.** This Bill may be cited as the Federal College of Agriculture, Bokkos (Establishment) Bill, 2019. Short title

8 SCHEDULE

9 [Section 2(3)]

10 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

11 *Terms of service*

12 1. There may be paid to the members of the council or any  
13 committee, other than ex-officio members, such remuneration and  
14 allowances as may from time to time be determined by the President.

15 2. Where a vacancy occurs in respect of the membership specified  
16 in section 3, it shall be filled by the appointment of a successor to hold office  
17 for the remainder of the term of office of his predecessor in office and such  
18 successor shall represent the same interest as his predecessor.

19 3. The council may act notwithstanding any vacancy in its  
20 membership or any defect in the appointment of a member or the absence of  
21 a member.

22 *Proceedings*

23 4.-(1) The Council shall meet for the conduct of business at such  
24 times, places and on such days as the chairman may appoint but shall meet  
25 not less than once every four months.

26 (2) The chairman may at any time and shall, at the request in  
27 writing of not less than six members, convene a meeting of the council.

28 (3) Where the council desires to obtain the advice of any person on  
29 any particular matter, the council may co-opt persons who are not members  
30 of the council but persons co-opted shall not be entitled to vote at a meeting

1 of the council.

2 (4) The Quorum of the Council shall be one half of the total members  
3 of the Council, at least one of whom shall be a member appointed by the  
4 President.

5 (6) Decisions of the Council shall be made on approval by a simple  
6 majority of members.

7 *Miscellaneous*

8 5.-(1) The fixing of the seal of the college shall be authenticated by the  
9 signature of the chairman, Provost and of some other members of the Council  
10 authorized generally or specially by the Council to act for that purpose.

11 (2) Any contract or instrument which, if made or executed by a person  
12 other than a body corporate would not be required to be under seal may be made  
13 executed on behalf of the college by any person generally or specially  
14 authorized to act for that purpose by the council.

15 (3) Any document purporting to be duly executed under the seal of the  
16 College shall be received in evidence and shall, unless the contrary is proved,  
17 be presumed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Agriculture, Bokkos as  
Institute to offer full-time courses leading to the awards of National Diplomas,  
Higher National Diplomas etc.



	1	(j) the Society of Gynaecology and Obstetrics of Nigeria;
	2	(k) the Pharmaceutical Society of Nigeria;
	3	(l) the Paediatric Association of Nigeria;
	4	(m) the National Association of Nigerian Nurses and Midwives; and
	5	(n) one person to represent public interest.
	6	(2) The chairman and members of the Board, other than ex-officio
	7	members, shall be:
	8	(a) appointed by the President; and
	9	(b) persons of proven integrity and ability.
	10	(3) The supplementary provisions set out in the Schedule to this Act
	11	shall have effect with respect to the proceedings of the Board and the other
	12	matters contained therein.
	13	<i>[Schedule.]</i>
Tenure of office	14	<b>4.</b> Subject to the provisions of section 5 of this Act, a member of the
	15	Board, other than ex-officio members, shall each hold office:
	16	(a) for a term of three years in the first instance and may be re-
	17	appointed for a further term of three years and no more; and
	18	(b) on such terms and conditions as may be specified in his letter of
	19	appointment.
Cessation of membership	20	<b>5.-(1)</b> Notwithstanding the provisions of section 4 of this Act a person
	21	shall cease to hold office as a member of the Board if:
	22	(a) he becomes bankrupt, suspends payment principal loan with his
	23	creditors;
	24	(b) he is convicted of a felony or any offence involving dishonesty or
	25	fraud;
	26	(c) he becomes of unsound mind or is incapable of carrying out his
	27	duties;
	28	(d) he is guilty of a serious misconduct in relation to his duties; or
	29	(e) in the case of a person possessed of professional qualifications, he
	30	is disqualified or suspended, other than at his own request, from practising his



1 profession in any part of the world by an order of a competent authority  
2 made in respect of that member; or

3 (f) he resigns his appointment by a letter addressed to the President.

4 (2) If a member of the Board ceases to hold office for any reason  
5 whatsoever, before the expiration of the term for which he is appointed,  
6 another person representing the same Interest as that member shall be  
7 appointed to the Board for the unexpired term.

8 (3) A member of the Board may be removed by the President if he is  
9 satisfied that it is not in the interest of the Medical Centre or the interest of  
10 the public that the member continues in office.

11 6. There shall be paid to every member of the Board such Allowances of  
12 allowances and expenses as the Revenue Mobilization Allocation and Fiscal  
13 Commission may, from time to time, direct. members

14 PART II - FUNCTIONS AND POWERS OF THE BOARD, ETC.

15 7.-(1) The Board shall:

16 (a) equip, maintain and operate the Medical Centre so as to provide Functions of the  
17 facilities for diagnosis, curative, promotive and rehabilitative services in Board  
18 medical treatment;

19 (b) construct, equip, maintain and operate such training schools  
20 and similar institutions as the Board considers necessary for providing the  
21 Medical Centre at all times with a proper staff of the Medical Centre  
22 technicians and nurses;

23 (c) construct, equip, maintain and operate such clinics, out-patient  
24 departments, laboratories, research or experimental stations and other like  
25 institutions as the Board considers necessary for the efficient functioning of  
26 the Medical Centre.

27 (2) The Board shall ensure that the standards of teaching provided  
28 at all establishments under its control and the standards of treatment and care  
29 provided for patients at those establishments do not fall below those usually  
30 provided by similar establishments of international repute.

1 (3) Subject to this Act, the Board shall perform such other functions  
 2 which in its opinion are calculated to facilitate the carrying out of its functions  
 3 under this Act.

Powers of the  
Board

4 **8.** The Board shall have power to:

5 (a) Provide the general policies and guidelines relating to major  
 6 expansion programmes of the Medical Centre;

7 (b) provide facilities for the training of medical students of associate  
 8 universities;

9 (c) manage and superintend the affairs of the Medical Centre;

10 (d) subject to the provisions of this Act, make, alter and revoke rules  
 11 and regulations for carrying on the functions of the Medical Centre;

12 (e) fix terms and conditions of service, including remuneration of the  
 13 employees of the Medical Centre subject to the approval of National Salaries  
 14 Incomes and Wages Commission;

15 (f) do such other things which in the opinion of the Board are  
 16 necessary to ensure the efficient performance of the functions of the Medical  
 17 Centre.

#### 18 PART III - STAFF OF THE MEDICAL CENTRE

Medical Director  
of the Medical  
Centre

19 **9.-(1)** There shall be for the Medical Centre a Chief Medical Director  
 20 who shall be appointed by the President on the recommendation of the Board  
 21 and on such terms and conditions as may be specified in his letter of  
 22 appointment or as may be determined, from time to time, by the National  
 23 Salaries Income and Wages Commission.

24 (2) The Chief Medical Director shall:

25 (a) be the chief executive and accounting officer of the Medical  
 26 Centre;

27 (b) be responsible to the Board for the day-to-day administration of  
 28 the Medical Centre;

29 (c) be appointed for a term of four years in the first instance and may

1 be reappointed for a further term of four years subject to satisfactory  
2 performance;

3 (d) be a person who is a medical practitioner and shall have been so  
4 qualified for a period of not less than 15 years;

5 (e) have considerable administrative experience in matters of  
6 health;

7 (f) hold a post-graduate specialist qualification obtained not less  
8 than ten years prior to the appointment as Chief Medical Director.

9 **10.-(1)** The Board shall appoint for the Medical Centre:

Appointment of  
Directors and  
other staff of the  
Medical Centre

10 (a) a Director of Administration, who shall:

11 (i) be responsible to the Chief Medical Director for the effective  
12 functioning of all the administrative divisions of the Medical Centre;

13 (ii) conduct the correspondence of the Board and keep the records  
14 of the Medical Centre; and

15 (iii) perform such other functions as the Board or the Chief Medical  
16 Director, as the case may be, may, from time to time, assign to him;

17 (b) a Director of Clinical Services;

18 (c) a Director of Finance;

19 (d) a Director of Maintenance.

20 (2) The Directors appointed under paragraphs (b), (c) and (d) of  
21 subsection (1) of this section shall each be responsible to the Chief Medical  
22 Director for the effective running of the clinical services, the finance and  
23 accounts and the co-ordination of the maintenance of the Medical Centre, as  
24 the case may be.

25 (3) The Board shall appoint for the Medical Centre such number of  
26 employees as may in the opinion of the Board be expedient and necessary  
27 for the proper and efficient performance of the functions of the Medical  
28 Centre.

29 (4) Notwithstanding the provisions of subsections (1) and (2) of  
30 this section the Board shall have power to appoint for the Medical Centre

1 either directly or on secondment from any public service in the Federation,  
 2 such number of employees as may, in the opinion of the Board, be required to  
 3 assist the Medical Centre in the discharge of any of its functions under this Act.

4 (5) Nothing in subsection (4) of this section shall preclude the Board  
 5 from appointing persons from outside the public service of the Federation or of  
 6 the State whenever it deems it necessary so to do.

7 (6) The terms and conditions of service (including remuneration,  
 8 allowances, benefits and pensions) of the employees of the Medical Centre  
 9 shall be as determined by the National Salaries Income and Wages  
 10 Commission.

Service in the  
 Medical Centre  
 to be pensionable

11 11.-(1) Service in the Medical Centre shall be approved service for the  
 12 purposes of the Pensions Reforms Act.

13 (2) The officers and other persons employed in the Medical Centre  
 14 shall be entitled to pensions, gratuities and other retirement benefits as are  
 15 enjoyed by persons holding equivalent grades in the civil service of the  
 16 Federation.

17 (3) Nothing in subsections (1) and (2) of this section shall prevent the  
 18 appointment of a person to any office on terms which preclude the grant of  
 19 pension and gratuity in respect of that office.

Establishment  
 fo the Medical  
 Advisory  
 Committee, etc.

20 12.-(1) There shall be for the Medical Centre a Medical Advisory  
 21 Committee which shall:

22 (a) consist of a chairman who shall be the Director, Clinical Services  
 23 and such number of other members as may be determined from time to time;

24 (b) be responsible to the Chief Medical Director for all the clinical and  
 25 training activities of the Medical Centre; and

26 (c) be appointed by the Board.

27 (2) Subject to this Act, the Board shall have power to appoint either  
 28 directly or on secondment and discipline consultants holding or acting in any  
 29 office in the hospital; and any such appointment shall be made having due  
 30 regard to the approved personnel establishment of the Medical Centre.

1 (3) Notwithstanding anything to the contrary, the Board may, from  
2 time to time, appoint consultants outside the hospital to perform such  
3 medical duties as the Board or the Chief Medical Director may assign to  
4 such consultants.

