

Extraordinary



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OFFICE OF THE SURVEYOR GENERAL OF THE FEDERATION
(ESTABLISHMENT) BILL, 2021
ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT OF THE OFFICE OF THE SURVEYOR GENERAL
OF THE FEDERATION

1. Establishment of the Office of the Surveyor-General of the Federation
2. Functions of the OSGOF

PART II - ESTABLISHMENT OF THE GOVERNING BOARD

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4. Tenure of Office of Members of Board
5. Resignation, cessation, or removal from membership of the Board
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A BILL

FOR

AN ACT TO ESTABLISH THE OFFICE OF THE SURVEYOR-GENERAL OF THE FEDERATION TO BE SADDLED WITH THE RESPONSIBILITIES OF ENHANCING THE EXISTING NATIONAL GEODETIC REFERENCE SYSTEM FOR ALL SURVEYING AND MAPPING PROJECTS IN NIGERIA AND DELINEATING, DEMARCATING, AND SURVEYING, ALL INTERNATIONAL AND INTERSTATE BOUNDARIES OF NIGERIA; IT ALSO SEEKS TO RESTRICT ALL THE FEDERAL GOVERNMENT INSTITUTIONS FROM MAKING MAPS AND DIRECT THE INSTITUTIONS TO SUBMIT THEIR MAP NEEDS TO THE OFFICE OF THE SURVEYOR-GENERAL OF THE FEDERATION FOR THE SERVICES AND RELATED ACTIONS AND FOR RELATED MATTERS

Sponsored by Hon. Abubakar Kabir

[] Commencement

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

- 1 PART 1 - ESTABLISHMENT OF THE OFFICE OF THE SURVEYOR-GENERAL
- 2 OF THE FEDERATION AND THE GOVERNING BOARD
- 3 1.-(1) There is established a body to be known as the Office of the
- 4 Surveyor-General of the Federation (in this Bill referred to as "OSGOF").
- 5 (2) The OSGOF shall:
- 6 (a) be a body corporate with perpetual succession and a common
- 7 seal and may sue and be sued in its corporate name; and
- 8 (b) acquire, hold, mortgage, purchase, and deal howsoever with
- 9 property, whether movable or immovable, real or personal.
- 10 (3) The OSGOF shall have its Headquarters in the Federal Capital
- 11 Territory (FCT) Abuja, and branch offices in the States, as the need, may
- 12 determine from time to time.
- 13 2. The OSGOF shall:

Establishment of
the Office of the
Surveyor-General
of the Federation

Functions of the
OSGOF nt

- 1 (a) establish, extend and enhance the existing national geodetic
- 2 reference system for all surveying and mapping projects across the federation;
- 3 (b) delineate, demarcate, survey, all international and interstate
- 4 boundaries of the federation;
- 5 (c) produce geospatial products such as administrative maps,
- 6 electronic national atlas, a gazetteer of geographical place names, road maps,
- 7 and other thematic maps for the federation;
- 8 (d) provide a national geospatial standard for the production of digital
- 9 maps and other geographical information (Survey Coordination);
- 10 (e) conduct cadastral surveys of all Federal Lands;
- 11 (f) carry out research training, supervision of surveying, and mapping
- 12 in collaboration with the relevant academic institutions;
- 13 (g) execute vital national survey (in consultation with relevant
- 14 departments of government) of a time-lapse mapping of all areas of exploration
- 15 and exploitation of solid minerals, oil and gas, forestry, and other national
- 16 resources, areas such as desertification, gully erosion, and land degradation;
- 17 and
- 18 (h) carry out special survey on magnetic, gravity, and surveys;
- 19 (i) provide a national geospatial standard for the production of digital
- 20 maps and other geographical information (Survey Coordination); and
- 21 (j) perform such other functions as may be directed by the Board or
- 22 the Minister to give effect to the provisions of this Bill.

23 PART II - ESTABLISHMENT AND CONSTITUTION OF THE GOVERNING
24 BOARD OF THE OSGOF

Establishment
and Constitution
of Governing
Board of the
OSGOF

- 25 3.-(1) There is established for the management of the affairs of the
- 26 OSGOF a Governing Board (in this Bill referred to as "the Board").
- 27 (2) The Board shall consist of:
- 28 (a) a Chairman, who shall be a person with the requisite knowledge in
- 29 a survey, research and development, with not less than fifteen years of cognate
- 30 experience;

- 1 (b) 2 representatives, not below the rank of a Director of the
2 Ministries responsible for:
- 3 (i) Works,
4 (ii) Solid Minerals,
5 (iii) Petroleum,
6 (iv) Science and Technology,
7 (v) Finance, and
8 (vi) National Boundaries Commission;
- 9 (c) one representative each from the:
- 10 (i) Six Geopolitical Zones in Nigeria,
11 (ii) Raw Materials and Research Development Council; and
12 (d) the Surveyor-General of the Federation who shall serve as the
13 Secretary to the Board.
- 14 (3) The Chairman and other members of the Board, other than ex-
15 officio, shall be appointed by the President subject to confirmation by the
16 Senate.
- 17 (4) A person shall not be appointed as a member of the Board if the
18 person:
- 19 (a) is an undischarged bankrupt;
20 (b) fails to comply or is not capable of fully complying with a
21 judgment or order, including an order for costs, given against the person by a
22 court of law in a civil case; and
23 (c) in the preceding 10 years has been convicted of an offence of
24 which fraud, violence, dishonesty, extortion or intimidation is an element.
- 25 (5) The Board shall, from time to time, elect from among its
26 members a Vice-Chairman, who shall in the absence of the Chairman
27 exercise the powers and duties of the Chairman, and if neither the Chairman
28 nor the Vice-Chairman is available, the Board members shall nominate a
29 person from among themselves to preside at that meeting.
- 30 (6) Other members of the Board shall:

	1	(a) have at least 10 years cognate experience in survey research and
	2	development or related area;
	3	(b) be a person of unquestionable character and proven integrity.
Schedule	4	(7) The supplementary provision set out in the Schedule to this Bill
	5	shall affect concerning the proceeding of the Board and other related matters.
Tenure of office of members of Board	6	4. Members of the Board shall hold office for a term of four years
	7	renewable for another term of four years only.
Resignation, cessation or removal from membership of the Board	8	5.-(1) A member of the Board may resign the appointment by notice in
	9	writing addressed to the Chairman of the Board while the Chairman may resign
	10	the appointment by notice in writing addressed to the President of the Federal
	11	Republic of Nigeria through the Minister.
	12	(2) A member of the Board shall vacate office if the member:
	13	(a) becomes subject to disqualification under clause 3(4) of this Bill;
	14	(b) lacks the physical or mental capacity to perform the functions of
	15	the office;
	16	(c) becomes of unsound mind;
	17	(d) is convicted of a felony, gross misconduct, or of any offence
	18	involving dishonesty or fraud;
	19	(e) is disqualified or suspended from professional practice in any part
	20	of the world, by an order of a competent authority made in respect of that
	21	member;
	22	(f) in the case of an ex - officio member, ceases to hold the office
	23	based on which the member became a member of the Board; or
	24	(g) is absent without the leave of the Secretary for more than two
	25	consecutive meetings of the Board.
	26	(3) A member of the Board may be removed from office by the
	27	President if the President is satisfied that it is not in the interest of the public that
	28	the member should continue in that office.
Allowances of Members of Board	29	6. There shall be paid to every member of the Board such allowances
	30	as the OSGOF may from time to time determine in line with the extant policy of

1 Salaries and Wages Commission.

2 7. The Board shall:

Functions of the
Board

3 (a) manage and superintend the affairs of the OSGOF;

4 (b) approve the policies, guidelines, and programmes of the
5 OSGOF;

6 (c) facilitate the formation and development of national and
7 international partnerships or collaboration to implement the objectives of
8 the Bill;

9 (d) review quarterly and annual reports of the OSGOF on the extent
10 of the implementation of the policy framework for the promotion of
11 research, in survey;

12 (e) approve the appointment of senior staff of the OSGOF either on
13 permanent or temporary appointment or through secondment of service;

14 (f) make rules and regulations relating generally to the
15 appointment, promotion, discipline, and conditions of service of employees
16 of the OSGOF;

17 (g) do such other things which in the opinion of the Board and
18 directives of the Minister are necessary and expedient to ensure the efficient
19 discharge of the functions of the OSGOF.

20 PART III - STRUCTURE AND STAFF OF THE OSGOF

21 8.-(1) Subject to this Bill, the OSGOF may be structured into any
22 number of departments and divisions as the Board may deem appropriate for
23 the effective administration of the OSGOF.

Structure of the
OSGOF

24 (2) The Board may create additional Departments and Committees
25 based on management recommendations and prevailing
26 circumstances.

27 (3) Each department shall be managed by a Director who is responsible for
28 coordinating the functions of such a department.

29 9.-(1) There shall be a Surveyor-General for the OSGOF who shall
30 be appointed by the President on the recommendation of the Minister,

The Surveyor-
General of the
OSGOF

1 subject to the confirmation of the Senate of the National Assembly.

2 (2) The Surveyor-General shall:

3 (a) be the Chief Executive and Accounting Officer of the OSGOF and
4 responsible for the general administration of the OSGOF;

5 (b) be a fit and proper person with at least 12 years post qualification
6 experience in survey research and development and of proven integrity and
7 ability;

8 (c) keep the records of proceedings and decisions of the Board and
9 such other functions as the Board may from time to time direct; and

10 (d) be appointed for a term of 4 years in the first instance and may be
11 re-appointed for a further term of 4 years and no more.

Other staff of
the OSGOF

12 **10.-(1)** The Board shall appoint for the OSGOF such number of
13 employees as may in the opinion of the Board be expedient and necessary for
14 the proper and efficient performance of the functions of the OSGOF.

15 (2) The terms and conditions of service, including remuneration,
16 allowances, benefits, and pensions, of the employees of the OSGOF, shall be as
17 determined by the Board using the extant policy of the government.

Pension

18 **11.** Service in the OSGOF to be pensionable under the subsisting
19 Pensions Act.

20 PART IV - FINANCIAL PROVISIONS

Fund of the
OSGOF

21 **12.-(1)** There shall be established and maintained by the OSGOF, a
22 Fund into which shall be paid and credited:

23 (a) all allocations from the Federal Government;

24 (b) such monies as may, from time to time, be lent, deposited or
25 granted to the OSGOF by the Government of the Federation or a State;

26 (c) all Grants received from both local and international organization
27 for the OSGOF;

28 (d) fees, levies, penalties, charges, administrative costs of
29 proceedings, and other money payable to the OSGOF in pursuance of this Bill;

30 (e) all monies received by the OSGOF as gifts, loans, contributions,

1 testamentary deposition or donations; and

2 (f) all other monies and assets which may accrue to the Fund from
3 time to time.

4 (2) The Fund shall be managed by rules made by the Minister and
5 without prejudice to the generality of the power to make rules under this sub-
6 clause, the rules shall, in particular, contain provisions:

7 (a) specifying how the assets of the Fund are to be held and
8 regulating the making payments into and out of the Fund; and

9 (b) requiring the keeping of proper accounts and records for the
10 Fund in such form as may be specified in the rules.

11 **13.** The OSGOF shall apply the funds established under clause 15
12 of Expenditure of the OSGOF this Bill to:

Expenditure of
the OSGOF

13 (a) cost of administration of the OSGOF;

14 (b) payment of salaries, fees, remuneration, bills, rents of the
15 OSGOF;

16 (c) cost of maintenance of any property acquired or vested in the
17 OSGOF;

18 (d) capital expenditure approved by the OSGOF for research and
19 development;

20 (e) allowances, salaries, remuneration, pensions, and gratuities
21 payable to the staff and members of the Board;

22 (f) the payment for all contracts, including mobilization,
23 fluctuations, variations, legal fees, and cost on contract administration;

24 (g) to the payment for all purchases; and

25 (h) payment of such other expenses and activities as are connected
26 with all or any of the functions of the OSGOF under this Bill.