5 PART IV - FINANCIAL PROVISIONS

6 **13.** There shall be established and maintained for the Medical Fund of the  
7 Centre a fund into which shall be paid and credited: Medical Centre

8 (a) all subventions and budgetary allocation from the Government  
9 of the Federation;

10 (b) all fees and funds accruing from the sale of drugs and other  
11 services;

12 (c) all sums accruing to the Medical Centre by way of gifts,  
13 endowments, bequests, grants or other contributions by persons and  
14 organisations;

15 (d) foreign aid and assistance from bilateral agencies; and

16 (e) all other sums which may, from time to time, accrue to the  
17 Medical Centre.

18 **14.** The hospital shall, from time to time, apply the funds at its Expenditure of  
19 disposal to: the Medical Centre

20 (a) the cost of administration and maintenance of the Medical  
21 Centre;

22 (b) publicize and promote the activities of the Medical Centre;

23 (c) pay allowances, expenses and other benefits of members of the  
24 Board and committees of the Board;

25 (d) pay the salaries, allowances and benefits of employees of the  
26 Medical Centre;

27 (e) pay other overhead allowances, benefits and other  
28 administrative costs of the Medical Centre; and

29 (f) undertake such other activities as are connected with all or any  
30 of the functions of the Medical Centre under this Act.

Power to accept gifts	1	<b>15.-(1)</b> The Medical Centre may accept gifts of land, money or other
	2	property on such terms and conditions, if any, as may be specified by the person
	3	or organisation making the gift.
	4	(2) The Medical Centre shall not accept any gift if the conditions
	5	attached by the person or organisation making the gift are inconsistent with the
	6	functions of the Medical Centre under this Act.
Annual estimates and expenditure	7	<b>16.-(1)</b> The Board shall, not later than 30 September in each year,
	8	submit to the President through the Secretary to the Government of the
	9	Federation an estimate of the expenditure and income of the Medical Centre
	10	during the next succeeding year.
	11	(2) The Board shall cause to be kept proper accounts of the Medical
	12	Centre in respect of each year and proper records in relation thereto and shall
Annual report	13	cause the accounts to be audited not later than six months after the end of each
	14	year by auditors appointed from the list and in accordance with the guidelines
	15	supplied by the Auditor-General for the Federation.
	16	<b>17.</b> The Board shall prepare and submit to the President, not later than
	17	30 June in each year, a report in such form as the President may direct on the
	18	activities of the Medical Centre during the immediately preceding year, and
Power to borrow	19	shall include in the report a copy of the audited accounts of the Federal Medical
	20	Centre for that year and the auditor's report thereon.
	21	<b>18.-(1)</b> The Medical Centre may, from time to time, borrow by
	22	overdraft or otherwise such sums as it may require for the performance of its
	23	functions' under this Act.
	24	(2) The Medical Centre shall not, without the approval of the
	25	President, borrow money which exceeds, at any time, the limit set by the
	26	President.
	27	(3) Notwithstanding subsection (I) of this section, where the sum to be
	28	borrowed is in foreign currency, the Medical Centre shall not borrow the sum
	29	without the prior approval of the President.

1	<b>19.</b> -(1) The Medical Centre shall not pay income tax on any income	Exemption from tax	
2	derived by the Federal Medical Centre under this Act or accruing to it from		
3	any of its investments.		
4	(2) Accordingly, the provisions of any enactment relating to the		
5	taxation of companies or trust funds shall not apply to the Board of the		
6	Federal Medical Centre.		
7	<b>20.</b> The Medical Centre shall not pay customs duty on or be	Exemption from customs duties, etc	
8	restricted or prohibited from importing any equipment, material, supply and		
9	any other thing required by the Medical Centre for the purposes of this Bill.		
10	PART V - GENERAL		
11	<b>21.</b> -(1) Notwithstanding anything to the contrary contained in any	Discipline of students	
12	other enactment, where it appears to the Board that any student of the		
13	Medical Centre has been guilty of misconduct, the Board may, without		
14	prejudice to any other disciplinary powers conferred on it by regulations,		
15	direct:		
16	(a) that the student shall not, during such period as may be specified		
17	in the direction, participate in such activities of the Medical Centre, or make		
18	use of such facilities of the Medical Centre as may be so specified;		
19	(b) that the activities of the student shall, during such period as may		
20	be specified in the direction, be restricted in such manner as may be so		
21	specified;		
22	(c) that the student be rusticated for such period as may be specified		
23	in the direction; or		
24	(d) that the student be expelled from the Medical Centre.		
25	(2) The fact that an appeal from a direction is brought in pursuance		
26	of subsection (1) of this section shall not affect the operation of the direction		
27	while the appeal is pending.		
28	(3) The Board may delegate its powers under this section to a		
29	disciplinary committee consisting of such members of the Medical Centre		
30	as the Board may nominate.		

Removal and  
discipline of  
clinical,  
administrative  
and technical  
staff

1 (4) Nothing in this section shall be construed as preventing the  
2 restriction or termination of student's activities at the Medical Centre otherwise  
3 than on the ground of misconduct.

4 (5) A direction issued under subsection (1) (a) of this section may be  
5 combined with a direction issued under subsection (1)(b) of this section.

6 (6) Nothing in this Act shall affect the provisions of any enactment  
7 relating to the discipline of medical practitioners, pharmacists, midwives,  
8 nurses or members of any other profession or calling.

9 **22.**-(1) If it appears to the Board that there are reasons for believing  
10 that any person employed as a member of the clinical, administrative or  
11 technical staff of the Medical Centre, other than the Chief Medical Director,  
12 should be removed from his office or employment, the Board shall require the  
13 Director of Administration to:

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

15 (b) afford him an opportunity of making representations in person on  
16 the matter to the Board; and

17 (c) if the person in question so requests within a period of 1 month  
18 beginning with the date of the notice, make arrangements for:

19 (i) a committee to investigate the matter and report on it to the Board;  
20 and

21 (ii) the person in question to be afforded an opportunity of appearing  
22 before and being heard by an investigating committee set up with respect to the  
23 matter, and if the Board, after considering the report of the investigating  
24 committee, is satisfied that the person in question should be removed as  
25 aforesaid, the Board may so remove him by a letter signed on the direction of  
26 the Board.

27 (2) The Chief Medical Director may, in a case of misconduct by a  
28 member of the staff which in the opinion of the Chief Medical Director is  
29 prejudicial to the interest of the Medical Centre, suspend any such member and  
30 any such suspension shall forthwith be reported to the Board.



1                   (3) For good cause, any member of staff may be suspended from  
2                   his duties or his appointment may be terminated or he may be dismissed by  
3                   the Board and for the purposes of this section, "good cause" means:

4                   (a) a conviction for any offence which the Board considers to be  
5                   such as to render the person concerned unfit for the discharge of the  
6                   functions of his office;

7                   (b) any physical or mental incapacity which the Board, after  
8                   obtaining medical advice, considers to be such as to render the person  
9                   concerned unfit to continue to hold his office;

10                  (c) conduct of a scandalous or other disgraceful nature which the  
11                  Board considers to be such as to render the person concerned unfit to  
12                  continue to hold his office; or

13                  (d) conduct which the Board considers to be such as to constitute a  
14                  failure or inability of the person concerned to discharge the functions of his  
15                  office or to comply with the terms and conditions of his service.

16                  (4) Any person suspended shall, subject to subsections (2) and (3)  
17                  of this section be on half pay and the Board shall before the expiration of a  
18                  period of three months after the date of such suspension consider the case  
19                  against that person and come to a decision as to:

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

22                  (b) whether to reinstate the person, in which case the Board shall  
23                  restore his full emoluments to him with effect from the date of suspension;

24                  (c) whether to terminate the appointment of the person concerned,  
25                  in which case he shall not be entitled to the proportion of his emoluments  
26                  withheld during the period of suspension; or

27                  (d) whether to take such lesser disciplinary action against the  
28                  person (including the restoration of his emoluments that might have been  
29                  withheld), as the Board may determine, and in any case where the Board,  
30                  pursuant to this section, decides to continue a person's suspension or decides

1 to take further disciplinary action against a person, the Board shall before the  
2 expiration of a period of three months from such decision come to a final  
3 determination in respect of the case concerning any such person.

4 (5) It shall be the duty of the person by whom a letter of removal is  
5 signed in pursuance of subsection (1) of this section to use his best endeavors to  
6 cause a copy of the letter to be served as soon as reasonably practicable on the  
7 person to whom it relates.

8 (6) Nothing in the foregoing provisions of this section shall preclude  
9 the Board from making such regulations not inconsistent with the provisions of  
10 this Act for the discipline of students and all other categories of employees of  
11 the hospital as the Board may prescribe.

12 (7) Regulations made under subsection (6) of this section need not be  
13 published in the Gazette but the Board shall cause them to be brought to the  
14 notice of all affected persons in such manner as it may, from time to time,  
15 determine.

Discipline of  
junior staff

16 **23.**-(1) If any junior staff is accused of misconduct or inefficiency, the  
17 Chief Medical Director may suspend him for not more than a period of 3  
18 months and shall direct a committee to:

19 (a) consider the case; and

20 (b) make recommendations as to the appropriate action to be taken by  
21 the Chief Medical Director.

22 (2) In all cases under this section of this Act, the officer shall be  
23 informed of the charge against him and given a reasonable opportunity to  
24 defend himself.

25 (3) The Chief Medical Director may, after considering the  
26 recommendation made pursuant to subsection (1) (b) of this section, dismiss,  
27 or take such other disciplinary action against the officer concerned.

28 (4) Any person aggrieved by a decision of the Chief Medical Director  
29 made under subsection (3) of this section may, within a period of 21 days from  
30 the date of the letter communicating the decision to him, address a petition to

1 the Board to reconsider his case.

2 PART VI - MISCELLANEOUS

3 **24.**-(1) The Board may, with the approval of the President, make Regulations  
4 regulations

5 (a) as to the access of members of the public either generally or of a  
6 particular class, to premises under the control of the Board and as to the  
7 orderly conduct of members of the public on those premises; and

8 (b) for safeguarding any property belonging to or controlled by the  
9 Board from damage by members of the public.

10 (2) Bye-laws under this section shall not come into force until they  
11 are confirmed (with or without modification) by the National Assembly and  
12 published in such manner as he may direct.

13 **25.** The President may give to the Board directions of a general Power to give  
14 character or relating generally to particular matters (but not to any individual directives  
15 person or case) with regard to the exercise by the Board of its functions  
16 under this Act, and it shall be the duty of the Board to comply with the  
17 directions; but no direction shall be given which is inconsistent with the  
18 duties of the Board under this Act.

19 **26.**-(1) On the commencement of this Act, any person employed by Transition and  
20 or serving in, the Medical Centre shall be deemed to have been employed or savings provision  
21 serving in the Medical Centre established under this Act.

22 (2) All Assets or liabilities belonging to the Medical Centre shall be  
23 deemed to belong to the Medical Centre established under this Act.