27 **14.** The OSGOF may, subject to the provisions of this Bill, receive
28 donations from persons, organizations, bodies, or governments for the Bill.

Donations to the
OSGOF

29 **15.** The OSGOF shall not accept any donation or gift if the
30 conditions attached by the person or organization making the gift are

Restriction on
Donations

	1	inconsistent with the functions of the OSGOF under this Bill.
Power to borrow	2	16. The OSGOF may, with the approval of the Minister, borrow, on
	3	such terms and conditions as the OSGOF may require in the exercise of its
	4	functions under this Bill.
Annual Estimates and Expenditure	5	17.-(1) The Board shall, not later than 30th September of each year,
	6	submit to the Minister, an estimate of the expenditure and income, including
	7	payments to the OSGOF' Fund, for the next succeeding year.
	8	(2) The Board shall cause to be kept proper accounts of the OSGOF in
	9	respect of each year and proper records in relation thereto and shall cause the
	10	accounts to be audited not later than 6 months after the end of each year by
	11	auditors appointed from the list by the guidelines supplied by the Auditor-
	12	General of the Federation.
Annual Report	13	18.-(1) The Board shall prepare and submit to the Minister, not later
	14	than 30th June in each year, a report in such form as the President may direct on
	15	the activities of the OSGOF during the immediately preceding year and shall
	16	include in the report a copy of the audited accounts of the OSGOF for that year
	17	and auditor's report thereon.
	18	(2) The Minister shall, upon receipt of the report referred to in sub-
	19	clause (1) of this clause, cause a copy of the report and the audited accounts of
	20	the OSGOF and the auditor's report thereon to be submitted to the National
	21	Assembly.
	22	PART V - MISCELLANEOUS PROVISIONS
Restriction on making of maps by the Federal Government institutions	23	19. All the Federal Government institutions, other than the OSGOF,
	24	being the apex institution on survey and mapping, are restricted from making
	25	maps.
Submission of map needs by all the Federal Government institutions to the Office of Surveyor-General of the Federation	26	20. All the federal government institutions that require a map shall
	27	refer their needs, in that regards, to the OSGO, in a prescribed form, for the
	28	production of the map and related action.
Penalty	29	21. Any federal institution which contravenes the provisions of this
	30	Bill by making maps shall be liable to have the produced maps confiscated and

1 whatever amount that has been expended on such production shall be
 2 recovered from the private resources of the Chief Executive Officer of the
 3 Institution.

4 **22.** The President may give directives of a general nature to matters Directives by the
 5 of policy concerning functions of the OSGOF and it shall be the duty of the President, etc.
 6 OSGOF to comply with the directives.

7 **23.** The Minister may in collaboration with OSGOF and other Powers of the
 8 relevant stakeholders shall issue a regulation to give full effect to the Minister to make
 9 objectives of this Bill. Regulations

10 **24.**-(1) To provide offices and premises necessary for the Offices and
 11 performance of its functions under this Bill, the OSGOF may, subject to the Premises of
 12 Land Use Act: OSGOF

13 (a) purchase or take on lease any interesting land, or other property;
 14 and

15 (b) construct offices and premises and equip and maintain same.

16 (2) The OSGOF may, subject to the land use Act and the approval
 17 of the Minister, sell or lease out any office or premises held by it, which
 18 office or premises is no longer required for the performance of its functions
 19 under this Bill.

20 **25.**-(1) Subject to the provisions of this Bill, the provisions of the Limitation of suit
 21 Public Officers Protection Act shall apply concerning any suit against any against the OSGOF
 22 member or officer, or employee of the OSGOF.

23 (2) Notwithstanding anything contained in any other law, no suit
 24 shall lie against any member of the Board, the chairman or any other officer
 25 or employee of the OSGOF for anything done in pursuance or execution of
 26 this Bill or any other law, or any alleged neglect or default in the execution of
 27 this Bill, duty or authority, shall lie or be OSGOF in any court unless:

28 (a) it is commenced within three months after the act, neglect or
 29 default complained of; or

30 (b) in the case of a continuation of damage or injury, within six

	1	months next after the leasing thereof.
Services of a document	2	26. A notice, summons, or other document required or authorized to
	3	be served upon the OSGOF under the provisions of this Bill or any other law
	4	may be served by delivering it to the office of the Surveyor-General.
Restriction of execution against property of the OSGOF	5	27. In any action or suit against the OSGOF, no execution or
	6	attachment of process shall be made against the OSGOF, unless not less than
	7	three months' notice of the intention to execute or attach has been given to the
	8	OSGOF.
Interpretation	9	28. In this Bill:
	10	"Board" means the Governing Board of the OSGOF;
	11	"Geopolitical Zones" means North Central, North East, North West, South
	12	East, South West, South-South, and southwest;
	13	"OSGOF" means the Office of the Surveyor-General of the Federation;
	14	"Member" means a member of the Board and includes the Chairman;
	15	"Minister" means the Minister responsible for survey;
	16	"President" means the President of the Federal Republic of Nigeria;
Citation	17	29. This Bill may be cited as the Office of the Surveyor-General of the
	18	Federation (Establishment) Bill, 2021.

1 SCHEDULE

2 [Clause 3(7)]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

4 *Proceedings of the Board*5 1. Subject to this Bill the Board may regulate its proceedings
6 including the proceedings of its committees and sub-committees.7 2. The quorum of the Board shall be the Chairman and six other
8 members and the quorum of any committee of the Board shall be determined
9 by the Board.10 3. The Board shall meet not less than four times in each year and
11 subject thereto, the Board shall meet whenever it is summoned by the
12 Chairman; and if the chairman is required to do so by notice given to him by
13 not less than four other members, he shall summon a meeting of the Board to
14 be held within fourteen days from the date on which the notice is given.15 4. At any meeting of the Board, the Chairman shall preside, but if
16 he is absent, the Vice-Chairman shall preside, in the absence of the
17 Chairman and Vice-Chairman, the members present at the meeting shall
18 appoint one of their numbers to preside at that meeting.19 5. Where the Board desires to obtain the advice of any person on a
20 particular matter, the Board may co-opt such a person to the Board for such
21 period as it thinks fit; but a person who is in attendance by this subparagraph
22 shall not be entitled to vote at any meeting of the Board and shall not count
23 towards a quorum.24 *Committees*25 6. The Board may appoint one or more committees to carry out, on
26 behalf of the Board, such of its functions as the Board may determine.27 7. A committee appointed under this paragraph shall consist of
28 such number of persons not necessarily members of the Board) as may be
29 determined by the Board; and a person other than a member of the Board
30 shall hold office in the committee under the terms of his appointment.

1 8. A decision of a committee of the Board shall be of no effect until it
2 is confirmed by the Board.

3 *Miscellaneous*

4 9. The fixing of the Seal of the OSGOF shall be authenticated by the
5 signature of the Chairman and the Secretary to the Board.

10. Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the OSGOF by any person generally or specially authorised by the OSGOF for that purpose.

10 11. A document purporting to be a document duly executed under the
11 seal of the OSGOF shall be received in evidence and shall unless the contrary is
12 proved, be presumed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Office of the Surveyor General of the Federation to be saddled with the responsibilities of enhancing the existing national geodetic reference system for all surveying and mapping projects in Nigeria and delineating, demarcating, and surveying, all international and interstate boundaries of Nigeria; it also seeks to restrict all the Federal Government institutions from making maps and direct the institutions to submit their map needs to the Office of the Surveyor-General of the Federation for the services and related actions.

UNIVERSITY OF MEDICINE AND HEALTH SCIENCES, BICHI, KANO STATE

BILL, 2021

ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT OF UNIVERSITY OF MEDICINE AND HEALTH
SCIENCES, BICHI, KANO STATE

1. Establishment of the University of Medicine and Health Sciences
Bichi, Kano State
2. Objectives of the University
3. Establishment and composition of the Governing Council
4. Powers of the University
5. Chancellor to take precedence before other members
6. Establishment and membership of the Council.
7. Council and Other Committees of the University
8. Functions of the Senate
9. Vice-Chancellor to take precedence in the absence of Chancellor

PART II - STATUTES OF THE UNIVERSITY

10. Statute of the University
11. Power to make and approve Statutes
12. Proof of Statute in court
13. Visitors' decision in the case of a dispute.

PART III - SUPERVISION AND DISCIPLINE

14. Supervision and discipline
15. Removal of members
16. Grounds and procedure for removal of members
17. Removal of an examiner
18. Disciplinary action on students

PART IV - MISCELLANEOUS AND GENERAL PROVISIONS

19. Discrimination
20. Application of the Land Use Act

- 21. Consent of Visitor in Land deals.
 - 22. Quorum
 - 23. Committees
 - 24. Seal of the University
 - 25. Proposal and recommendation
 - 26. Pre-action Notice.
 - 27. Interpretations
 - 28. Citation
- First Schedule
- Second Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE UNIVERSITY OF MEDICINE AND HEALTH SCIENCE, BICHI, KANO STATE TO SERVE AS A TRAINING INSTITUTION FOR THE DEVELOPMENT OF MEDICAL EDUCATION IN NIGERIA AND ENCOURAGE THE DEVELOPMENT OF LEARNING AND PROFESSIONAL DEVELOPMENT IN MEDICINE AND OTHER MEDICAL RELATED COURSES AND FOR RELATED MATTERS

Sponsored by Hon. Abubakar Kabir Bichi

[] Commencement

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

1 PART I - ESTABLISHMENT OF FEDERAL UNIVERSITY OF MEDICINE AND
2 HEALTH SCIENCES, BICHI, KANO STATE AND ITS GOVERNING COUNCIL

3 1.-(1) There is established, a body to be known as the University of
4 Medicine and Health Sciences, Bichi, Kano State (in this Bill referred to as
5 "the University").

Establishment of
the University of
Medicine and
Health Sciences,
Bichi, Kano State

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

9 (3) The University may acquire, hold and dispose of movable and
10 immovable property for its functions.

11 2. The objects of the University shall be to:

Objectives of the
University

12 (a) encourage the advancement of learning in Medicine and other
13 Medical related courses and to hold out to all persons without distinction of
14 race, creed, sex, or political conviction the opportunity of acquiring higher
15 and liberal education in science and medicine;

16 (b) provide courses of instruction and other facilities on Medicine
17 and other Medical related courses in all its ramifications for the pursuit of

1 learning in all its branches, and to make those facilities available on proper
2 terms to such persons as are equipped to benefit from them;

3 (c) encourage and promote scholarship and conduct research in
4 restricted fields of learning and human endeavor;

5 (d) relate its activities to the social, cultural, and economic needs of
6 the people of Nigeria; and

7 (e) undertake other activities appropriate for the highest standard of
8 medical education.

Establishment
and Composition
of the Governing
Council

9 **3.-(1)** There is established a Governing Council for the University (in
10 this Bill referred to as "the Council"), which Council shall consist of:

11 (a) Chancellor;

12 (b) Pro-Chancellor;

13 (c) Vice-Chancellor;

14 (d) two Deputy Vice-Chancellor;

15 (e) a body to be called Congregation;

16 (n a body to be called Convocation;

17 (g) the campuses and colleges of the University;

18 (h) the faculties, and other teaching and research units of the
19 University;

20 (i) the persons holding the offices constituted by the First Schedule to
21 this Bill other than those mentioned in paragraphs (a) to (c) of this sub-clause;

22 (j) all graduates and undergraduates;

23 (k) a representative of National Universities Commission, not below
24 directorate grade; and

25 (l) all other persons who are members of the University under
26 provisions made by Statute on that behalf.

27 (2) The First Schedule to this Act shall affect the Principal Officers of
28 the University mentioned (therein).

29 (3) A provision shall be made by a Statute concerning the constitution
30 of the following bodies-

- 1 (a) the Council;
- 2 (b) the Senate;
- 3 (c) the Congregation; and
- 4 (d) the Convocation.

5 **4.** For the carrying out of its objects as specified in Clause 2 of this Powers of the
6 Bill, the University shall have power to- University

7 (a) establish such campuses, faculties, schools, extra-mural
8 departments, and other teaching and research units within the University as
9 may, from time to time, seem necessary or desirable, subject to the approval
10 of the National Universities Commission;

11 (b) institute professorships, readerships, and associate
12 professorships, lectureships and other posts and offices and to make
13 appointments thereto;

14 (c) institute and award fellowships, scholarships, exhibitions,
15 bursaries, medals, prizes, and other titles, distinctions, awards, and forms of
16 assistance;

17 (d) provide for the residence, discipline, and welfare of members of
18 the University;

19 (e) hold examinations and award degrees, diplomas, certificates,
20 and other distinctions to persons who have pursued a course of study
21 approved by the University and have satisfied such other requirements as the
22 University may lay down;

23 (f) award honorary degrees, fellowships, or academic titles;

24 (g) demand and receive from any student or any other person
25 attending the University for instruction such fees as the University may,
26 from time to time determine, subject to the overall directives of the
27 appropriate authority;

28 (h) subject to Clause 21 of this Bill, to acquire, hold, grant, charge
29 or otherwise deal with or dispose of movable and immovable property
30 wherever situate;

1 (i) accept gifts, legacies, and donations, but without obligation to
2 accept the same for a particular purpose, unless it approves the terms and
3 conditions attaching thereto;

4 (j) enter into contracts, establish trusts, acting as a trustee, solely or
5 jointly with any other person, and employ and act through agents;

6 (k) erect, provide, equip and maintain libraries, laboratories, lecture
7 halls, halls of residence, refectories, sports grounds, playing fields, . and other
8 buildings or things necessary, suitable or convenient for any of the objects of
9 the University;

10 (l) hold public lectures and undertake to print, publishing, and
11 bookselling;

12 (m) subject to any limitation or condition imposed by Statute, to
13 invest any amounts of money appertaining to the University by the law of
14 endorsement, whether for general or special purposes and such other money as
15 may not be immediately required for current expenditure, in any investment or
16 security or the purchase or improvement of land, with power from time to time
17 to vary any such investment and to deposit any money for the time being un-
18 invested with any bank on deposit or current account;

19 (n) borrow, whether on interest or not, upon the security of any or all
20 of the property movable or immovable of the University, such money as the
21 Council may, from time to time in its discretion, find necessary or expedient to
22 borrow or to guarantee any loan, advance or credit facility;

23 (o) make gifts for any charitable purpose;

24 (p) do anything which it is authorized or required by this Bill or by any
25 other Statute to do; and

26 (q) do all such acts or things, whether or not incidental to the
27 foregoing powers, as may advance the objects of the University.

28 (2) Subject to the provisions of this Bill and of the Statutes made
29 thereunder and without prejudice to Clause 9 (2) of this Bill, the powers
30 conferred on the University by sub-clause (I) of this Clause shall be exercisable

1 on behalf of the University by the Councilor by the Senate or in any other
2 manner which may be authorized by this Bill.

3 **5.-(1)** The Chancellor shall about the University, take precedence
4 before all other members of the University, and when he is present shall
5 preside at all meetings of convocation held for conferring degrees. Chancellor to take
precedence before
other members

6 (2) The Pro-Chancellor shall, concerning the University, take
7 precedence before all other members of the University except the
8 Chancellor, and except for the Vice-Chancellor when acting as Chairman of
9 Congregation or Convocation, and the Pro-Chancellor shall, when he is
10 present, be the Chairman at all meetings of the Council.

11 **6.-(1)** There shall be a Council for the University consisting of- Establishment
and membership
of the Council
12 (a) the Pro-Chancellor;
13 (b) the Vice-Chancellor;
14 (c) the Deputies Vice-Chancellor;
15 (d) one person from the Federal Ministry responsible for
16 education;
17 (e) four persons representing a variety of interest and broadly
18 representative of the whole Federation to be appointed by the President;
19 (f) four persons appointed by the Senate from among its members;
20 (g) two persons appointed by the Congregation from among its
21 members; and
22 (h) one person appointed by the Convocation from among its
23 members.

24 (2) Persons to be appointed to the Council shall be persons of
25 proven integrity, knowledge, and familiarity with the affairs and tradition of
26 the University.

27 **7.-(1)** Subject to the provisions of this Bill relating to the Visitor, Council and other
Committees of the
University
28 the Council shall be the governing body of the University and shall be
29 charged with the general control and superintendence of the policy,
30 finances, and property of the University, including its public relations.

1 (2) There shall be a committee of the Council to be known as the
2 Finance and General Purposes Committee, which shall, subject to the
3 directions of the Council, exercise control over the property and expenditure of
4 the Council as the Council may from time to time delegate to it.

5 (3) Provision shall be made by Statute concerning the constitution of
6 the Finance and General Purposes Committee.

7 (4) The Council shall ensure that proper accounts of the University
8 are kept and the accounts of the University are audited annually by auditors
9 appointed by the Council from the list and under guidelines supplied by the
10 Auditor-General for the Federation and that an annual report is published by
11 the University together with certified copies of the said accounts as audited.

12 (5) Subject to this Bill and the Statutes, the Council and the Finance
13 and General Purposes Committee may each make rules to exercise any of their
14 respective functions or of regulating their procedure.

15 (6) Rules made under sub-clause (5) of this Clause by the Finance and
16 General Purposes Committee shall not come into force unless approved by the
17 Council, and where any rule so made by the Committee conflicts with any
18 direction given by the Council (whether before or after the coming into force of
19 the rules in question), the direction of the Council shall prevail.

20 (7) There shall be paid to the members of the Council, the Finance and
21 General Purposes Committee, and of any other Committee set up by the
22 Council, allowances in respect of traveling and other reasonable expenses, may
23 from time to time be fixed by extant government circulars.

24 (8) The Council shall meet as and when necessary for the performance
25 of its functions under this Bill, and shall meet at least four times every year.

26 (9) If required in writing by five members of the Council, the
27 Chairman shall within, 28 days after the receipt of such request, call a meeting
28 of the Council, provided that if after 28 days of the receipt or delivering to him
29 of such request, the Chairman fails or neglects to call a meeting, the Registrar
30 shall, within 14 days thereof, cause a meeting of the Council to be convened for

1 that purpose and the request shall specify the business to be considered at the
2 meeting and no business not so specified shall be transacted at that meeting.

3 **8.-(1)** Subject to Clause 5 of this Bill and sub-clauses (3) and (4) of
4 this Clause and the provisions of this Bill relating to the Visitor, it shall be the
5 general function of the Senate to organize and control teaching in the
6 University, admission to Post-graduate courses and another admission of
7 students, the discipline of students and to promote research in the
8 University.

Functions of the
Senate

9 (2) Without prejudice to the generality of the provisions of sub-
10 clause (1) of this Clause, it shall, in particular, be the function of the Senate
11 to make provision for the-

12 (a) establishment, organization, and control of campuses, colleges,
13 schools, faculties, departments, institutes, and other teaching and research
14 units of the University, and the allocation of responsibility for different
15 branches of learning;

16 (b) organization and control of courses of study in the University
17 and the examinations, including the appointment of examiners, both internal
18 and external;

19 (c) award of degrees, and such other qualifications as may be
20 prescribed, in connection with examinations conducted by the University;

21 (d) making of recommendations to the Council concerning the
22 award to any person of an honorary fellowship or honorary degree or the title
23 of professor emeritus;

24 (e) establishment, organization, and control of halls of residence
25 and similar institutions in the University;

26 (f) supervision of the welfare of students in the University and the
27 regulation of their conduct;

28 (g) granting of fellowships, scholarships, prizes and similar awards
29 in so far as the awards are within the control of the University; and

30 (h) determination of what description of the dress shall be the

1 academic dress for the University, and regulating the use of academic
2 dress.

3 (3) The Senate shall not establish any new campus, college,
4 faculty, school, department, institute, or other teaching and research units
5 of the University, or any hall of residence or similar institution at the
6 University without the approval of the Council.

7 (4) Subject to this Bill and the Statutes, the Senate may make
8 regulations to exercise any function conferred on it either by the
9 provisions of this clause or to provide for any matter for which provision
10 by regulation is authorized or required by this Bill or by Statute.

11 (5) The Senate shall, by regulation, provide that at least one of the
12 persons appointed as examiners at each final or professional examination
13 held in conjunction with any course of study in the University is not a
14 teacher at the University but is a teacher at the branch of learning to which
15 the course relates in some other institute of high repute.

16 (6) Subject to a right of appeal to the Council from a decision of
17 the Senate under this sub-clause, the Senate may deprive any person of any
18 degree, diploma, or other awards of the University which has been
19 conferred on him if after due inquiry he is shown to have been guilty of any
20 dishonorable or scandalous conduct in gaining admission into the
21 University or obtaining that award.

Vice-Chancellor
to take precedence
in the absence of
Chancellor

22 **9.-(1)** The Vice-Chancellor shall, about the University, take
23 precedence before all other members of the University except the
24 Chancellor and, subject to Clause 5 of this Bill, the Pro-Chancellor and
25 any other person for the time being acting as Chairman of the Council.

26 (2) Subject to the provisions of this Bill, the Vice-Chancellor
27 shall have a general function, in addition to any other function conferred
28 on him by this Bill or otherwise, of directing the activities of the
29 University, and shall, to the exclusion of any other person or authority, be

1 the chief executive and academic officer of the University and Ex-officio
2 Chairman of the Senate.

3 **PART II - STATUTES OF THE UNIVERSITY**

4 **10.**-(1) Subject to this Bill, the University may make Statutes for Statutes of the
5 any of the following purposes- University

6 (a) making provision concerning the composition and constitution
7 of any authority of the University;

8 (b) specifying and regulating the powers and duties of any
9 authority of the University, and regulating any other matter connected with
10 the University or any of its authorities;

11 (c) regulating the admission of students where it is done by the
12 University, and their discipline and welfare;

13 (d) determining whether any particular matter is to be treated as an
14 academic or non-academic matter for this Bill and of any Statute, regulation,
15 or other instrument made thereunder; and

16 (e) making provision for other matters for which provision by
17 Statute is authorized or required by this Bill.

18 (2) Subject to Clause 24 (6) of this Bill, the Interpretation Act shall
19 apply concerning any Statute made under this Clause as it applies to a
20 subsidiary instrument within the meaning of Clause 27 (1) of this Bill.

21 (3) The Statute contained in the Third Schedule to this Bill shall
22 be deemed to have come into force on the commencement of this Bill and
23 shall be deemed to have been made under this Clause by the University.

24 (4) The power to make Statute conferred by this Clause shall not be Second Schedule
25 prejudiced or limited in any way because of the inclusion or omission of any
26 matter in or from the Statute contained in the Second Schedule to this Bill.

27 **11.**-(1) The power of the University to make Statutes shall be Power to make
28 exercised under the provisions of this Clause. and approve
Statutes

29 (2) A proposed Statute shall not have the force of law until it has
30 been approved at a meeting of the-

1 (a) Senate, by the votes of not less than two-thirds of the members
2 present and voting; and

3 (b) Council by the votes of not less than two-thirds of the members
4 present and voting. (3) A proposed Statute may originate either in the Senate or
5 Council and may be approved as required by sub- Clause (2) of this
6 Clause by both bodies in no particular order.

7 (4) A Statute which-

8 (a) makes provision for or alters the composition or constitution of the
9 Council, the Senate or any other authority of the University; or

10 (b) provides for the establishment of a new campus or college or for
11 the amendment or revocation of any Statute whereby a campus or college is
12 established, shall not come into operation unless it has been approved by the
13 Visitor.

14 (5) For section 2 (2) of the Interpretation Act, Statute shall be treated
15 as being made on the date on which it is approved by the Council and the Senate
16 under subsection (3) of this section or in the case of a Statute falling within
17 subsection (4) of this section, on the date on which it is approved by the
18 President.