24 **27.** In this Act, unless the context otherwise requires: Interpretation

25 "associate universities" means the universities whose medical students  
26 receive aspects of their training from the Medical Centre;

27 "Board" means the Board of Management of the Medical Centre;

28 "chairman" means the chairman of the Board;

29 "functions" include powers and duties;

30 "Federal Medical Centre "means the Medical Centre Mangu;

1 "junior staff" means staff of such grade as may be determined, from time to  
2 time, by the Board;

3 "medical student" means a student whose course of instruction is:

4 (a) designed (either alone or in conjunction with other courses) to  
5 enable him to qualify as a medical practitioner; or

6 (b) designed for the further training of medical practitioners;

7 "Minister" means the Minister charged with responsibility for matters relating  
8 to health and "Ministry" shall be construed accordingly;

9 "student" means a person enrolled at an institution controlled by the Board for  
10 the purpose of pursuing a course of instruction at the institution.

Short title

11 **28.** This Bill may be cited as the Federal Medical Centre Mangu  
12 (Establishment) Bill, 2019.

13 SCHEDULE

14 [Section 3 (3).]

15 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

16 *Proceedings of the Board*

17 1.-(1) Subject to this Act and section 27 of the Interpretation Act, the  
18 Board may make standing orders regulating its proceedings or those of any of  
19 its committees.

20 (2) The quorum of the Board shall be the chairman or the person  
21 presiding at the meeting and 5 other members of the Board, 2 of whom shall be  
22 ex-officio members, and the quorum of any Committee of the Board shall be as  
23 determined by the Board.

24 2.-(1) The Board shall meet whenever it is summoned by the  
25 chairman and if the chairman is required to do so by notice given to him by not  
26 less than 8 other members, he shall summon a meeting of the Board to be held  
27 within 14 days from the date on which the notice is given.

28 (2) At any meeting of the Board, the chairman shall preside but if he is  
29 absent, the members present at the meeting shall appoint one of their number to  
30 preside at the meeting.

1 (3) Where the Board desires to obtain the advice of any person on a  
2 particular matter, the Board may co-opt him to the Board for such period as it  
3 deems fit, but a person who is in attendance by virtue of this sub-paragraph  
4 shall not be entitled to vote at any meeting of the Board and shall not count  
5 towards a quorum.

6 *Committees*

7 3.-(1) The Board may appoint one or more committees to carry out,  
8 on behalf of the Board, such functions as the Board may determine.

9 (2) A committee appointed under this paragraph shall consist of  
10 such number of persons as may be determined by the Board and a person  
11 shall hold office on the committee in accordance with the terms of his  
12 appointment.

13 (3) A decision of a committee of the Board shall be of no effect until  
14 it is confirmed by the Board.

15 *Miscellaneous*

16 4.-(1) The fixing of the seal of the Medical Centre shall be  
17 authenticated by the signatures of the Chairman, the Chief Medical Director  
18 or any person generally or specifically authorized by the Board to act for that  
19 purpose.

20 (2) Any contract or instrument which, if made or executed by a  
21 person not being a body corporate, would not be required to be under seal  
22 may be made or executed on behalf of the Medical Centre by the Chief  
23 Medical Director or any person generally or specifically authorized by the  
24 Board to act for that purpose.

25 (3) A document purporting to be a document duly executed under  
26 the seal of the Medical Centre shall be received in evidence and shall, unless  
27 and until the contrary is proved, be presumed to be so executed.

28 5. The validity of any proceedings of the Board or of a committee  
29 shall not be adversely affected by:

30 (a) a vacancy in the membership of the Board or committee;

- 1                   (b) a defect in the appointment of a member of the Board or  
2   committee; or  
3                   (c) reason that a person not entitled to do so took part in the  
4   proceedings of the Board or committee.

EXPLANATORY NOTE

This Bill seeks to provide for the Legal Framework to establish the Federal Medical Centre Mangu and to equip, maintain and operate the Medical Centre so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment.

FEDERAL STRATEGIC FINANCIAL CONTROL SERVICE  
(ESTABLISHMENT) BILL, 2019  
ARRANGEMENT OF SECTIONS

*Sections:*

1. Establishment of Financial Control Department
2. Objectives of the Department
3. Power of the Department
4. Composition of the Department
5. Prohibition of gift and other gratitude
6. Interpretation
7. Citation





# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FINANCIAL CONTROL DEPARTMENT (FCD) IN THE OFFICE OF THE PRESIDENT FOR THE PURPOSE OF MONITORING FINANCES OF ALL FEDERAL GOVERNMENT MINISTRIES, EXTRA-MINISTERIAL DEPARTMENTS AND AGENCIES AND FOR RELATED MATTERS, 2019

*Sponsored by Hon. Johnson Egwakhide Oghuma*

[ ] Commencement

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

- |  |  |
|--|--|
| <p>1               <b>1.</b> There is established the Financial Control Department in the</p> <p>2 office of the President of the Federal Republic of Nigeria (in this Bill</p> <p>3 referred to as the "Department") as set out in this Bill.</p>   | <p>Establishment<br/>of the Financial<br/>Control Department</p> |
| <p>4               <b>2.</b> The objectives of the Department shall be:</p> <p>5               (a) To deepen accountability, transparency in the finances of</p> <p>6 government ministries, extra-ministerial departments and agencies;</p> <p>7               (b) To enhance internal control processes within Federal</p> <p>8 Government Revenue Generating Agencies to ensure compliance with the</p> <p>9 financial Laws, regulations, policies and procedures;</p> <p>10              (c) To detect and track down unremitted funds domicile in the</p> <p>11 various Federal Government Ministries, and Extra-Ministerial Departments</p> <p>12 and Agencies and to ensure such funds are remitted forthwith to the Federal</p> <p>13 Government;</p> <p>14              (d) To reconcile all bank accounts and statements of the various</p> <p>15 Federal Government Ministries, and Extra-Ministerial Departments and</p> <p>16 Agencies every month, and reports made to the President; and</p> <p>17              (e) To carry out detailed investigations on any grey areas brought</p> <p>18 before it by any government ministry, extra-ministerial department and</p> | <p>Objectives of<br/>the Department</p>                          |

	1	agency to unravel the correct position and make recommendations to the
	2	President.
Powers of the Department	3	<b>3.</b> The Department shall have powers:
	4	(a) to compel the various Federal Government Ministries, and Extra-
	5	Ministerial Departments and Agencies to submit their financial transactions to
	6	the department every month;
	7	(b) to cause investigation to be conducted as to whether any Federal
	8	Government Ministries, and Extra-Ministerial Departments and Agencies has
	9	committed any infraction in handling the finances at its disposal on behalf of
	10	the Federal Government.
Composition of the Department and mode of operations	11	<b>4.-(1)</b> The Department shall consist of:
	12	(a) a Director who is an officer in the Federal Civil Service not less
	13	than the rank of Director and;
	14	(b) such number of staff who are professionals in the financial Sector
	15	that will be required, which shall not be less than 30 members; and
	16	(c) the staff of the Department shall be drawn from the office of the
	17	Accountant General of the Federation.
	18	(2) The Department shall:
	19	(a) be supervised by the Presidency, through the office of the
	20	Secretary to the Federal Government for its day to day activities; and
	21	(b) submit monthly reports of its activities to the President, through
	22	the Secretary to the Federal Government.
Prohibition of gift and other gratification	23	<b>5.</b> The department shall not accept or gratification from ministry,
	24	extra-ministerial departments and Agencies (MDAs) for whatsoever reason.
Interpretation	25	<b>6.</b> In this Bill:
	26	"MDAs" means Federal Government Ministries, and Extra-Ministerial
	27	Departments and Agencies;
	28	"The Department" means the Financial Control Department;
	29	"Director" means the Operational Head of the Department;
	30	"Staff" include Auditors who are Federal Government Employees under the

1 office of the Auditor General of the Federation;

2 "FGRGA" means Federal Government Revenue Generating Agency.

3           7. This Bill maybe cited as the Financial Control Department   Citation  
4 (Establishment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to deepen accountability and transparency in Federal Government finances with the aim at ensuring that there are no infractions in the various MDAs' operations and where they exist, appropriate steps are taken to correct such infractions.



NATIONAL LIBRARY (AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

*Clause:*

1. Amendment of the National Library Act Cap N56 Laws of the Federation of Nigeria, 2004
2. Amendment of Section 20 of the Principal Act
3. Amendment of Section 3 of the Principal Act
4. Amendment of Section 4 of the Principal Act
5. Amendment of Section 13 of the Principal Act
6. Citation



# A BILL

## FOR

AN ACT TO AMEND THE NATIONAL LIBRARY ACT CAP N56 LAWS OF THE  
FEDERATION OF NIGERIA, 2004 AND FOR RELATED MATTERS

*Sponsored by Hon. Johnson Egwakhide Oghuma*

[ ] Commencement

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

- |    |  |                                      |
|----|--|--------------------------------------|
| 1  | <b>1.</b> The National Library Act Cap N56 Laws of the Federation of             | Amendment of<br>Cap N56 LFN,<br>2004 |
| 2  | Nigeria, 2004 (in this Bill referred to as "the Principal Act) is amended as set |                                      |
| 3  | out in this Bill.  |                                      |
| 4  | <b>2.</b> Section 2 of the Principal Act is amended:                             | Amendment of<br>Section 2            |
| 5  | (1) In section (1) by inserting the words "National Library" before              |                                      |
| 6  | the word "Board" in line 1.  |                                      |
| 7  | (2) In subsection (2) by substituting the subsection with the                    |                                      |
| 8  | following new subsection:  |                                      |
| 9  | "(a) To act as a national depository institution for books and other             |                                      |
| 10 | research materials in Nigeria;   |                                      |
| 11 | (b) To act as the focal institution and advisory body to individual,             |                                      |
| 12 | corporate and Government institution on Library and information matters;         |                                      |
| 13 | (c) To acquire, process, organize, disseminate as well as provide                |                                      |
| 14 | links to information resource to Nigerians and non-Nigerians alike, for their    |                                      |
| 15 | educational pursuit and for informed decision making;                            |                                      |
| 16 | (d) To assemble and maintain a collection of all books, periodicals,             |                                      |
| 17 | newspapers, maps, gazettes, Acts, Laws, Bye Laws, all subsidiary                 |                                      |
| 18 | legislations, notices, orders and other government publications which are        |                                      |
| 19 | published in Nigeria;  |                                      |
| 20 | (e) to assemble and maintain a collection of all musical recordings              |                                      |
| 21 | and films produced in Nigeria;   |                                      |

- 1 (f) to establish and maintain the National Library and information  
2 Service Center in each of state of the federation;
- 3 (g) to develop networks and linkages with other libraries in Nigeria  
4 and anywhere in the world;
- 5 (h) to prepare catalogues, indexes, and similar research aids;
- 6 (i) to make the facilities of the National Library and information  
7 service center available to members of the public and others on proper terms,  
8 which may include provisions for:
- 9 (i) registration of persons admitted to use the library facilities;
- 10 (ii) the imposition of fees for service rendered to the public; and
- 11 (iii) safe guarding the property of the Board.
- 12 (j) to provide consultancy services to individuals, communities,  
13 corporate bodies, agencies and other government bodies wishing to establish  
14 libraries;
- 15 (k) to develop the national bibliography of Nigeria and national  
16 bibliography center or elsewhere;
- 17 (l) to prescribe the rules and procedure for granting applications for  
18 International Standard Book Number (ISBN)/International Standard Serial  
19 Number (ISSN)/National Bibliography Number NBN(NBN)/Cataloging In  
20 Publication (CIP), etc;
- 21 (m) to engage in research on any subject of national interest and  
22 publish its findings for public use;
- 23 (n) To provide and encourage staff to undertake capacity buildings  
24 and skill acquisition programmes to enhance their skills in the performance of  
25 their duties to the Board;
- 26 (o) To engage in readership campaign with a view to encouraging  
27 readership culture and awareness among Nigerians;
- 28 (p) To provide leadership initiative in the area of resource sharing and  
29 library cooperation;
- 30 (q) To audit the source of unrecorded information such as indigenous



1 knowledge which are required for continued research into national origin of  
2 Nigeria history and culture;

3 (r) To develop information and communication technology (ICT)  
4 facilities to ensure that the services of the National Library and Information  
5 Service Center are offered in real term, more widely and more efficiently;

6 (s) To develop a Virtual Library for Nigeria; and

7 (t) To provide in accordance with this Act such services as in the  
8 opinion of the Board are usually provided by national libraries all over the  
9 world.