Proof of Statute
in Court

19 **12.** A Statute may be proved in any court by the production of a copy
20 thereof bearing or having affixed to it a certificate signed by the Vice-
21 Chancellor or the Registrar to the effect that the copy is a true copy of a Statute
22 of that Institute.

Visitors' decision
in the case of a
dispute

23 **13.-(1)** In the event of any doubt or dispute arising at any time as to the
24 meaning of any provision of a Statute, the matter may be referred to the Visitor,
25 who shall take such advice and make such decision thereon as he deems fit.

26 (2) The decision of the Visitor on any matter referred to him under this
27 s Clause shall be binding upon the authorities, staff, and students of the
28 University and where any question as to the meaning of any provision of a
29 Statute has been decided by the Visitor under this Clause, no question as to the
30 meaning of that provision shall be entertained by any other authority in

1 Nigeria, provided that nothing in this sub-clause shall affect the power of a
2 court of competent jurisdiction to determine whether any provision of a
3 Statute is wholly or partly void as being ultra vires or as being inconsistent
4 with the Constitution.

5 (3) The provisions of this Clause shall apply concerning any doubt
6 or dispute as to whether any matter is, for this Bill, an academic or non-
7 academic matter as they apply about any such doubt or dispute as is
8 mentioned in sub-clause (1) of this Clause, and accordingly, the reference in
9 sub-clause (2) of this Clause to any question as to the meaning of any
10 provision of the Statute shall include references to any question as to
11 whether any matter is for the said purposes an academic or Proof of Statute
12 in court Visitor's decision in case of dispute in the academic or non-
13 academic matter.

14 **PART III - SUPERVISION AND DISCIPLINE**

15 **14.-(1)** The President shall be the Visitor of the University.

Supervision and
discipline

16 (2) The Visitor shall, as often as the circumstances may require not
17 being less than once every five years, conduct a visitation of the University
18 or direct that such a visitation be conducted by such persons as the Visitor
19 may deem fit and in respect of any of the affairs of the University.

20 (3) The bodies and persons comprising the University Shall-

21 (a) make available to the Visitor, and to any other persons
22 conducting a visitation in pursuance of this Clause, such facilities and
23 assistance as he or they may reasonably require for the visitation; and

24 (b) give effect to any instruction consistent with the provisions of
25 this Bill which may be given by the Visitor in consequence of the visitation.

26 **15.-(1)** If it appears to the Council that a member (other than Pro-
27 Chancellor or the Vice-Chancellor) should be removed from office on
28 grounds of misconduct or inability to perform the functions of his office, the
29 Council shall make a recommendation to that effect through the Minister to
30 the Federal Executive Council and if the Federal Executive

Removal of
Members

Grounds and
procedure for
removal of
members

1 Council, after making such inquiries (if any) as may be considered necessary,
2 approves the recommendation, it may direct the removal of the member from
3 office.

4 (2) The Minister shall use his best endeavors to cause a copy of the
5 instrument embodying a direction under sub-clause (1) of this Clause to be
6 served as soon as reasonably practicable on the person to whom it relates.

7 **16.**-(1) If it appears to the Council that there are reasons for believing
8 that any person employed as a member of the academic, administrative, or
9 professional staff of the University, other than the Vice-Chancellor, should be
10 removed from office or on grounds of misconduct or inability to perform the
11 functions of his office Council shall-

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

13 (b) afford such person an opportunity of making representation on the
14 matter to the Council; and

15 (c) decide to terminate or not to terminate the appointment.

16 (2) If the affected staff or any three members of the Council so request
17 within one month from the date of receipt of the notice of the Council's
18 decision, the Council shall make arrangements for-

19 (a) a joint committee of the Council and the Senate to review the
20 matter and to report on it to the Council;

21 (b) the person in question to be allowed to appear before and be heard
22 by an investigating committee concerning the matter; and if the Council after
23 considering the report of the investigating committee is satisfied that the
24 person in question should be removed, the Council may so remove him by an
25 instrument in writing signed on the directions of the Council.

26 (3) The Vice-Chancellor may, in a case of gross misconduct by a
27 member of staff which in the opinion of the Vice-Chancellor is prejudicial to
28 the interest of the University, suspend such member and any such suspension
29 shall immediately be reported to the Council.

30 (4) Any member of staff may a from duty or his appointment may be

1 terminated by Council for a good cause and, for this sub-clause, "good
2 cause" means-

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

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

9 (c) conduct of a scandalous or disgraceful nature which the
10 Council considers being such as to render the person concerned unfit to
11 continue to hold office; or

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

15 (5) Any person suspended under sub-clause (3) of this Clause
16 section shall be on half-pay and the Council shall, before the expiration of a
17 period of three months from the date of such suspension, consider the case
18 against that person and decide as to whether to-

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

21 (b) reinstate such person in which case the Council shall restore his
22 full emoluments with effect from the date of suspension;

23 (c) terminate the appointment of the person concerned in which
24 case such a person will not be entitled to the proportion of his emoluments
25 withheld during the period of suspension; and

26 (d) take such lesser disciplinary action against such person
27 (including the restoration of such proportion of his emoluments that might
28 have been withheld) as the Council may determine.

29 (6) Where the Council, under this Clause, decides to continue a
30 person's suspension or decides to take further disciplinary action against the

1 person, the Council shall, before the expiration of three months from such
2 decision, come to a final determination in respect of the case concerning such a
3 person.

4 (7) The person by whom an instrument of removal is signed in
5 pursuance of sub-clause (1) of this Clause shall use his best endeavors to cause
6 a copy of the instrument to be served as soon as reasonably practicable on the
7 person to whom it relates.

8 (8) Nothing in this Clause shall prevent the Council from making
9 regulations for the discipline of staff and workers of the University as may be
10 appropriate.

Removal of an
examiner

11 17.-(1) If, on the recommendation of the Vice-Chancellor or, it
12 examiner appears to the Senate that a person appointed as an examiner for any
13 examination of the University ought to be removed from his office or
14 appointment, then, the Senate may, after affording the examiner an opportunity
15 of making representations in person on the matter, direct the Vice-Chancellor
16 to remove the examiner by an instrument in writing signed by the Registrar.

17 (2) Subject to the provisions of any regulation made under this Bill,
18 the Vice-Chancellor may, on the recommendation of Senate, appoint an
19 appropriate person as an examiner in the place of the examiner removed.

20 (3) The Registrar shall on signing an instrument of removal under this
21 Clause, use his best endeavors to cause a copy of the instrument to be served as
22 soon as reasonably practicable on the person to whom it relates.

Disciplinary action
on students

23 18.-(1) Subject to the provisions of this Clause, where it appears to the
24 Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor
25 may, without prejudice to any other disciplinary powers conferred on him by
26 Statute or regulations, direct that the-

27 (a) a student shall not, during such period as may be specified in the
28 direction, participate in such activities of the University or make use of such
29 facilities of the University as may be so specified;

30 (b) activities of the student shall, during such period as may be

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

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

5 (d) Students be expelled from the University.

6 (2) Where a direction is given under sub-clause (1) (c) or (d) of this
7 Clause in respect of any student, the student may, within the prescribed
8 period and in the prescribed manner, appeal against the direction to the
9 Senate.

10 (3) Where an appeal is brought under sub-clause (2) of this Clause,
11 the Senate shall, after causing such inquiry to be made in the matter as the
12 Senate considers just, either confirm or set aside the direction or modify it in
13 such manner as the Senate thinks fit.

14 (4) The fact that an appeal from a direction is brought under sub-
15 clause (2) of this Clause shall not affect the operation of the direction while
16 the appeal is pending.

17 (5) The Vice-Chancellor may delegate his powers under this
18 Clause to a disciplinary board consisting of such members of the University
19 as he may nominate.

20 (6) Nothing in this Clause shall be construed as preventing the
21 restriction or termination of a student's activities at the University for
22 conduct which in the opinion of the Senate is prejudicial to the interest of the
23 University or its corporate objective or image.

24 (7) A direction under sub-clause (1) (a) of this Clause may be
25 combined with a direction under sub-clause (1) (b) of this Clause.

26 **PART IV - MISCELLANEOUS AND GENERAL PROVISIONS**

27 **19.-(1)** No person shall be required to satisfy requirements as to Discrimination
28 race (including ethnic grouping) sex, place of birth, family origin, religious
29 or political persuasion, as a condition for becoming or continuing to be a-

30 (a) the student at the University;

1 (b) holder of any degree, appointment, or employment in the
2 University; or

3 (c) member of anybody established by this Bill.

4 (2) No person shall be subjected to any disadvantage or accorded any
5 advantage about the University by reference to any of the matters referred to in
6 sub-clause (1) of this Clause.

7 (3) Nothing in sub-clause (1) of this Clause shall be construed as
8 preventing the University from imposing any disability or restriction on any of
9 the persons specified in sub-clause (1) of this Clause, where such persons
10 willfully refuse or fail on grounds of religious belief to undertake any duty
11 generally and uniformly imposed on all such persons or any group of them
12 which duty, having regard to its nature and the special circumstances, is in the
13 opinion of the University reasonably justifiable in the national interest.

Application of
the Land Use Act
Cap. L5 LFN,
2004

14 **20.**-(1) For the Land Use Act, which provides for the compulsory
15 acquisition of land for public purposes, any purpose of the University shall be
16 the same as that of the Federation. (2) Where an estate or interest in land is
17 acquired by the Government under this Clause, the Government may, by a
18 certificate under the hand and seal of the Chief Federal Lands Officer or any
19 other person authorized on that behalf transfer it to the University.

Consent of Visitor
in Land deals
Cap. L5 LFN,
2004

20 **21.** Without prejudice to the provisions of the Land Use Act, the
21 University shall not dispose of or charge any land or an interest in any land,
22 including any land transferred to the University by this Act, except with the
23 prior written consent, either general or special, of the Visitor, provided that
24 such consent shall not be required in the case of any lease or tenancy at a rack-
25 rent for a term not exceeding 21 years of any lease or tenancy to a member of
26 the University for residential purpose.

Quorum

27 **22.** Except as may be otherwise provided by statute or by regulation,
28 the quorum and procedure of any body of persons established by this Bill shall
29 be such as may be determined by that body.

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

5 (a) exercise on its behalf, such of its functions as it may determine,
6 and

7 (b) co-opt members and direct whether or not co-opted members
8 shall be entitled to vote in that committee.

9 (2) Any two or more of such bodies may arrange for the holding of
10 joint meetings of those bodies or for the appointment of Committees
11 consisting of members of those bodies, to consider any matter within the
12 competence of those bodies or any of them and either dealing with it or of
13 reporting on it to those bodies or any of them.

14 (3) Except as may be otherwise provided by a Statute or regulation,
15 the quorum and procedure of a committee established or meeting held under
16 this Clause shall be such as may be determined by the body or bodies which
17 have decided to establish the committee or hold the meeting.

18 (4) The Pro-Chancellor and the Vice-Chancellor shall be members
19 of every committee of which the members are wholly or partly appointed by
20 the Council, other than a committee appointed to inquire into the conduct of
21 the officer in question and the Vice-Chancellor shall be a member of every
22 committee of which the members are wholly or partly appointed by the
23 Senate.

24 (5) Nothing in this Clause shall be construed as enabling-

25 (a) statutes to be made otherwise than by Clause 11 of this Bill; or

26 (b) the Senate to empower any other body to make regulations to
27 award degrees or other qualifications.

28 **24.**-(1) The seal of the University shall be such as may be Seal of the
29 determined by the Council and approved by the Chancellor and the affixing University
30 of the seal shall-

1 (a) in the case of certificates issued by the University, be authenticated
2 by the Vice-Chancellor and the Registrar; and

3 (b) in the case of any other document, be authenticated b y a n y
4 member of Council, the Vice-Chancellor, and the Registrar or any other person
5 authorized by Statute.

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

9 (3) Any contract or instrument which, if made or executed by a person
10 not being a body corporate, would not be required to be under seal, may be
11 made or executed on behalf of the University by any person generally or
12 specially authorized to do so by the Council without seal.

13 (4) The validity of the proceedings of any body established under this
14 Bill shall not be affected by-

15 (a) any vacancy in the membership of the body;

16 (b) any defect with the appointment of a member of the body; or
17

18 (c) by reason that any person not entitled to do so took part in the
19 proceedings.

20 (5) Any member of any such body who has a personal interest in any
21 matter proposed to be considered by that body shall disclose his interest to the
22 body and shall not vote on any question relating to that matter.

Cap. 1123, 2004

23 (6) Nothing in section 12 of the Interpretation Act, which provides for
24 the application, about subordinate legislation, of certain incidental provisions,
25 shall apply to Statutes or Regulations made under this Bill.

26 (7) The power conferred by this Bill on anybody to make Statutes or
27 Regulations shall include the power to revoke or vary any-

28 (a) the statute, including the statute, contained in the Second Schedule
29 to this Bill; or

30 (b) Regulation by a subsequent Statute or Regulation as the case may

1 be, provided that the Statutes and Regulations may have different provisions
2 about different circumstances. (8) No stamp or other duty shall be payable in
3 respect of any transfer of property to the University under Clauses 10, 21,
4 and the Second Schedule to this Bill.

5 (9) Any notice or other instrument authorized to be served under
6 this Bill may, without prejudice to any other mode of service, be served by
7 post.

8 **25.** Where in any provisions of this Bill, it is laid down that
9 proposals are to be submitted or a recommendation is to be made by one
10 authority to another through one or more intermediate authorities, every
11 such intermediate authority shall forward any proposal or recommendation
12 received by it under that provided to the appropriate authority; but any such
13 intermediate authority may, if it thinks fit, forward therewith its comments
14 thereon.

Proposal and
recommendation

15 **26.** A person who has a cause of action against the University
16 shall:

Pre-action notice

17 (a) give the University three months' notice, in writing, of intention
18 to commence an action, disclosing the cause of action and served the
19 processes to the principal office of the University; and

20 (b) commence the legal action within two years from the date the
21 cause of action arose.

22 **27.** In this Bill-

Interpretation

23 "Appropriate authority" means any person, body, or authority authorized by
24 law to act in a specific or general capacity about a subject matter;

25 "Campus" means any campus which may be established by the University;

26 "College" means any college which may be established by the University;

27 "Constitution" means the Constitution of the Federal Republic of Nigeria;

28 "Government" means the Federal Government of Nigeria;

29 "Graduate" means a person on whom a degree, other than an honorary
30 degree, has been conferred by the University to him;

1 "Gross misconduct" means any act of misconduct and improper behavior that
2 may be designated as gross misconduct by any Statute or regulation made,
3 under this Bill;
4 "Minister" means the Minister charged with responsibility for education;
5 "Misconduct" means any conduct which is prejudicial to the good name of the
6 University and or discipline and the proper administration of the business of
7 the University;
8 "Officer" does not include the Visitor;
9 "Prescribed" means prescribed by Statute or regulation made under this Bill;
10 "Professor" means a person designated as a professor of the University under
11 provisions made on that behalf by Statute or regulations;
12 "Property" includes rights, liabilities, and obligations;
13 "regulations" means regulations made by the Senate or Council;
14 "Senate" means the Senate of the University established by this Bill';
15 "Statute" means a Statute made by the University under Clause 11 of this Bill;
16 "The provisional Council" means the provisional Council appointed for the
17 University by the President;
18 "Teacher" means a person holding a full-time appointment as a member of the
19 teaching or research staff of the University; and
20 "The University" means the University of Medicine and Health Sciences,
21 Bichi, Kano State.

Citation

22 **28.** This Bill may be cited as University of Medicine and Health
23 Sciences, Bichi, Kano State, Bill, 2021.

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1 except as regards matters for which the Bursar is responsible under paragraph 6
2 (2) of this schedule.

3 (2) The person holding the office of Registrar shall, under that office,
4 be Secretary to the Council, the Senate, Congregation, and Convocation.

5 (3) The Registrar shall hold office for such period and on such terms
6 and conditions as to emoluments as may be specified in his letter of
7 appointment.

8 6.-(1) There shall be for the University, the following Principal
9 Officers in addition to the Registrar-

10 (a) the Bursar; and

11 (b) the University Librarian.

12 (2) The Bursar shall be the Chief Financial Officer of the University
13 and shall be responsible to the Vice-Chancellor for the day-to-day
14 administration and control of the financial affairs of the University.

15 (3) The University Librarian shall be responsible to the Vice-
16 Chancellor for the administration of the University Library and the
17 coordination of all library services in the University and its campuses, colleges,
18 faculties, schools, departments and institutes, and other teaching or research
19 units.

20 (4) The Bursar and the University Librarian shall each hold office for
21 such period and on such terms and conditions as to emoluments as may be
22 specified in their letters of appointment.

23 7. There shall be for the University, a Director of Works, who shall be
24 responsible to the Vice-Chancellor for the administration of the Works
25 Department and shall be responsible for all works, services, and maintenance
26 of Institute facilities.

27 8. There shall be for the University, a Director of Health Services,
28 who shall be responsible to the Vice-Chancellor for the administration of the
29 Health Centre and he shall be the Chief Medical Officer of the University and
30 shall coordinate all matters relating to the health of all staff and students.

1 9.-(1) Any officer mentioned in this Schedule may resign his office

2 in-

3 (a) the case of the Chancellor or Pro-Chancellor, by notice to the
4 Visitor;

(b) in the case of the Vice-Chancellor, by notice to the Council which shall immediately notify the Minister.

(2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

10 SECOND SCHEDULE

11 UNIVERSITY OF MEDICINE AND HEALTH SCIENCES, BICHI, KANO STATE

12 STATUTE No.1

13 *Articles:*

- 14 1. The Council
- 15 2. Finance and General Purpose Committee
- 16 3. The Senate
- 17 4. The Congregation
- 18 5. The Convocation
- 19 6. Organization of Faculties and the Branches thereof
- 20 7. Faculty Board
- 21 8. The Dean of the Faculty
- 22 9. Selection of certain Principal and other key officers
- 23 10. Creation of Academic Post
- 24 11. Appointment of Academic Staff
- 25 12. Appointment of Administrative and Technical Staff

26 *The Council*

1.-(1)Any member of Council holding office under Clause 6(e) (D
(g) or (h) of this Bill may, by notice to the Council resign his office.

(2) A member of Council holding office under Clause 6(e) (f) (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the

1 expiration of a period of four years starting.

2 (3) Where a member of Council holding office under Clause 6(e) (f)
3 (g) or (h) of this Bill vacates office before the expiration of his tenure, the body
4 that appointed him may appoint a successor to hold office for the residue of his
5 unexpired term.

6 (4) A person ceasing to hold office as a member of Council otherwise
7 than by removal for misconduct shall be eligible for re-appointment for only
8 one further period of four years.

9 (5) The quorum of the Council shall be five, at least one of whom shall
10 be a member under Clause 6(d) and (e) of this Bill.

11 (6) If the Pro-Chancellor is not present at a meeting of the Council, the
12 members present at the meeting may appoint one of them to be the Chairman at
13 that meeting, and subject to Clause 5 of this Bill and the provisions of this
14 paragraph, the Council may regulate its procedure.

15 (7) Where the Council desires to obtain advice concerning any
16 particular matter, it may co-opt not more than two persons for that purpose; and
17 the persons co-opted may take part in the deliberations of the Council at any
18 meeting but shall not be entitled to vote.

19 (8) The Council constituted by this Bill shall have a four-year tenure
20 from the date of its inauguration, provided that where a Council is found to be
21 incompetent and corrupt, it shall be dissolved by the visitor and a new Council
22 shall be immediately constituted for the effective functioning of the University.

23 (9) The powers of the Council shall be exercised under the laws and
24 Statutes of the University, and to that extent, establishment circulars that are
25 inconsistent with the laws and Statutes of the University shall not apply to the
26 University.

27 THE FINANCE AND GENERAL PURPOSE COMMITTEE

28 *Congregation*

29 4.-(1) The Congregation shall consist of-

30 (a) the Vice-Chancellor and the Deputy Vice Chancellors;

(b) the full-time members of the academic staff;

(c) the Registrar;

(d) the Bursar; and

(e) every member of the administrative and technical staff who holds a degree of any Institute recognized for this Statute by the Vice-Chancellor, not being an honorary degree.

(2) Subject to Clause 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of Congregation when he is present, and, in his absence, one of the Deputy Vice Chancellors appointed by him shall be the Chairman at the meeting.

(3) The quorum of Congregation shall be one-third, or the nearest whole number to one-third, of the total number of members of Congregation or fifty, whichever is less.

14 (4) A certificate signed by the Vice-Chancellor specifying-

15 (a) the total number of members of the Congregation for any
16 particular meeting or meetings of the Congregation, or

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

(5) Subject to the provisions of this Schedule, the Congregation
may regulate its procedure.

(6) The Congregation shall be entitled to express by, resolution or otherwise, its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute or regulations.

27 *The Convocation*

28 5.-(1) The Convocation shall consist of-

29 (a) the Officers of the University mentioned in the First Schedule to
30 this Bill;

- 1 (b) all teachers within the meaning of this Bill; and
- 2 (c) all other persons whose names are registered under subparagraph
- 3 (2) of this paragraph.
- 4 (2) A person shall be entitled to have his name registered as a member
- 5 of the convocation if he-
- 6 (a) is either a graduate of the University or a person satisfying such
- 7 requirements as may be prescribed for this paragraph, and
- 8 (b) applies for the registration of his name in the prescribed manner
- 9 and pays the prescribed fee.
- 10 (3) Regulations shall provide for the establishment and maintenance
- 11 of a register for this paragraph and, subject to sub-paragraph (3), may provide
- 12 for the payment from time to time of further fees by persons whose names are
- 13 on the register and for the removal from the register of the name of any person
- 14 who fails to pay those fees.
- 15 (4) The person responsible for maintaining the register shall, without
- 16 the payment of any fee, ensure that the names of all persons who are for the time
- 17 being members of the Convocation under sub-paragraph (I)(a) or (b) of this
- 18 paragraph are entered and retained in the register.
- 19 (5) A person who reasonably claims that he is entitled to have his
- 20 name on the register shall be entitled to demand to inspect the register or a copy
- 21 of the register at the principal offices of the University at all reasonable times.
- 22 (6) The register shall, unless the contrary is proved, be sufficient
- 23 evidence that any person named therein is, and that any person not named
- 24 therein is not, a member of the convocation; but to ascertain whether a
- 25 particular person was such a member on a particular date, any entry in, and
- 26 deletion from, the register made on or after that date shall be disregarded.
- 27 (7) The quorum of the Convocation shall be fifty or one-third, or the
- 28 whole number nearest to one-third, of the total number of members of the
- 29 Convocation whichever is less.
- 30 (8) Subject to Clause 5 of this Bill, the Chancellor shall be Chairman

1 at all meetings of the Convocation when he is present, and, in his absence,
2 the Vice-Chancellor shall be the Chairman at the meeting.

(9) The Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by Statute.

6 *Organization of faculties and branches Thereof*

7 6. Each Faculty shall be divided into a such number of branches as
8 may be prescribed.

7.-(1) There shall be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall-

(a) regulate the teaching and study of, and the conduct of
examinations connected with, the subjects assigned to the faculty;

(b) deal with other matters assigned to it by Statute, the Vice-Chancellor or the Senate; and (c) advise the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.

17 (2) Each Faculty Board shall consist of-

18 (a) the Vice-Chancellor;

19 (b) the persons severally in charge of the branches of the faculty;

(c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and

(d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.

(3) The quorum of the Board shall be 8 members or one-quarter of the members of the Board for the time being, whichever is greater.

(4) Subject to the provisions of this Statute and any provision made by regulations on that behalf, the Board may regulate its procedure.

28 *The Dean of the Faculty*

29 8.-(1) The Dean of a Faculty shall be a professor elected by the
30 Faculty Board and such Dean shall hold office for a term of two years and

1 may be eligible for re-election for another term of two years after which he may
2 not be elected again until two years have elapsed.