10 3. Section 3 of the Principal Act is amended by substituting the  
11 existing Section 3, with the following new section 3:

Amendment of  
Section 3

12 "(t) There shall be a National Librarian who, subject to the  
13 subsection (2), shall be appointed by the Minister and shall be a person  
14 appearing to the Minister to have shown exceptional capacity in the  
15 organization and administration of a library service comparable to those  
16 envisaged by this Act.

17 (2) The National Librarian shall hold office for a term of four years  
18 in the first instance and may be reappointed for a further term of four years  
19 and no more.

20 (3) Subject to the Board's financial, operational and administrative  
21 policy programmes, the National Librarian shall have the general function  
22 of organizing and managing the National Library and the services provided  
23 in pursuance of this Act, and, in particular, the function of directing the  
24 activities of the offices and servants of the Board and managing the Board's  
25 finances.

26 (4) Subject to subsection (3), The National Librarian shall be free  
27 to manage the National Library as he deems fit in accordance with this Act,  
28 and the Board shall not interfere with the manner in which he deploys the  
29 material and human resources of the National Library in order to obtain  
30 results in accordance to this Act."

Amendment of  
Section 4

1                   4. Section 4 of the Principal Act is amended by deleting the existing  
2 one and substituting it with the following new Section 4:

3                   "(t) Every author and publisher of a published work in Nigeria shall  
4 within one month after publication, deposit with the National Library three  
5 copies of the book for permanent preservation and public use.

6                   (2) Where the publication is by or on behalf of any department of  
7 government of the federation, State or Local Government Council, it shall be  
8 the duty of the official in charge of the department to deliver twenty-five copies  
9 of the publication to the National Librarian for permanent preservation and  
10 public use.

11                  (3) Where either the author or publisher fails to comply with the  
12 provisions of subsection (1) of this Section, the person in default shall be guilty  
13 of an offence and on conviction shall be liable to a fine not exceeding N50,000  
14 only or such fines as may be prescribed by the Board from time to time.

15                  (4) Where the defaulter is a corporate body, upon conviction, it shall  
16 be liable to a fine not exceeding N250,000 only or such fines as may be  
17 prescribed by the Board from time to time.

18                  (5) Without prejudice to subsection (3), the court shall order the  
19 person in default to deliver to the National Library the mandatory number of  
20 copies of the publication.

21                  (6) The President may by order in the Federal Gazette exclude any  
22 publisher or book, or any class of publishers or book, from the operation of  
23 subsections (1) and (2) of this section.

24                  (7) The obligation imposed by this section are additional to any  
25 similar obligations which may be imposed by any law or regulation in force in  
26 Nigeria under this Act.

27                  (8) In this Section "book" includes:

28                   (a) all literary works such as books, pamphlets, sheets of music, maps,  
29 electronic publications, charts, plans, tables and compilations;

30                   (b) dramatic works;

1 (c) collective works such as encyclopedias, dictionaries, year  
2 books or similar works, newspapers, magazines, and similar periodicals;

3 (d) any work written in distant parts by different authors or in  
4 which a part or parts of work of different authors is or are incorporated, and  
5 every part or division of such a work; and

6 (e) all forms in which documentary or oral records are published,  
7 "publisher", in relation to a book, means any person authorizing or causing  
8 the book to be printed and distributed in Nigeria, excluding the Federal  
9 Government and the Governor of a State (or any person acting on its or his  
10 behalf), a public officer acting in his capacity as such and any person  
11 distributing in Nigeria a book published elsewhere."

12 5. Section 13 of the Principal Act is amended in paragraph  
13 substituting the "Education" for the word "Information" in the interpretation  
14 of "Minister".

Amendment of  
Section 15

15 6. This Bill may be cited as the National Library (Amendment)  
16 Bill, 2019.

Citation

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Library Act Cap N56 of the Laws of the Federation of Nigeria, 2004, to among other things provide for the strengthening of the National Library Board of Nigeria and providing adequate sanctions to deal with authors and publishers who default in complying with the deposit of publications and properly designate the nomenclature of the Director of the National Library as the National Librarian.



# A BILL

## FOR

AN ACT TO AMEND THE TEACHERS REGISTRATION COUNCIL OF NIGERIA ACT CAP T3 LFN 2004 TO FURTHER ENSURE THAT ONLY LICENCED OR REGISTERED AND QUALIFIED PERSONS WHO EXHIBIT THOROUGH PROFESSIONAL CONDUCT TEACH IN SCHOOLS AND FOR RELATED MATTERS

*Sponsored by Hon. Sulaiman Abubakar Gumi*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria:

- |   |   |
|---|---|
| <p>1               <b>1.</b> The Teachers Registration Council of Nigeria Act Cap T3 LFN</p> <p>2               2004 herein referred to as "the Principal Act" is amended as set out in this</p> <p>3               Bill.</p>   | <p>Amendment of<br/>the Teacher<br/>Registration<br/>Council of<br/>Nigeria Act</p> |
| <p>4               <b>2.</b> The Principal Act is amended in Section 5 subsection (1) by:</p> <p>5               (1) deleting the entire paragraphs (a) and (b) and replacing the</p> <p>6               deleted paragraphs with one new paragraph (a) to read:</p> <p>7               "(a) to cause the register to be printed and published online for</p> <p>8               unfettered public access,"</p> <p>9               (2) renumbering the succeeding paragraph (c) to become the new</p> <p>10              paragraph (b)</p>   | <p>Amendment of<br/>Section 5</p>   |
| <p>11              <b>3.</b> The Principal Act is amended in Section 10 by:</p> <p>12              (a) inserting after the extant subsection (6) a new subsection (7) to</p> <p>13              read:</p> <p>14              "(7) Notwithstanding the provisions under this Section, any</p> <p>15              teacher under investigation for child molestation, sexual harassment or rape</p> <p>16              of a pupil, shall be suspended or interdicted in line with public service rules,</p> <p>17              pending the determination of the case by a competent court of law."</p> | <p>Amendment of<br/>Section 10</p>  |

Amendment of Section 11	1	<b>4.</b> The Principal Act is amended in lines 2 and 3 of Section 11 (2) by
	2	substituting:
	3	(i) the statement "to a fine of N1,000" with the statement "to a fine not
	4	exceeding N1,000,000"; and
	5	(ii) the words "three months imprisonment" with the words "six
	6	months imprisonment".
Amendment of Section 17	7	<b>5.</b> The Principal Act is amended in Section 17 subsection (5) by:
	8	(a) substituting the figure "N1,000" in paragraph (a) with the figure
	9	"N100,000"; and
	10	(b) substituting the figure "N5,000" in line 2 paragraph (b) with the
	11	figure "N500,000".
Citation	12	<b>6.</b> This Bill may be cited as Teachers Registration Council of Nigeria
	13	(Amendment) Bill, 2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend the Teachers Registration Council of Nigeria to ensure that school environments are devoid of teachers without licenses and who have moral burdens including those exhibiting unprofessional conduct such as child abuse and sexual molestation or rape, especially.

# A BILL

## FOR

AN ACT TO ESTABLISH FEDERAL POLYTECHNIC GBOKO, TO PROVIDE FULL-TIME COURSES ,TEACHING, INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE AND SOCIAL SCIENCES AND TO PROVIDE FOR THE APPOINTMENT OF THE RECTOR AND OTHER OFFICERS OF THE POLYTECHNIC TO CARRY OUT THE ADMINISTRATION AND THE DISCIPLINE OF STUDENTS OF THE POLYTECHNIC AND FOR RELATED MATTERS

*Sponsored by Hon John Dyegh*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

1 Nigeria as follows:

2           **1.**-(1) There is established the Federal Polytechnic Gboko, in  
3 Benue State (Herein after referred to as “the Polytechnic”).

Establishment of  
Federal Polytechnic,  
Gboko, Benue  
State

4           (2) The Polytechnic shall be a body corporate with perpetual  
5 succession and common seeds and shall take power to acquire and dispose  
6 of interest in movable and immovable properties.

7           (3) The polytechnic may sue and be used in its corporate name.

8           **2.**-(1) The governance and direction of the Polytechnic affairs shall  
9 rest in the Governing Council of the Polytechnic (in the Bill required to as  
10 "the council").

Governing  
Council of the  
Polytechnic

11           (7) The Council shall have the responsibility to consider and  
12 approve-

13           (a) The Programme of studies to be undertaken in the Polytechnic;

14           (b) The annual estimates of the Polytechnic; and

15           (c) The investment plan of the Polytechnic.

16           (3) The provision of the schedule to this Bill shall have effect with  
17 respect to the council to as mentioned herewith.

Membership of  
the Council in  
the Polytechnic

- 1                   **3.-{1}** The Council of the Polytechnic shall consider of:  
2                   (a) A Chairman and other Members to be appointed by the President;  
3                   (b) A representative of the Federal Ministry of Education;  
4                   (c) Two representatives of the academic board of the Polytechnic;  
5                   (d) A representative of the National Board for Technical Education;  
6                   and  
7                   (e) The Rector of the Polytechnic.