3 (2) If there is no professor in a faculty, the Vice-Chancellor shall
4 appoint an acting Dean who shall not be below the rank of Senior Lecturer for
5 the faculty, who shall act for one year in the first instance, renewable for
6 another one year only.

7 (3) In the absence of the Vice-Chancellor, the Dean shall be the
8 Chairman at all meetings of the Faculty Board when he is present and he shall
9 be a member of all committees and other boards appointed by the faculty.

10 (4) The Dean of a faculty shall exercise general superintendence over
11 the academic and administrative affairs of the faculty and shall present to the
12 Convocation for the conferment of Degrees, persons who have qualified for the
13 Degrees of the University at examinations held in the branches of learning for
14 which responsibility is allocated to that faculty.

15 (5) There shall be a committee to be known as the Committee of
16 Deans which shall consist of all the Deans of the several faculties and that
17 committee shall advise the Vice-Chancellor on all academic matters and
18 particular matters referred to the Committee by the Senate.

19 (6) The Dean of a faculty may be removed from office for a good
20 cause by the Faculty Board after a vote would have been taken at a meeting of
21 the Board, and in the event of a vacancy occurring following the removal of the
22 Dean, a Billing Dean may be appointed by the Vice-Chancellor provided that at
23 the next faculty board meeting an election shall be held for a new Dean.

24 (7) In this article, "good cause" has the same meaning as in Clause 17
25 (4) of this Bill.

26 *Selection of certain Principal and other key Officers*

27 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,
28 the University Librarian, Director of Works, or Director of Health Services, a
29 Selection Board shall be constituted by the Council and shall consist of-

30 (a) the Pro-Chancellor;

(b) the Vice-Chancellor;

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

(d) two members appointed by the Senate not being members of Council.

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

(3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.

13 *Creation of Academic Post*

14 10. Recommendation for the creation of posts other than those
15 mentioned in paragraph 9 of this Schedule shall be made by the Senate to the
16 Council through the Finance and General Purposes Committee.

17 *Appointment of Academic Staff*

18 11. Subject to this Bill and the Statute made under it, the filling of
19 vacancies in academic posts, including newly created ones, shall be as
20 prescribed from time to time by Statute.

21 *Appointment of Technical Staff Administrative and Technical Staff*

12.-(1) The administrative and technical staff of the University,
other than those mentioned in paragraph 9 of this Schedule, shall be
appointed by the Council or on its behalf by the Vice-Chancellor or the
Registrar under any delegation of powers made by the Council on that
behalf.

(2) In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the University of Medicine and Health Sciences, Bichi, Kano State to serve as a training institution for the development of medical education in Nigeria and encourage the development of learning and professional development in Medicine and other Medical related courses.

FEDERAL POLYTECHNIC, TOMBIA, BILL, 2021

ARRANGEMENT OF SECTIONS

Sections:

PART 1 - ESTABLISHMENT, OBJECT, AND COMPOSITION OF THE
POLYTECHNIC

1. Establishment
2. Objects
3. Power of the Polytechnic
4. Power of the Polytechnic to make statutes
5. Mode of exercise of power to make statutes
6. Staff regulations
7. Affiliation
8. The Visitor
9. Directives from the Visitor
10. Composition of the Polytechnic

PART II - GOVERNING COUNCIL, CONSTITUTION, FUNCTIONS AND
MEETINGS, ETC. OF COUNCIL AND OFFICIALS OF THE POLYTECHNIC

11. Establishment of the Governing Council
12. Composition of the Council
13. Functions of the Governing Council
14. Appointment of Chairman and Special members of the Council
15. Qualification and disqualification of members of the Council.
16. Tenure of Office of Council Members
17. Status and functions of Chairman of Council
18. Secretary to the Governing Council
19. Remuneration
20. Directions
21. Meetings of the Council
22. Committees of the Governing Council
23. Finance and General Purposes Committee

-
24. Management Committee
 25. Appointments and Promotions Committee
 26. Committee on Students Affairs
 27. Council Regulations
 28. Appointments of sub-committee
 29. Establishment and composition of the Academic Board
 30. Functions of the Academic Board
 31. Revocation of degrees, diploma, etc.
 32. Meetings of Academic Board
 33. Tenure of office of member
 34. Committees of the Academic Board
 35. Power of the Academic Board to make regulations
 36. Principal Officers of the Polytechnic
 37. The Rector
 38. Procedure for Appointment of the Rector
 39. Functions of the Rector
 40. Removal of Rector
 41. Units in the office of the Rector
 42. Former Rector
 43. The Deputy Rectors
 44. Tenure of office of Deputy Rectors
 45. The Registrar
 46. Other Principal Officers of the Polytechnic
 47. Principal Officers Selection Committee
 49. Boards of Schools or Institutes
 50. Deans of Schools or Institutes
 51. Sub-Deans of Schools or Institutes
 52. Committee of Deans of Schools and Institutes
 53. Departmental Board
 54. Functions of Departmental Board

- 55. Quorum of meetings of Board.
- 56. Head of Department
- 57. Congregation
- 58. Convocation
- 59. Establishment of an Industrial Service and Entrepreneurship Development Centre
- 60. Staff School

PART III - STAFF CONDITIONS OF EMPLOYMENT, DISCIPLINE OF
STAFF AND STUDENTS

- 60. Staff of the Polytechnic
- 61. Pensions
- 62. Removal and discipline of academic, senior administrative and technical staff
- 63. Discipline of Rector.
- 64. Discipline of staff by Rector
- 65. Discipline of junior staff
- 66. Discipline of students

PART IV - FINANCIAL COMPENDIUM

- 67. Funds and Resources of the Polytechnic
- 68. Power to borrow and invest
- 69. Annual estimates
- 70. Annual Accounts and Audit
- 71. Financial Year

The financial year of the Polytechnic is the same as the financial year of the State Government.

- 72. Annual Report
- 73. Chief Internal Auditor.
- 74. Auditors to have access to books, etc.

PART V - TRANSITIONAL PROVISIONS

- 75. Liability.

76. Declaring personal interest.

PART VI - MISCELLANEOUS AND GENERAL PROVISIONS

77. Miscellaneous administrative Provisions

78. Validity of proceedings

79. Interpretation

80. Citation

PART I

Schedule 1

Meetings of the Governing Council

Schedule 2

PART II

Meetings of the Academic Board

[Section 32]

SCHEDULE 3

Industrial Service and Entrepreneurship Development Centre

[Section 58(2)]

SCHEDULE 4

Staff School

[Section 59 (2)]

FOR

Sponsored by Hon. Dagogo Doctor Farah

[] Commencement

1 PART 1 - ESTABLISHMENT, OBJECT, AND COMPOSITION OF

2 THE POLYTECHNIC

3	1.-(1) There is established a Polytechnic known as the Federal	Establishment, Object and
4	Polytechnic, Tombia (in this Bill referred to as "the Polytechnic").	Composition of the Polytechnic

5 (2) The Polytechnic:

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;

9 (c) may acquire, hold and dispose of moveable or immovable
10 property, for the purpose of performing its function.

11 **2.** The objects of the Polytechnic are to: Objects

(a) provide courses of instruction, training and research in science, technology, engineering, arts, mathematics (STEAM) and any other field of learning as the Polytechnic may determine periodically always having regard to the manpower needs of the State in particular and Federation in general;

(b) produce a middle-level manpower required for the development of the State in particular and Federation in general;

19 © produce graduates that are self-reliant in their chosen professions or fields
20 with the right aptitude for entrepreneurship;

1 (d) provide courses of instruction in technology and any other facility
2 for the training of technological and technically inclined students;

3 (e) relate its courses of instruction, activities and services to the
4 social, cultural and economic needs of the people of Nigeria and society in
5 general;

6 (f) provide special training courses including technical education and
7 in-service training for members of the public service and private sector;

8 (g) encourage, promote and propagate the repair and maintenance culture;

9 (h) prepare and groom students in skills and entrepreneurship and for
10 university entry requirements;

11 (i) address the problems posed by the nation's developmental needs
12 and the peculiar difficult terrain of the State through teaching and research into
13 an appropriate technology and management; and

14 (j) undertake any other activity appropriate for a Polytechnic of the
15 highest standard.

Power of the
Polytechnic

16 **3.-(1)** Pursuant to section 2, the Polytechnic has power to:

17 (a) provide any course of instruction, training and research in science,
18 technology, engineering, arts and mathematics (STEAM), or any other field of
19 learning as the Governing Council and the Academic Board may deem
20 necessary;

21 (b) establish any campus, college, school, faculty, institute, centre,
22 extra moral department or teaching and research unit in the Polytechnic as it
23 deems necessary;

24 (c) institute any post or office, obtainable in a Polytechnic, make any
25 appointment into the post or office and provide conditions of service of staff as
26 approved by the Council;

27 (d) institute and award any scholarship, exhibition, bursary, medal,
28 prize or any other title, distinction, an award, grant any form of assistance to
29 and confer honours on a person, under any condition or manner as it deems
30 necessary;

1 (e) prescribe rules for the discipline and welfare of a staff and
2 student of the Polytechnic;

3 (f) hold any examination and award a diploma, certificate or any
4 other distinction to a person who has pursued a course of study approved by
5 the Polytechnic and has satisfied the requirements of the examination and
6 any other requirements as the Polytechnic may lay down;

7 (g) demand and receive from a student or any other person
8 attending the Polytechnic for the purpose of instruction any fee as the
9 Polytechnic may determine;

10 (h) acquire, hold, grant, charge or deal with or dispose of movable
11 and immovable property wherever situated, subject to section 67;

12 (i) accept any gift, legacy or donation but without obligation to
13 accept the gift legacy or donation for a particular purpose unless it approves
14 any term or condition attached to it;

15 (j) enter into any contract or any other transaction, establish trust,
16 act as trustee solely or jointly with any other person, employ and act through
17 an agent;

18 (k) provide, equip and maintain any library, laboratory, lecture hall,
19 hall of residence, refectory, sport ground, playing field and any other
20 building or thing necessary for the attainment of any of the objects of the
21 Polytechnic;

22 (l) provide for delivery and holding of any academic lecture, class,
23 public lecture, exhibition, symposium, conference, seminar or workshop to
24 advance any of the objects of the Polytechnic;

25 (m) print, publish, design, patent or reproduce any work as may be
26 issued produced by the Polytechnic;

27 (n) sell or provide for reward or otherwise any book, literature,
28 design or other goods and services as may be considered expedient and
29 consistent with the objects of the Polytechnic;

30 (o) enter into:

- 1 (i) partnership or make an arrangement for sharing any profit;
- 2 (ii) a joint venture with any company, person or association of persons
- 3 carrying on or proposing to carry on a business which the Polytechnic is
- 4 authorised to carry on; or
- 5 (iii) any business capable of being conducted so as to directly or
- 6 indirectly benefit the Polytechnic;
- 7 (p) acquire and hold shares, stocks or other securities of a company or
- 8 association;
- 9 (q) invest any money of the Polytechnic not immediately required for
- 10 current expenditure in any investment, venture or security or the acquisition or
- 11 improvement of land, with power to vary the investments and to deposit any
- 12 uninvested money in a bank on deposit or current account, subject to any
- 13 limitation or condition imposed by the Visitor or the Council;
- 14 (r) (i) borrow, whether on interest or not, and where necessary, on the
- 15 security of any or all the properties of the Polytechnic, money as the Council
- 16 may deem necessary; or
- 17 (ii) guarantee any loan, advances or credit facility, with the written
- 18 approval of the Visitor.
- 19 (s) provide for residential and any other welfare facility for the staff of
- 20 the Polytechnic;
- 21 (t) prescribe in its statutes any condition under which a person may
- 22 be:
- 23 (i) admitted as a student of the Polytechnic for any course of study
- 24 provided by the Polytechnic; and
- 25 (ii) conferred with any fellowship, honour, prize or any other
- 26 distinction of the Polytechnic; and
- 27 (u) perform any other function incidental to the attainment and
- 28 advancement of the objects of the Polytechnic.
- 29 (2) Subject to this Bill and regulations made, and without prejudice to
- 30 Section 2, the powers conferred on the Polytechnic are exercisable by Council

1 on behalf of the Polytechnic or in any other manner authorised by
2 regulations.

3 (3) The power of the Polytechnic to establish any other campus,
4 school, institute or centres shall not be exercised except with the written
5 approval of the Council.

6 4.-(1) Subject to this Bill, the Polytechnic may make statutes for: Power of the
Polytechnic to
make statutes

7 (a) making provision with respect to the composition and
8 constitution of any authority of the Polytechnic;

9 (b) specifying and regulating powers and duties of any authority of
10 the Polytechnic and regulating any other matter connected with the
11 Polytechnic or any of its authorities;

12 (c) regulating the admission of every student, his course of study
13 and welfare;

14 (d) determining whether any matter is to be treated as academic or
15 non-academic for the purposes of this Bill and of any statute, regulation or
16 other instrument made under this Bill; and

17 (e) any other matter authorized by Statute or this Bill.

18 5.-(1) The power of the Polytechnic to make statutes shall be Mode of exercise
of power to make
statutes
19 exercised in accordance with this Section.

20 (2) A proposed Statute becomes effective if it is approved at a
21 meeting of the:

22 (a) Academic Board by the votes of not less than 2/3 of the total
23 number of members of the Academic Board present and voting; and

24 (b) Council, by the votes of not less than 2/3 of the total number of
25 members of the Council present and voting.

26 (3) A proposed statute may:

27 (a) originate either in the Academic Board or Council; and

28 (b) be approved by the Academic Board and Council in accordance
29 with subsection (3) of this Section.

30 (c) An approved statute shall be under the hand of the Chairman of

	1	Council and the seal of the Polytechnic.
Staff regulations	2	6. -(1) The Council may, subject to this Bill, make regulations for staff
	3	relating to the conditions of service.
	4	(2) The regulations may provide for:
	5	(a) the appointment, promotion, discipline and dismissal of staff of
	6	the Polytechnic; and
	7	(b) an appeal by a staff against dismissal or any other disciplinary
	8	measure.
Affiliation	9	7. -(1) The Polytechnic has power to collaborate, associate or affiliate
	10	with any institution for advancement of its objects and functions.
	11	(2) Notwithstanding subsection (1), the Polytechnic may, by special
	12	agreement, affiliate with any institution of learning and prepare its students for
	13	any matriculation requirement, diploma, degree, certificate or any other
	14	distinction of that institution.
The Visitor	15	8. -(1) The Minister of Education is the Visitor to the Polytechnic.
	16	(2) The Visitor shall, shall, in not less than once every five years,
	17	constitute a visitation of the college or appoint a visitation panel, consisting of
	18	not less than five experts, to conduct the visitation.
	19	(a) for the purpose of evaluating the academic and administrative
	20	performance of the Polytechnic;
	21	(b) for such other purpose or in respect of any other affairs of the
	22	Polytechnic as the Visitor may deem fit.
Directives from the Visitor	23	9. -(1) Subject to this Bill, the Minister, as the visitor to the
	24	Polytechnic, may give to the Council any directive of a general or specific
	25	nature with respect to the effective performance of its functions and the
	26	Council shall comply with the directives.
	27	(2) The Council is answerable to the Visitor in the exercise of its
	28	powers and functions under this Bill.
Composition of the Polytechnic	29	10. The Polytechnic consists of:
	30	(a) a Governing Council;

- 1 (b) a Rector;
- 2 (c) Deputy Rectors (Academic and Administration);
- 3 (d) a Registrar;
- 4 (e) a Bursar;
- 5 (f) a Polytechnic Librarian;
- 6 (g) a Director of Works and Maintenance Services;
- 7 (h) a Director of Medical Services;
- 8 (i) an Academic Board;
- 9 (j) a body to be called the Congregation;
- 10 (k) a body to be called Convocation;
- 11 (l) Campuses, Colleges and Schools of the Polytechnic;
- 12 (m) Faculties, Institutes, Centres and other Teaching and Research
- 13 Units of the Polytechnic;
- 14 (n) registered students of the Polytechnic; and
- 15 (o) any other person who becomes a member of the Polytechnic
- 16 under any regulation.

17 PART II - GOVERNING COUNCIL, CONSTITUTION, FUNCTIONS AND
18 MEETINGS, ETC. OF COUNCIL AND OFFICIALS OF THE POLYTECHNIC.

19 **11.**-(1) There is established for the Polytechnic a body known as
20 the Governing Council (referred to as "the Council").

Establishment
of the Governing
Council

21 **12.** The Council consists of:

Composition of
the Council

- 22 (a) the Chairman;
- 23 (b) 7 members representing the following professions:
- 24 (i) accounting;
- 25 (ii) engineering;
- 26 (iii) industry and Commerce;
- 27 (iv) law;
- 28 (v) management and Administration;
- 29 (vi) physical and Environmental Sciences;
- 30 (c) the Rector;

	1	(d) the Deputy Rector;
	2	(e) 2 members representing the Academic Board of the Polytechnic;
	3	(f) the Permanent Secretary of the Federal Ministry of Education or
	4	his representative not below the rank of a Director;
	5	(g) the Permanent Secretary of Federal Ministry of Finance or his
	6	representative not below the rank of a Director;
	7	(h) a representative of the National Board for Technical Education;
	8	(i) an Alumnus to be selected by the Alumni Association of the
	9	Polytechnic; and
	10	(j) two members selected to represent the non-academic staff of the
	11	Polytechnic.
Functions of the Governing Council	12	13. The Council:
	13	(a) is responsible for the formulation of policies of the Polytechnic;
	14	(b) is responsible for the general control and supervision of every
	15	activity, finance and property of the Polytechnic;
	16	(c) shall ensure that courses of instruction provided by the
	17	Polytechnic conform to the required standards;
	18	(d) shall pursuant to Part IV of this Bill, ensure that proper accounts of
	19	the Polytechnic are kept and that the accounts are audited annually by qualified
	20	auditors and that an annual report is published by the Polytechnic together with
	21	the certified copies of the account as audited;
	22	(e) may make regulations relating to any internal matter under its
	23	control; and
	24	(f) may perform any other function, which it deems necessary, to
	25	promote the best interest of the Polytechnic and for the effective performance
	26	of its functions and attainment of its objects.
Appointment of Chairman and Special members of the Council	27	14. The President shall appoint the Chairman and 7 special members
	28	of the Council.
Qualification and disqualification of members of the Council	29	15.-(1) Any person to be appointed to the Council shall be a person of
	30	proven integrity, knowledgeable and acquainted with the working and tradition

1 of a tertiary institution.

2 (2) No person is qualified to be appointed a member of the Council
3 if he has been:

4 (a) convicted of a felony or an offence involving dishonesty or
5 corruption and has not been granted a pardon;

6 (b) found guilty of a contravention of the Code of Conduct;

7 (c) found by a report of a Commission of inquiry or any other court
8 of competent jurisdiction:

9 (i) to be unfit to hold public office; or

10 (ii) that being a public officer, he had acquired assets unlawfully,
11 defrauded the State, misused or abused his office, or wilfully acted in a
12 manner prejudicial to the interest of the State, and the findings have not been
13 set aside on appeal or judicial review.

14 (d) known or adjudged to be of unsound mind; or

15 (e) an undischarged bankrupt.

16 **16.-(1)** The Chairman and 7 special members shall hold office for a
17 term of 4 years from the date of appointment and are eligible for re-
18 appointment for a further term of 4 years and no more.

Tenure of Office
of Council Members

19 (2) The two terms in subsection (1) shall run consecutively.

20 (3) A member, other than an ex officio member shall cease to be a
21 member if:

22 (a) he resigns his office in writing addressed to:

23 (i) the Visitor, in the case of the special members appointed by him;

24 and

25 (ii) the Council in all other cases.

26 (b) he is removed from office by the Visitor acting in accordance
27 with the advice of the Council for disability, neglect of duty or misconduct.

28 (4) A member nominated by any authority or body as its
29 representative on the Council shall cease to be a member if:

30 (a) he is no longer an employee or a member of the authority or

- 1 body which he represents; or
- 2 (b) the Visitor, on the recommendation of the authority or other body
- 3 by writing addressed to him and copied to the Chairman of the Council,
- 4 revokes his appointment.
- 5 (5) Where a member of the Council:
- 6 (a) is absent from Nigeria for a continuous period of six months;
- 7 (b) is absent from three consecutive meetings without a written
- 8 permission from:
- 9 (i) in the case of the Chairman, the Council through the Secretary of
- 10 the Council;
- 11 (ii) in the case of a member, or where it is impracticable to obtain the
- 12 written permission the member may obtain an oral permission from the
- 13 Chairman;
- 14 (c) is removed from office;
- 15 (d) resigns from office;
- 16 (e) is unable to discharge the functions of his office whether arising
- 17 from infirmity of mind or body, or any other cause; and
- 18 (f) dies; the Council may request the Visitor to appoint another person
- 19 (in case of a special member) or the authority or body that nominated the
- 20 member to nominate another person to replace him.
- 21 (6) The Chairman of the Council shall notify the Visitor, of any
- 22 vacancy in the membership of the Council.
- 23 (7) Where a member of the Council is temporarily unable to discharge
- 24 the functions of his office either by illness or any other cause:
- 25 (a) the Visitor may, acting on the recommendation of the Council
- 26 appoint another person, in the case of a special member, or
- 27 (b) the authority or body that nominated the member may, on the
- 28 recommendation of the Council, nominate another person, to act in his office
- 29 until that member is able to perform the duties of his office.

1	17.-(1) The Chairman of the Council shall:	Status and functions of Chairman of Council
2	(a) in relation to the Polytechnic, take precedence over every	
3	member of the Polytechnic; and	
4	(b) preside at every meeting of the Convocation held for award of a	
5	diploma, certificate or prize, or any other qualification approved by the	
6	appropriate regulatory body.	
7	(2) Where there is a question as to the scope of the Chairman's	
8	powers, it shall, subject to this Bill, be determined by the Council.	
9	18. -(1) The Registrar of the Polytechnic is the Secretary to the	Secretary to the Governing Council
10	Council.	
11	(2) Where the Registrar is absent or incapable of performing the	
12	functions of his office, the Chairman of the Council may appoint a suitable	
13	person to act as Secretary in a meeting or for the duration of his absence or	
14	incapacity.	
15	(3) The Secretary to the Council shall keep in custody the official	
16	seal and mace of the Polytechnic.	
17	(4) The Secretary to the Council shall not vote on any question	
18	before the Council or count towards a quorum unless, he is entitled to vote as	
19	a member of the Council.	
20	(5) The Secretary to the Council shall:	
21	(a) organize the business and issue notice of meeting of every	
22	meeting of the Council;	
23	(b) keep minutes of every meeting of the Council;	
24	(c) attend every meeting of the Council and its Committees;	
25	(d) perform every secretarial duty in respect of the meeting;	
26	(e) advise on compliance with the applicable rules and regulations;	
27	(f) keep every record of the Polytechnic; and	
28	(g) carry out any administrative and secretarial duties as directed	
29	by the Council.	