Tenure of  
Membership of  
the Council

- 8                   **4.-(1)** A member of the Council (other than the ex-official members)  
9                   shall hold office for a term of Five years and subject to the provision of sub-  
10                  section (2) of this section shall be eligible for re-appointment for a further  
11                  period of four years and also move.  
12                  (2) the office of a member appointed under section 3 of this Bill shall  
13                  become vacant of:  
14                  (a) the member resigns in office by notice of writing under his hand  
15                  addressed to the Minister; or  
16                  (b) The Minister is satisfied that it is not in the interest of the  
17                  Polytechnic for the person appointed to continue in office and notifies he  
18                  member in writing to that effect.

Functions of  
the Polytechnic

- 19                  **5.** The functions of the Polytechnic shall be-  
20                  (a) To provide full-time courses in technical, science and applied  
21                  science instruction, and training-  
22                  (i) In technology, applied sciences, and social sciences and  
23                  (ii) In such other fields of applied and vocational learning relevant to  
24                  the needs of development of Nigeria;  
25                  (b) To conduct courses in technical, science and applied science  
26                  instruction, and training- for qualified Local or State Government staff;  
27                  (c) To arrange conference, seminars and workshops relative to  
28                  functions of the Polytechnic; and  
29                  (d) To perform such other functions as in the opinion of the council  
30                  may serve to promote the objective of the Polytechnic.



- 1                   **6.** The Council of the Polytechnic shall have power to- Power of the
- 2                   (a) Hold examinations and grant National Diploma, Higher Council
- 3                   National Diploma, Professional Certificates and other distinction to
- 4                   persons, who have pursued courses of study approved and accredited by the
- 5                   National Board for Technical Education;
- 6                   (b) Hold trainings for qualified staffs;
- 7                   (c) Recruit staff and determine structure of such staff;
- 8                   (d) Demand and receive from any student or any other person
- 9                   attending the for the purpose of construction such fees as the council may
- 10                  with prior approval of the Minister, from time to time determine;
- 11                  (e) Hold public lectures and undertake printing, publishing and
- 12                  bookselling;
- 13                  (f) Award fellowship, medals, prizes and other titles;
- 14                  (g) Establish and maintain such schools and other teaching units
- 15                  with the Polytechnic or extra moral departments as the council may from
- 16                  time to time determine;
- 17                  (h) Erect, provide, equip and maintain such educational
- 18                  recreational and residential facilities as the Polytechnic may require;
- 19                  (i) Create lectureships and other academic post and offices and to
- 20                  make appointment thereof;
- 21                  (j) Receive and make gifts;
- 22                  (k) Enter into such contracts as may be necessary or expedients for
- 23                  carrying into effects the objections of the Polytechnic;
- 24                  (l) Provide amenities fro and make such other provisions for the
- 25                  welfare of the staff and students of the Polytechnic;
- 26                  (m) Encourage and make provision for research in the Polytechnic;
- 27                  (n) Do such act and things whether or not incidental to the
- 28                  foregoing power as may advance the objects of the Polytechnic.
- 29                  **7.-(1)** The Minister responsible for education shall be the visitor of Visitation
- 30                  the Polytechnic.

	1	(2) The visitor shall, not less than once in every five year, conduct a
	2	visitation to the Polytechnic or appoint a visitation panel consist of not less than
	3	five experts to conduct the visitation:
	4	(a) For the purpose of evaluating the academic and administrative
	5	performance of the Polytechnic; or
	6	(b) For such other purpose as the visitor may deem fit.
The Academic Board and its functions	7	<b>8.</b> -(1)There shall be established for the Polytechnic a board to be
	8	known as the Academic Board which shall consist of the following members:
	9	(a) The Rector of the Polytechnic as the Chairman;
	10	(b) All heads of departments;
	11	(c) The bursar;
	12	(d) The Librarian; and
	13	(e) Not more than three members of Academic staff other than the
	14	heads of departments to be appointed by the council.
	15	The Academic board shall be responsible for
	16	(a) The direction and the management of academic matters of the
	17	Polytechnic including the regulation of admission of students, the award of
	18	certificates, scholarships, prizes and other academic distinction;
	19	(b) Discharge any other functions which the council may from time to
	20	time delegate to it.
Power of the Minister	21	<b>9.</b> The Minister may give to-the council directions of the general
	22	character of relating generally to matters with regards to the exercise by the
	23	council of it functions and it shall be the duty of the council to comply with such
	24	directions.
The Rector of the Polytechnic	25	<b>10.</b> -(1) There shall be a Rector of the Polytechnic (herewith referred
	26	to as lithe Rector") who shall be appointed by the President on the
	27	recommendation of the Minister.
	28	(2) where a vacancy occurs in the post of the Rector, the Council shall:
	29	(a) Advertise the vacancy in reputable widely read newspaper in
	30	Nigeria specifying:

1 (i) The qualities of the person who may apply for the post;  
2 (ii) The terms and conditions of service applicable to the post and  
3 thereafter draw up a short list of suitable candidates for consideration of the  
4 minister.

5 (3) The President shall appoint as Rector one of the candidates  
6 recommended by the Minister.

7 (4) Subject to the general control of the council the Rector shall be  
8 the Chief executive of the Polytechnic and shall be charged with general  
9 responsibility for matters relating to the day-to -day management and  
10 operations of the Polytechnic.

11 (5) The Rector shall hold office for a period of five years only and  
12 on such terms and conditions as may be specified in his letter of  
13 appointment.

14 **11.-(1)** There shall be for the Polytechnic two deputy Rectors Deputy Rector  
15 namely: Deputy Rector (Academics) and the Deputy Rector  
16 (Administration).

17 (2) The council shall appoint the deputy Rectors from among the  
18 chief lecturers in the Polytechnic in any of the following ways, that is:

19 (a) From a list of five candidates in order of preference, submitted  
20 by the Rector;

21 (b) On the recommendation of a selection Board constituted for  
22 their purpose; or

23 (c) on the nomination of the Rector.

24 (3) The selection Board referred, Subsection 2(b) of this section  
25 shall-

26 (a) Consist of:

27 (i) The chairman of the council;

28 (ii) The Rector of the Polytechnic;

29 (iii) Two members of the Academic Board; and

30 (iv) Two members of the council not being members of the

1 Academic Board.

2 (4)(a) The Deputy Rector(Academic) shall:

3 (i) Assist the Rector in the performance of his function in academic  
4 matters of the Polytechnic.

5 (ii) Act as the Rector when the post of the Rector is vacant or if the  
6 Rector is for any reason absent or unable to perform his function-

7 (b) The Deputy Rector (Administration) shall:

8 (i) Assist the Rector in administrative matters of the college; and

9 (ii) Perform such other functions as the Rector or the council may  
10 from time to time assign him.

11 (5) Each of the Deputies Rector shall hold office for a period of two  
12 years renewable based on recommendation.

Registrar and  
other Staff of  
the Polytechnic

13 **12.-(1)** There shall be a registrar for the Polytechnic to be appointed  
14 by the council.

15 (2) The Registrar shall keep records and conduct the correspondence  
16 of the council

17 (3) The Registrar shall be the secretary to:

18 (a) The Council;

19 (b) The Academic Board; and

20 (c) Any Committee of the Council.

21 (4) The Registrar may perform any duty as may be assigned to him by  
22 the Council or the Provost.

23 (5) The Registrar shall hold office for a period of five years and no  
24 more.

Other Principal  
Officers of the  
Polytechnic

25 **13.-(1)** There shall be for the Polytechnic in addition to the registrar:

26 (a) The Bursar; and

27 (b) The Librarian.

28 Who shall be appointed by the Council.

29 (2) The Bursar shall be the chief financial officer of the Polytechnic  
30 and be responsible to the Rector for the day-to-day administration and control

1 of the financial affairs of the college.

2 (3) The Polytechnic Librarian shall be responsible to the Rector for  
3 the administration of the Polytechnic library and the coordination of the  
4 library services in the teaching units of the college.

5 (4) The Bursar and the Polytechnic Librarian shall each hold office  
6 for a period of five years and no more.

7 **14.** A principal officer of the Polytechnic may resign his  
8 appointment- Resignation of  
appointment of  
principal officer

9 (a) In case of the Polytechnic by notice to the visitor for; and

10 (b) In any other case by advise to the council.

11 **15.**-(1) The Council may appoint other persons to be employees of  
12 the Polytechnic as the council may deem to assist the Rector and the  
13 Principal officers in the performance of their function. Other employees  
of the Polytechnic

14 (2) The remuneration tenure of office and condition of service of  
15 the employee of the Polytechnic shall be determined by the council-  
16 consultation with the Federal Civil Service Commission.

17 **16.** Service in the Polytechnic shall be approved service for the  
18 purpose of the pension's reform and accordingly, officers and other persons  
19 employed in the Polytechnic shall be entitled to pension's gratuity and other  
20 retirement benefit as may be prescribed in their respective letters of  
21 appointment. Pensions

22 **17.**-(1) There shall be a Selection Board for: The Polytechnic  
23 which consist of: Selection Board  
for other Principal  
Officers

24 (a) The Chairman of the Council;

25 (b) The Rector;

26 (c) Four member the council not being members of the Academics  
27 Board; and

28 (d) Two members of Academic Board.

29 (2) The functions, procedure and other matters relating to the  
30 Selection Board constituted under subsection (1) of this section shall be

	1	determined from time to time council.
Fund of the Polytechnic	2	<b>18.</b> -(1) The shall establish and maintain a fund which shall be applied
	3	towards the promotion of the objection of this Bill.
	4	(2) There shall be paid and credited to fund established under
	5	subsection (1) of this section:
	6	(a) Such sums as may from time to time be granted by the Federal
	7	Government through the National Board for Technical Education.
	8	(b) All monies raised by the council by way of gifts, grants in aid or
	9	test monetary disposition; and
	10	(c) All subscription fees and charges for services rendered by the
	11	council and all other sums that may accrue to the council from any source.
	12	(3) The Council shall submit to the Minister, through the National
	13	Board for Technical Education not later than three months before the end of
	14	each financial year or at such other times as he may direct an estimate of its
	15	revenue and expenditure for the next succeeding financial year.
Power to accept gifts	16	<b>19.</b> -(1) The Polytechnic may accept gifts of loan, money or of other
	17	property upon such terms and conditions, of any as may be specified by the
	18	person making the gifts.
	19	(2) The Polytechnic shall not any gift of the conditions attached to the
	20	gifts are inconsistent with the functions of the Polytechnic.
Account and Audit	21	<b>20.</b> The shall keep proper accounts of its receipt, payments, assets
	22	and liabilities and shall in respect of each year cease the account to be audited.
Annual Reports	23	<b>21.</b> The Council shall as soon as may be after the expiration of each
	24	financial year, prepare and submit to the minister a report of its activities during
	25	the immediate proceeding financial year and shall include in the report a copy
	26	of the audited accounts gifts of the Polytechnic for that year and of the auditor's
	27	report of the accounts.
Interpretation	28	<b>22.</b> In this Bill-
	29	"Chairman" means the chairman of the council;
	30	"Polytechnic" means Federal Polytechnic Gboko established under section 1

1 of this Bill;

2 "Council" means the Governing Council of the Polytechnic established

3 under section 2 of this Bill;

4 "Function" includes power and duties;

5 "Minister" means the Minister charged with responsibility of education;

6 "Member" means a Member of the Council including the Chairman;

7 "Rector" means the Rector of the Polytechnic established under section 10

8 of this Bill.

9                   **23.** This Bill may be sited as the Federal Polytechnic Gboko      Citation  
10                   (Establishment) Bill, 2019.

11 SCHEDULE

12 [Section 2(3)]

13 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

14 *Terms of Service*

15                   1. There may be paid to the members of the councilor any  
16       committee, other than ex officio members, such remuneration and  
17       allowances as may from time to time be determined by the President.

2. Where a vacancy occurs in respect of the membership specified in section 3, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor in office and such successor shall represent the same interest of his predecessor.

22 3. The council may act notwithstanding any vacancy in its  
23 membership any defect in appointment of a member or the absence of a  
24 member.

25 *Proceedings*

26 4.-(1) The council shall meet for the conduct of business at such  
27 times, places and on such days as the chairman may appoint but shall meet  
28 not less than once every four months.

(2) The chairman may at any time and shall, at the request in writing of not less than six members, convene a meeting of the council.

(3) Where the council desires to obtain the advice of any person on any particular matter, the council may co-opt persons who are not members of the council but persons co-opted shall not be entitled to vote at a meeting of the council.

(4) The quorum of the council shall be one half of the total members of the council, at least one of whom shall be a member appointed by the President.

7           (5) Decision of the council shall be made on approval by a simple  
8   majority of members.

9 *Miscellaneous*

5.-(1) fixing of the seal of the college shall be authenticated by the signature of the Chairman, Rector and some other members of the Council authorized generally or specially by the council to act for that purpose.

(2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made executed on behalf of the Polytechnic by any person generally or specially authorized to act for that purpose by the council.

(3) Any document purporting to be duly executed under the seal of the Polytechnic shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

## EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic Gboko, Benue State, to offer full-time courses leading to the awards of National Diplomas, Higher National Diploma Certificates.



# A BILL

## FOR

AN ACT TO AMEND FEDERAL COLLEGES OF EDUCATION ACT CAP F8 LAWS OF THE FEDERATION OF NIGERIA 2004, TO ALIGN THE LOCATION OF THE COLLEGES OF EDUCATION AFFECTED BY BOUNDARY ADJUSTMENTS AS A RESULT OF STATES CREATION AND TO ESTABLISH FEDERAL COLLEGE OF EDUCATION NINGI, BAUCHI STATE TO ADDRESS THE CURRENT IMBALANCE IN THE ESTABLISHMENT AND DISTRIBUTION OF FEDERAL INSTITUTIONS IN THE STATE AND FOR RELATED MATTERS

*Sponsored by Hon. Abdullahi Sa'ad Abdulqadir*

[ ] Commencement

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

- |   |  |
|---|--|
| <p>1                1. The Federal Colleges of Education Act Cap F8 Laws of the</p> <p>2                Federation of Nigeria 2004 (in this bill referred to as "the Principal Act") is</p> <p>3                amended as set out in this Bill,</p>  | <p>Amendment of<br/>Federal Colleges<br/>of Education Act<br/>Cap F8 LFN, 2004</p> |
| <p>4                2. The first schedule to the Principal Act is amended:</p> <p>5                (a) in paragraph (a) by substituting the word Bauchi, for the word</p> <p>6                "Gombe",</p> <p>7                (b) in paragraph (h) by substituting the word Kwara, for the word</p> <p>8                "Kogi";</p> <p>9                (c) in paragraph (I) by substituting the word Gongola, for the word</p> <p>10               "Adamawa",</p> <p>11               (d) in paragraph (m) by substituting the word Bendel, for the word</p> <p>12               "Delta",</p> <p>13               (e) in paragraph (0) by substituting the word Sakata, for the ward</p> <p>14               "Cusau",</p> <p>15               (f) in paragraph (q) by substituting the word Borno, for the word</p> <p>16               "Yobe",</p> | <p>Amendment of<br/>the schedule to<br/>the Principal Act</p>                      |

1 (g) in paragraph (t) by inserting, after the word Amufu, the words  
2 "Enugu State"; and  
3 (h) by inserting after paragraph (t), a new paragraph "(U)"-  
4 "(u) Federal College of Education, Ningi, Bauchi State."  
Citation 5 3. This Bill is cited as Federal Colleges of Education Act  
6 (Amendment) Bill, 2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend Federal Colleges of Education Act Cap F8 Laws of the Federation of Nigeria 2004, to align the location of the Colleges of Education affected by boundary adjustments as a result of states creation and to establish Federal College of Education Ningi, Bauchi State to address the current imbalance in the establishment and distribution of Federal institutions in the state.

NATIONAL INSTITUTE FOR EDUCATIONAL PLANNING AND  
ADMINISTRATION (ESTABLISHMENT) BILL, 2019  
ARRANGEMENT OF SECTIONS

*Section:*

PART I - ESTABLISHMENT, ETC. OF NATIONAL INSTITUTE FOR  
EDUCATIONAL PLANNING AND ADMINISTRATION

1. Establishment of National Institute for Educational Planning and Administration
2. Objectives of the Institute
3. Establishment and membership of the Governing Council
4. Tenure of office
5. Cessation of membership.
6. Emoluments, allowances of members of the Council
7. Functions of the Council

PART II - FUNCTIONS AND POWERS OF THE INSTITUTE

8. Functions of the Institute
9. Powers of the Institute

PART III - DIRECTOR-GENERAL, PRINCIPAL OFFICERS AND OTHER  
STAFF OF THE INSTITUTE

10. Director-General, Principal officers and other staff of the Institute
11. Other staff of the Institute
12. Conditions of service of the Institute
13. Establishment and composition of the Board of Studies

PART IV - ESTABLISHMENT OF THE BOARD OF STUDIES OF  
THE INSTITUTE

14. Functions of the Board of Studies
15. Fund of the Institute

PART V - FINANCIAL PROVISIONS

16. Power to borrow
17. Power to accept gift

- 18.     Investments
- 19.     Exemption from tax
- 20.     Annual estimates and accounts.
- 21.     Annual report
- 22.     Limitation of suits.

PART VI - MISCELLANEOUS PROVISIONS

- 23.     Directives by the Minister
  - 24.     Mandatory training for officers in the educational sector and at the  
         Institute
  - 25.     Power to make regulations
  - 26.     Interpretation
  - 27.     Citation
- Schedules

# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR EDUCATIONAL  
PLANNING AND ADMINISTRATION TO PROMOTE STUDY AND PRACTICE OF  
EDUCATIONAL PLANNING AND ADMINISTRATION IN NIGERIA; AND FOR  
RELATED MATTERS

*Sponsored by Hon. Oluwale Oke*

[ ] Commencement

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

### 1 PART I - ESTABLISHMENT, ETC. OF NATIONAL INSTITUTE FOR 2 EDUCATIONAL PLANNING AND ADMINISTRATION

3 1.-(1) There is established the National Institute for Educational  
4 Planning and Administration (in this Act referred to as "the Institute").

Establishment  
of National  
Institute for  
Educational  
Planning and  
Administration

5 (2) The Institute:

6 (a) is a body corporate with perpetual succession and a common  
7 seal;

8 (b) may sue and be sued in its corporate name; and

9 (c) may hold or dispose of property, movable or immovable.

10 2. The objective of the Institute is to promote the study and  
11 practice of educational planning and administration in Nigeria and explore  
12 all relevant and available avenues, potentials and resources to make the  
13 Institute:

Objectives of  
the Institute

14 (a) an active learning centre in skill acquisition in educational  
15 planning and administration; and

16 (b) a national centre of excellence for capacity building for  
17 education planners and managers in the education sector.

Establishment  
and membership  
of the Governing  
Council

18 3.-(1) There is established for the Institute a Governing Council (in

1     this Act referred to as "the Council") which shall have general control of the  
2     Institute.

3             (2) The Council shall consist of:

4             (a) a chairman and four other members;

5             (b) one representative each of the:

6             (i) Federal Ministry of Education,

7             (ii) United Nation Educational and Scientific Organisation country  
8     office in Nigeria,

9             (iii) academic staff of the Institute on rotation for one term at a time;

10            (c) one person to represent the National Universities Commission;

11            (d) the Director-General of the Institute; and

12            (e) the Registrar of the Institute who shall be the Secretary to the  
13     Council.

14            (3) The Chairman and members of the Council, other than ex-officio  
15     members, shall be appointed by the President.

First Schedule    16            (4) The supplementary provisions set out in the First Schedule to this  
17     Act shall have effect with respect to the proceedings of the Council and other  
18     matters contained in the Schedule.

Tenure of office    19            **4.** The Chairman and members of the Council, other than ex-officio  
20     members, shall each hold office:

21            (a) for four years in the first instance and may be re-appointed for  
22     another four years and no more; and

23            (b) on such terms and conditions as may be specified in his letter of  
24     appointment.

Cessation of membership    25            **5.-(1)** A person ceases to hold office as the Chairman or member of the  
26     Council if:

27            (a) he becomes bankrupt, suspends payment or compounds with his  
28     creditors;

29            (b) he is convicted of a felony or any offence involving dishonesty or  
30     fraud;

1 (c) he becomes of unsound mind or is incapable of discharging his

2 duties;

3 (d) he is guilty of a serious misconduct in relation to his duties;

4 (e) in the case of a person who possessed professional

5 qualifications, he is disqualified or suspended, other than at his request,

6 from practising his profession in any part of the world by an order of a

7 competent authority made in respect of that member;

8 (f) he resigns his appointment by a letter addressed to the President;

9 (g) he has died.

10 (2) If a member of the Council ceases to hold office for any reason

11 before the expiration of the term for which he is appointed, another person

12 representing the same interest as that member shall be appointed to the

13 Council for the unexpired term.

14 (3) A member of the Council may be removed by the President on

15 the recommendation of the Minister if he is satisfied that it is not in the

16 interest of the Institute or public for the member to continue in that office.

17 **6.** Members of the Council shall be paid such emoluments,

18 remuneration and allowances as may be specified in their letters of

19 appointment or as may be approved by the Federal Government.

Emoluments,  
allowances of  
members of the  
Council

20 **7.** The Council shall:

21 (a) formulate the policies of the Institute and be charged with the

22 general control of such policies, finance and property of the Institute;

23 (b) ensure that the Institute is staffed with persons possessing high

24 communicative competence in the theory and practice of educational

25 planning and administration and other professions;

26 (c) ensure proper management of the assets of the Institute;

27 (d) ensure effective organisation of the Institute in accordance with

28 the provisions of this Act;

29 (e) subject to this Act, provide for the welfare and discipline of the

30 staff of the Institute; and

Functions of the  
Council

	1	(f) perform such other functions as the President or Minister may
	2	assign to it.
	3	PART II - FUNCTIONS AND POWERS OF THE INSTITUTE
Functions of the Institute	4	<b>8.-(1)</b> The Institute shall:
	5	(a) serve as an inter-university centre to develop a critical mass of
	6	education sector planners and managers for the effective and efficient planning
	7	and management of the education system through capacity building:
	8	(i) continuous training, research and information dissemination,
	9	(ii) mandatory Postgraduate Diploma in educational leadership,
	10	(iii) Annual Professional Development Programme (APDP) leading
	11	to award of certificate, diploma and advanced diploma,
	12	(iv) providing practical and demonstrable internship for
	13	undergraduates and post graduate students of educational planning and
	14	administration for professionalism and award of certificate of participation,
	15	(v) development and implementation of programmes for in-service
	16	training, re-training and orientation of workers at all levels of the educational
	17	sector in Nigeria leading to the award of certificates of attendance,
	18	(vi) extension services for tertiary levels of education in respect of
	19	personnel, classroom and residential accommodation and other available
	20	resources considered adequate by such needy institutions in educational
	21	planning and administration, Internet Communication Technology (ICT) and
	22	related disciplines, and
	23	(vii) enhance quality managers and administrators at all levels of
	24	education to Post Graduate Diploma in Educational Leadership (PGDEL);
	25	(b) hold out to all persons without distinction of race, creed, sex or
	26	political conviction, the opportunity of acquiring proficiency in the learning,
	27	teaching and application of both the theory and practice of educational
	28	planning and administration in the educational system in Nigeria;
	29	(c) develop appropriate modules to suit the needs of the various
	30	clientele of the Institute;



1 (d) provide an ambience having all the socio-cultural, physical and  
 2 psychological facilities, that will facilitate the learning of educational  
 3 planning and administration through a carefully coordinated simulation  
 4 process (including problem solving approach, demonstration, group  
 5 syndicate discussions, field trips and interactive activities) that allow the  
 6 participants to achieve the understanding, use and practice of educational  
 7 planning and administration in the educational system in Nigeria;

8 (e) serve as a centre for exchange information gathering,  
 9 processing, dissemination on educational administration; of information,  
 10 retrieval and planning;

11 (f) promote research into the theory and practice (including the  
 12 problems) of educational planning and administration in Nigeria;

13 (g) promote the development and publication of materials in  
 14 educational planning and administration; and

15 (h) carry any other activities as are necessary or expedient for the  
 16 performance of its functions under this Act.

17 **9.** The Institute shall have powers to:

Powers of the  
Institute

18 (a) coordinate the capacity building activities of education sector  
 19 planners and managers;

20 (b) establish such departments within the Institute as may, be  
 21 necessary;

22 (c) award fellowships, scholarships, bursaries, medals, prizes and  
 23 other form of titles, distinctions and awards;

24 (d) hold examination and award diplomas, certificates and other  
 25 distinctions to persons who have pursued a course of study approved by the  
 26 Institute and have satisfied such other requirements as the Council may  
 27 determine;

28 (e) demand and receive from any student, clientele of the Institute  
 29 or any other person attending the Institute for the purpose of instruction such  
 30 fees as the Institute may determine;

1 (f) enter into contracts and establish trusts either solely or jointly with  
2 any other person or organization, employ or act through agents;

(g) erect, provide, equip and maintain infrastructure or facilities  
necessary, suitable or convenient for the attainment of objectives of the  
Institute under this Act;

6 (h) hold public lectures, seminars, conferences and workshops and  
7 undertake the publication and sale of attainment of books and proceedings;

(i) give grants and gifts for any charitable purpose that is consistent with the functions of the Institute under this Act; and

(j) do any other thing which, in its opinion, will facilitate the performance of its functions under this Act.

PART III – DIRECTOR GENERAL, PRINCIPAL OFFICERS AND OTHER  
STAFF OF THE INSTITUTE

Director General,  
principal officers  
and other staff  
of the Institute

14           **10.-(1)** There shall be for the Institute a Director General who shall-

15 (a) be appointed by the President on the recommendation of the  
16 Minister;

17 (b) be the Chief Executive and Accounting Officer of the Institute;

(c) be responsible for the execution of the policies and administration  
of the affairs of the Institute; and

20 (d) hold office-

21 (i) for five years and no more, and

22 (ii) on such terms and conditions as may be contained in his letter of  
23 appointment.

24 (2) The Registrar shall:

25 (a) be the Chief Administrative Officer of the Institute; and

26 (b) be responsible to the Director-General for the administrative work  
27 of the Institute;

28 (c) by virtue of that office, be Secretary to the Board of Studies; and

29 (d) hold office for five years and no more.

30 (3) The Bursar shall:

1 (a) be the Chief Financial Officer of the Institute;  
 2 (b) be responsible to the Director-General for the administration  
 3 and control of the financial affairs of the Institute; and  
 4 (c) hold office for five years and no more.

5 (4) The Librarian shall:

6 (a) be responsible to the Director-General for the administration of  
 7 the library and co-ordination of the library services in the Institute; and  
 8 (b) hold office for five years and no more.

9 (5) The Director of Works shall be responsible:

10 (a) to the Director-General for the administration of the Works  
 11 Department; and

12 (b) for all works, services and maintenance of the Institute's  
 13 facilities.

14 (6) All principal officers of the Institute, except Director-General,  
 15 shall be appointed by the Council on the recommendation of the interview  
 16 panel to be chaired by the Director-General.

17 **11.** The Council shall appoint for the Institute such other persons Other staff of  
 18 to assist the Director- General in the performance of the functions of the the Institute  
 19 Institute under this Act.

20 **12.-(1)** The Institute shall operate as an inter-university centre of Conditions of  
 21 the Federal Ministry of Education and the salary and conditions of service of service of the  
 22 the employees of the Institute shall be: Institute

23 (a) as determined, from time to time, by the Federal Government;  
 24 and

25 (b) in line with the University salary structures for teaching and  
 26 non-teaching staff of the Institute:

27 (i) Training and Research Professor,  
 28 (ii) Assistant Training and Research Professor, and  
 29 (iii) Deputy Librarian.

30 (2) Service in the Institute shall be approved service for the Act No. 4, 2014

1 purposes of the Pension; Reform Act, and accordingly, employees of the  
2 Institute are entitled to pension, gratuity and other retirement benefits in  
3 respect of that office.

(3) Without prejudice to the provisions of subsection (1), nothing in this Act prevents the appointment of a person to any office on terms which preclude the grant of a pension, gratuity or other retirement benefit in respect of that office.

Act No. 4, 2014

(4) For the purposes of the application of the Pensions Reform Act, any power exercisable under it by a Minister or other authority of the Federal Government, other than the power to make regulations under section 26 of this Act conferred on and shall be exercisable by the Council and not by any other person or authority.

(5) A staff of the Institute, other than the Director-General, shall be removed from office in accordance with the provisions of the Second Schedule to this Act.

16 PART IV - ESTABLISHMENT OF THE BOARD OF STUDIES OF  
17 THE INSTITUTE

### Establishment and composition of the Board of Studies

18                   **13.-(1)** There is established for the Institute the Board of Studies (in  
19   this Act referred to as "the Board of Studies") which shall, subject to the  
20   provisions of this Act, be an integral part of the Institute.

21 (2) The Board of Studies shall consist of:

22 (a) the Director-General of the Institute who shall be the Chairman;

23 (b) the Coordinator of Programmes;

24 (c) the Head of Research Department;

25 (d) the Head of Training Department;

26 (e) the Head of Library Services;

27 (f) the Head of ICT Department;

28 (g) a representative each of-

29 (i) Training Department,

30 (ii) Research Department,

1 (iii) Library Department, and

2 (iv) ICT Department.

3 (3) The Director-General shall preside over all meetings of the  
4 Board of Studies and, in his absence, the Coordinator of Programme shall  
5 preside the meeting.

6 (4) The Board of Studies shall meet on quarterly basis.

7 (5) Subject to subsections (2) and (3), the Board of Studies shall  
8 regulate its own proceedings.

9 **14.** The Board of Studies shall:

Functions of the  
Board Studies

10 (a) subject to this Act, formulate, regulate and continuously  
11 evaluate the academic programmes of the Institute and determine the award  
12 of certificates and honours of the Institute; and

13 (b) perform such other functions as the Council may assign to it.

#### 14 PART V - FINANCIAL PROVISIONS

15 **15.-(1)** The Institute shall establish and maintain a fund (in this Act  
16 referred to as "the Fund") which shall be applied towards the performance of  
17 its functions under this Act.

Fund of the  
Institute

18 (2) There shall be paid and credited to the Fund:

19 (a) any subvention or budgetary allocation from the Federal  
20 Government;

21 (b) grants and subventions from Tertiary Education Trust Fund  
22 (TETFUND) and non-governmental agencies;

23 (c) all money raised for the purposes of the Institute by way of gifts,  
24 grants- in-aid or testamentary disposition to the Institute;

25 (d) all subscriptions for fees and charges for services rendered by  
26 the Institute;

27 (e) all interests received in respect of money invested by the  
28 Institute; and

29 (f) all other assets, from time to time, accruing to the Institute.

30 (3) The Institute may apply the proceeds of the Fund accruing

1        under subsection (2) for:

2                (a) the cost of administration of the Institute and any research  
3        programme or body under the administration of the Institute;

4                (b) the provision of scholarships and other awards for the training of  
5        staff or employees of the Institute;

6                (c) the payment of salaries, fees or other remuneration, allowances,  
7        pensions and gratuities or superannuation payable to the Director-General and  
8        the staff and employees of the Institute;

9                (d) the maintenance of any property vested in the Institute; and

10               (e) all other matters that are connected with the functions of the  
11        Institute under this Act.

Power to borrow

12               **16.** The Institute may, with the approval of the Minister or in  
13        accordance with the general authority given by the Federal Government,  
14        borrow, by way of loan or overdraft, from any source any money required by  
15        the Institute to meet obligations and functions under this Act.

Power to accept  
gift

16               **17.-(1)** The Institute may accept any gift of land, money or other  
17        property on such terms and conditions, if any, as may be specified by the person  
18        or organisation making the gift.

19               (2) The Institute shall not accept any gift if the conditions attached by  
20        the person or organisation offering the gift are inconsistent with the functions  
21        of the Institute or policy of the Federal Government.

Investments  
Cap. T22, LFN,  
2004

22               **18.** The Institute may, with the approval of the Minister, invest all or  
23        any of its funds in any security prescribed by the Trustee Investments Act or in  
24        such other securities or investments in accordance with the provisions of this  
25        Act and the conditions of any trust created in respect of any property or  
26        maintain a general reserve or otherwise utilise any surplus fund on such other  
27        securities as may be approved by the Minister.

Exemption  
from tax

28               **19.** The Institute is exempted from the payment of income tax on any  
29        income accruing from investments made by the Institute or otherwise.

1                   **20.**-(1) The Institute shall, not later than 30 September in each year, Annual estimates  
and accounts  
2                   submit to the Minister an estimate of its expenditure and income (including  
3                   payments to the Institute Fund) for the next succeeding year.

4                   (2) The Institute shall:

5                   (a) keep proper accounts in respect of each year and proper records  
6                   in relation to those accounts; and

7                   (b) cause its accounts to be audited within six months after the end  
8                   of each year by auditors appointed from the list and in accordance with the  
9                   guidelines supplied by the Auditor-General for the Federation.

10                  **21.** The Institute shall:

Audit report

11                  (a) prepare and submit to the Minister, not later than 30 June in each  
12                  year, a report, in such form as the Minister may direct, on the activities of the  
13                  Institute during the immediate preceding year; and

14                  (b) include in the report a copy of the audited accounts of the  
15                  Institute for that year and the auditor's report on it.

16                                   PART VI - MISCELLANEOUS PROVISIONS

17                  **22.**-(1) No suit shall be commenced against the Institute in Court Limitation of  
suits  
18                  except the intending plaintiff or his agent gives the Institute one month  
19                  written notice of intention to commence the suit.

20                  (2) The written notice under subsection (1) shall explicitly state  
21                  the:

22                  (a) cause of action;

23                  (b) particulars of claim or the grievance sought to be redressed;

24                  (c) name, particulars and official address of the intending plaintiff;

25                  and

26                  (d) relief which the intending plaintiff claims.

27                  (3) The written notice under subsection (1) and any summons,  
28                  notice or other document required or authorised to be served on the Institute  
29                  under this Act or any other law shall be addressed to the Director-General or  
30                  sent by registered post to the head office of the Institute.

Directives by the Minister	1	<b>23.</b> The Minister may give to the Councilor Director-General such
	2	directives of a general nature or relating generally to matters of policy with
	3	regard to the performance of its or his functions as the Minister may consider
	4	necessary, and the Councilor the Director- General shall comply with the
	5	directives or cause them to be complied with.
Mandatory training for officers, in the educational sector and at the Institute	6	<b>24.-(1)</b> As from the commencement of this Act, any officer, staff or
	7	employee in the management cadre who is newly employed, promoted or
	8	transferred into the educational sector of the Public Service of the Federation
	9	shall undertake training or orientation in educational planning and
	10	administration at the Institute for such period as the Minister may determine.
	11	(2) As from the commencement of this Act, any officer, staff or other
	12	employee serving in the management cadre of the educational sector of the
	13	Public Service of the Federation shall undertake in-service training in
	14	educational planning and administration at the Institute once in every three
	15	years for such duration or intervals as the Minister may determine.
Power to make regulations	16	<b>25.</b> The Minister may, on the recommendation of the Council, make
	17	regulations for giving effect to the provisions of this Act, and shall provide in
	18	particular for the:
	19	(a) entry into and the type of courses and programmes approved for
	20	the Institute;
	21	(b) duration of the courses and programmes; and
	22	(c) certificates, if any, to be awarded by the Institute.
Interpretation	23	<b>26.</b> In this Act:
	24	"Board of Studies" means the Board of Studies of the Institute established
	25	under section (1) of this Act;
	26	"Chairman" means the Chairman of the Council of the Institute appointed
	27	under section 3 (2) of this Act;
	28	"Clientele of the Institute" includes students or other category of persons who
	29	participate or engage in any activity in the Institute or for whom the Institute
	30	carries out certain functions and responsibilities;



1 "Council" means the Governing Council of the Institute established under  
 2 section 3 (1) of this Act;  
 3 "Director-General" means the Chief Executive and Accounting Officer of  
 4 the Institute appointed under section 10 of this Act;  
 5 "Fund" means the Fund of the Institute established under section 16 (1) of  
 6 this Act;  
 7 "Institute" means the National Institute for Educational Planning and  
 8 Administration established under section 1 (1) of this Act;  
 9 "member" means a member of the Council and includes the Chairman; and  
 10 "Minister" means the Minister charged with responsibility for matters  
 11 relating to education.

12 **27.** This Bill may be cited as the National Institute for Educational Citation  
 13 Planning and Administration (Establishment) Bill, 2019.

14 SCHEDULES

15 FIRST SCHEDULE

16 *Section 3 (4)*

17 SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING

18 COUNCIL OF THE INSTITUTE

19 1.-(1) Subject to this Act and section 27 of the Interpretation Act,  
 20 the Council may make standing orders regulating its proceedings or those of  
 21 any of its committees.

22 (2) The quorum of the Council shall be the Chairman and two-  
 23 thirds of the other members and the quorum of any committee of the Council  
 24 shall be as determined by the Council.

25 2. The Council shall, for the purpose of this Act, meet eight times  
 26 in each year and whenever it is summoned by the Chairman, if required to do  
 27 so by notice given to him by at least four other members, the Chairman shall  
 28 summon a meeting of the Council to be held within four days from the date  
 29 which the notice is given.

30 3. Where the Council desires to obtain the advice of any person on

1     a particular matter, the Council may co-opt him for such period as it deems fit,  
2     but a person who is a member by virtue of this paragraph is not entitled to  
3     sitting allowance, vote at any meeting of the Council and shall not count  
4     towards a quorum.

5             4.-(1) The Council may set up one or more committees to perform on  
6     its behalf such functions under this Act as the Council may determine.

7             (2) A committee set up under this paragraph shall consist of such  
8     number of persons (not necessarily members of the Council as may be  
9     determined by the Council), and a person, other than a member of the Council,  
10    shall hold office on the committee in accordance with the terms of his  
11    appointment.

12            (3) A decision of a committee of the Council is of no effect until it is  
13    confirmed by Council.

14            5.-(1) The fixing of the seal of the Institute shall be authenticated by  
15    the signature of the Director-General or any other person authorised generally  
16    or specifically to act for that purpose by the Council or the Director-General.

17            (2) Any contract or instrument, which if made or executed by a person  
18    not being a body corporate, would not be required to be under seal, may be  
19    made or executed on behalf of the Institute by the Director-General or any  
20    person generally or specially authorised by the Council to act for that purpose.

21            6. The validity of any proceeding of the Council or its committee shall  
22    not be adversely affected by any vacancy in the membership of the Council or  
23    its committee, or by reason that a person not entitled to do so took part in the  
24    proceedings of the Council or committee.

25            7. A member who is directly or indirectly interested in any matter  
26    being deliberated upon or considered by the council or is interested in any  
27    contract made or proposed to be made by the Council shall, immediately after  
28    relevant facts have come to his knowledge, disclose the nature of his interest in  
29    writing or at a meeting of the Council.

SECOND SCHEDULE

Section 12 (5)

SUPPLEMENTARY PROVISIONS RELATING TO REMOVAL AND DISCIPLINE  
OF STAFF OF THE INSTITUTE

*Removal and Discipline of Senior Staff*

1.-(1) If it appears to the Council that there are reasons for believing that a person employed as a member of the senior staff of the Institute, other than the Director- General, shall be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall, through its appropriate committee:

(a) give notice of those reasons to the person concerned;  
(b) afford him an opportunity of making representations on the matter to the Council in person; and

(c) if the person concerned or any three members of the Council so request, within the period of one month beginning with the date of the notice, make arrangements:

(i) for the Senior Staff Appointments, Promotions and Disciplinary Committee of the Council or any ad-hoc Committee of the Council to investigate the matter and report on it to the Council, and

(ii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee on the matter.

(2) The Director-General, in a case of misconduct by a staff of the Institute which in the opinion of the Director-General is prejudicial to the interest of the Institute, may suspend that member and the suspension shall immediately be reported to the Council.

(3) The Council may suspend any staff or employee of the Institute from office or terminate his appointment for good cause and for the purpose of this subsection, "good cause" means:

(a) physical or mental incapacity which the Council, after

1     obtaining medical advice, considers to be such as to render the person  
2     concerned unfit for the discharge of the functions of his office;

3             (b) misconduct of a scandalous or other disgraceful nature which the  
4     Council considers to be such as to render the person concerned unfit to  
5     continue to hold his office; or

6             (c) conduct which the Council considers to be such as to constitute  
7     failure or inability of the person concerned to discharge the functions of his  
8     office or to comply with the terms and conditions of the service.

9             (4) A person suspended under subparagraph (3) or (4) shall be placed  
10    on half pay and the Council shall, before the expiration of a period of three  
11    months after the date of suspension consider the case against that person and  
12    come to a decision as to whether to:

13            (a) continue the suspension of the person in question and if so on what  
14    terms (including the proportion of his emoluments to be paid to him);

15            (b) reinstate the person in question to his office in which case the  
16    council shall restore his full emoluments or entitlements to him with effect  
17    from the date of the suspension;

18            (c) terminate the appointment of the person in question in which case  
19    the person shall not be entitled to the proportion of his emolument withheld  
20    during the period of the suspension;

21            (d) take such lesser disciplinary action against the person in question  
22    (including the restoration of the proportion of his emoluments that might have  
23    been withheld) as the Council may determine; or

24            (e) subject to this paragraph, the Council shall, where it decides to  
25    take further disciplinary action against a person, come to a final determination  
26    in respect of the case concerning the person before the expiration of a period of  
27    three months from that decision.

28            (5) The Chairman who signed the instrument of removal by virtue of  
29    subparagraph (2) of this paragraph to serve or cause to be served on the person  
30    concerned, a copy of the instrument.

1                    (6) Nothing in this paragraph shall prevent the Council from  
2                    making such regulations for the discipline of other categories of employees  
3                    and workers of the Institute as it may deem fit.

4                    *Discipline of Junior Staff*

5                    2.-(1) Where a junior staff of the Institute is accused of misconduct  
6                    or inefficiency, the Director-General may suspend the staff in question for a  
7                    period of not more than three months and shall refer the matter to the Junior  
8                    Staff Appointments, Promotion and Disciplinary Committee of the  
9                    Management Board to:

10                    (a) consider the case; and

11                    (b) make recommendations as to the appropriate action to be taken  
12                    by the Director-General.

13                    (2) In all cases under this paragraph, the person accused of any  
14                    misconduct or inefficiency shall be informed in writing of the charges  
15                    against him and be given reasonable opportunity to defend himself.

16                    (3) The Director-General may, after considering the  
17                    recommendations made under subparagraph (1 ) (b) dismiss, retire or  
18                    downgrade the person in question or terminate his employment.

19                    (4) A person aggrieved by the decision of the Director-General  
20                    under subparagraph (3) may within a period of 21 days from the date of the  
21                    receipt of the letter, appeal to the Council to consider his case and the  
22                    decision of the Council shall be final.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Institute for Educational Planning and Administration to promote study and practice of educational planning and administration in Nigeria.