Remuneration	1	19. A member of the Council shall be paid allowances as may be
	2	determined by the Visitor.
Directions	3	20. -(1) The Council may give to the Rector, any other person or body
	4	a direction on a matter under its control and the Rector, the person or body shall
	5	comply with the direction.
	6	(2) The direction shall:
	7	(a) be in writing and under the hand of the Chairman or a person
	8	authorized; and
	9	(b) come into force when issued under the seal of the Polytechnic or
	10	on any other date as may be specified.
Meetings of the Council	11	21. A meeting of the Council is as prescribed in Schedule 1.
Committees of the Governing Council	12	22. -(1) The Council may appoint any. committee consisting of
	13	persons as it deems necessary to perform on its behalf any function as the
	14	Council may determine;
	15	(2) A decision of any committee shall not have effect unless it is
	16	ratified by the Council.
Establishment of the Finance and General Purposes Committee	17	<i>Finance and General Purposes Committee</i>
	18	23. -(1) A committee of the Council known as the Finance and General
	19	Purposes Committee is established.
	20	(2) The Committee consists of:
	21	(a) the Chairman of the Council as its Chairman;
	22	(b) the Rector;
	23	(c) the deputy Rectors;
	24	(d) the Permanent Secretary, Federal Ministry of Education, or in his
	25	absence, a member of the Ministry not below the rank of a Director as he may
	26	designate to represent him;
	27	(e) the Permanent Secretary, Federal Ministry of Finance, or in his
	28	absence, a member of the Ministry not below the rank of a Director as he may
	29	designate to represent him.
	30	(f) 4 members of the Council, one of whom shall be a member

1 representing the Academic Board in the Council.

2 (3) The Finance and General Purposes Committee shall, subject to
3 the directives of the Council, exercise control over the property and
4 expenditure of the Polytechnic and perform any other function as the
5 Council may delegate or prescribe by regulations.

Functions of the
Finance and
General Purposes
Committee

6 (4) The Finance and General Purposes Committee shall meet not
7 less than 4 times in a year, and at other times as the Council may direct, for
8 the performance of its functions.

Meeting of Finance
and General
Purposes Committee

9 (5) The quorum of the Committee is a simple majority of the total
10 number of members including 2 members who are not members of staff of
11 the Polytechnic.

Quorum

12 (6) Subject to this Bill, the Finance and General purposes
13 Committee may make rules for the performance of its functions and
14 regulating its procedure.

Power to make
rules

15 (7) Pursuant to subsection (6) the rules made by the Finance and
16 General Purposes Committee shall not come into force unless ratified by the
17 Council;

18 (8) Where a rule made by the Finance and General purposes
19 conflict with any directive of the council, whether before or after the coming
20 into force of the rule, the rector of the council shall prevail.

21 **24.-(1)** A Committee of the Council known as the Management
22 Committee is established.

Management
Committee

23 (2) The Committee consists of the:

24 (a) Principal Officers of the Polytechnic under Section 36;

25 (b) Deans of Schools and Institutes;

26 © Director of the Consultancy Unit; and

27 (d) Director of the Entrepreneurial and Industrial Centre.

28 (2) The Management Committee officers are the:

29 (a) Rector as the Chairman or in his absence the Deputy Rector

30 (Administration); and

Functions of Management Committee	1	(b) Registrar as the Secretary or in his absence, his nominee.
	2	(3) The Management Committee shall:
	3	(a) in the absence of the Council, perform any function incidental to
	4	the objects and functions of the Polytechnic;
	5	(b) advise and guide the Rector on the administration of the
	6	Polytechnic; and
	7	(c) make any proposal to the Council through the Rector on the
	8	administration and management of the Polytechnic.
	9	(4) The Management Committee shall meet once in a month and may
	10	hold any special meeting where it deems necessary.
	11	(5) The quorum of the Management Committee is a simple majority
Appointments and Promotions Committee	12	of the total number of members of the Committee.
	13	25. -(1) The Appointment and Promotion Committee:
	14	(a) consists of the Rector as Chairman and 4 other members appointed
	15	by the Council;
	16	(b) is responsible for recommending to the Council the appointment
	17	and promotion of the academic and senior non-academic staff of the
	18	Polytechnic; and
	19	(c) has a quorum of 3 members.
	20	(2) The Junior Staff Appointment and Promotion Committee:
	21	(a) consist of the Deputy Rector as Chairman and 4 other members
	22	appointed by the Rector; and
	23	(b) is responsible for recommending to the Rector on the appointment
	24	and promotion of any Junior Staff in the Polytechnic.
	25	(3) The Appointments and Promotions Committee shall, in the
	26	performance of its functions, ensure that where a new policy introduces any
	27	new requirement for the promotion of staff, the new policy shall not come into
	28	effect until after a period of 3 academic sessions from the date of approval of
	29	the new policy by the Council.
	30	(4) The new policy must be published and circulated, within 7 days of

1 its approval by the Council, to every department in the Polytechnic in order
2 to ensure that every staff of the Polytechnic is aware of the new policy.

3 (5) The appointment of academic and non-academic staff by the
4 Council may be on permanent, temporary or contract basis as the Council
5 may consider necessary.

6 **26.**-(1) A Committee of the Council known as the Committee on
7 Students' Affairs is established. Committee on
Students Affairs

8 (2) The Committee consists of:

9 (a) the Deputy Rector as Chairman;

10 (b) a member of the Council;

11 (c) Dean of students' affairs;

12 (d) 2 members of the Academic staff not below the rank of senior
13 lecturer; and

14 (e) 2 representative of the students union of the Polytechnic.

15 (3) The Committee shall:

16 (a) consider any matter which relates to the welfare of students;

17 (b) consider and advise the Rector on any matter relating to the
18 students of the Polytechnic; and

19 (c) consider any other matter referred to it by the Council, the
20 Academic Board, the Rector or the Students of the Polytechnic;

21 (4) A matter which any student wishes to refer to Council shall first
22 be referred to the management committee, which may refer the matter to the
23 committee on student affairs.

24 **27.** The Council shall by regulations:

Council
Regulations

25 (a) prescribe the composition and quorum of the Committees;

26 (b) define the procedures of the Committees; and

27 (c) enlarge the functions of the Committees where it deems
28 necessary.

29 **28.**-(1) A body established under this Bill has power to appoint any
30 committee, whether or not consisting exclusively of members of that body, Appointment of
sub-committee

Establishment
and composition
of the Academic
Board

1 and to authorise the committee established by it to:

2 (a) exercise, on its behalf, any of its functions as it deems necessary
3 and consider and report on a matter within the competence of the body
4 establishing it; and

5 (b) co-opt any member, and may direct whether or not the co-opted
6 member is entitled to vote in that committee.

7 **29.-(1)** A Board of the Polytechnic known as the Academic Board is
8 established.

9 (2) The Board consists of:

10 (a) the Rector;

11 (b) the Deputy Rectors;

12 (c) The Registrar who is the Secretary to the Academic Board.

13 (d) the Deans of Schools and Institutes, and Directors of Centres of
14 the Polytechnic;

15 (e) Chief Lecturer of the Polytechnic, but where a School or Institute
16 does not have a Chief Lecturer, a Principal Lecturer or a Senior Lecturer, where
17 there is no Principal Lecturer, may be elected by the Board of the School or
18 Institute to represent the School or Institute;

19 (f) Heads of Academic Departments of the Polytechnic; and

20 (g) the Librarian;

21 (3) The Rector is the Chairman of the Academic Board and in his
22 absence, the Deputy Rector Academic shall act.

Functions of the
Academic Board

23 **30.-(1)** The Academic Board is responsible:

24 (a) for every academic activity of the Polytechnic and any function
25 delegated to it by the council; and

26 (b) to the council.

27 (2) Notwithstanding subsection (1) the Academic Board shall:

28 (a) advise the council and Rector on any academic matter of the
29 Polytechnic, the award of National Diploma (ND), Higher National Diploma
30 (HND), Certificate, prizes, fellowships, and any other Distinction;

1 (b) prepare and approve a curriculum for an academic programme
2 and any other course of instruction in the Polytechnic;

3 (c) regulate admission of students into the Polytechnic by
4 conducting entrance examinations and interviews or other systems of
5 selecting candidates for admission into the Polytechnic;

6 (d) subject to this Bill, establish, organize and control every
7 campus, school, department, centre, institute and any other teaching and
8 research units of the Polytechnic, and allocate responsibility for the different
9 branches of learning;

10 (e) make rules for the award of a diploma, certificate, fellowship,
11 and any other qualification prescribed in connection with any examination
12 held in the Polytechnic, and any other qualification approved by the
13 appropriate regulatory body;

14 (f) make examination rules for courses of instruction at the
15 Polytechnic and appoint external and internal examiners to conduct the
16 examinations of the Polytechnic;

17 (g) approve the results of any examination conducted by the
18 Polytechnic;

19 (h) make every arrangement for and convening any conference,
20 seminar, symposium and provide in-service training, workshop and any
21 other research and training facility for academic staff and students of the
22 Polytechnic; and

23 (i) make periodic reports on any academic matter as it considers
24 necessary to the Council.

25 **31.-(1)** Where after due enquiry, a person is shown to have gained
26 admission into the polytechnic or obtained his award by making false
27 representation on any matter required as a pre-requisite to being admitted or
28 obtaining the award, the Academic Board may deprive the person of the
29 diploma, certificate or any other award of the polytechnic which has been
30 conferred on him.

Revocation of
degrees, discipline,
etc.

	1	(2) Pursuant to subsection (1) the person has a right of appeal to the
	2	council from a decision of the Academic Board.
Meetings of Academic Board	3	32. A meeting of the Board is as prescribed in Schedule 2.
Tenure of office of member	4	33. -(1) An elected member of the Academic Board shall hold office
	5	for a term of 2 years and may be elected for a further term of 2 years and no
	6	more.
	7	(2) Any other member shall hold office for a term specified in his
	8	instrument of appointment.
	9	(3) An elected member may resign his office by notice in writing
	10	addressed to the Academic Board.
	11	(4) The Council shall prescribe the procedure for electing a member to
	12	the Academic Board.
Committees of the Academic Board	13	34. -(1) The Academic Board may, with the approval of the Council,
	14	constitute a Committee of the Board in any School or Institute of the
	15	Polytechnic and for any other purpose as it deems necessary.
	16	(2) The Academic Board may:
	17	(a) refer a matter within its competence to a Committee of the Board
	18	and the Committee shall treat the matter in accordance with the direction of the
	19	Board; and
	20	(b) delegate any of its functions to a Committee as it deems necessary,
	21	but the Academic Board shall not delegate to a Committee its power to award, a
	22	National Diploma, Higher National Diploma, Fellowship, Certificate,
	23	Scholarship or any other academic distinction.
Power of the Academic Board to make regulations	24	35. The Academic Board has power to make regulations for:
	25	(a) teaching, study, research and publication;
	26	(b) any condition which a person may comply with any scheme of
	27	instruction in the Polytechnic;
	28	(c) use of the Polytechnic Library;
	29	(d) timely preparation, publication and strict implementation of the
	30	academic calendar of the Polytechnic;

- 1 (e) conduct and administration of examinations;
- 2 (f) award of a diploma, certificate, fellowship, and any other
- 3 qualification prescribed in connection with any examination held in the
- 4 Polytechnic, and any other qualification approved by the appropriate
- 5 regulatory body;
- 6 (g) procedure for electing a representative of a School or Institute
- 7 where the School or Institute does not have a Chief Lecturer; and
- 8 (h) for the effective implementation of its powers and functions.

9 **36.** The Principal Officers of the Polytechnic are the:

Principal Officers
of the Polytechnic

- 10 (a) Rector;
- 11 (b) Deputy Rectors;
- 12 (c) Registrar;
- 13 (d) Bursar;
- 14 (e) Polytechnic Librarian;
- 15 (f) Director of Works, Maintenance Services; and
- 16 (g) Director of Medical Services.

17 *Appointment of the Rector*

18 **37.-(1)** There shall be a Rector for the Polytechnic who shall be The Rector

19 appointed by the President in accordance with the provisions of this section.

20 (2) The Rector shall hold office on terms and conditions specified

21 in his instrument of appointment.

22 **38.-(1)** Where there is a vacancy in the post of a Rector, the Council Procedure for
appointment of
the Rector

23 shall advertise the vacancy in a manner that provides sufficient notice

24 specifying the:

- 25 (a) qualification and any other requirement in compliance with this
- 26 Law, of a person who may apply;
- 27 (b) job description; and
- 28 (c) terms and conditions of service applicable to the post.

29 (2) There is a Joint Council and Academic Board Selection

30 Committee, which consists of:

- 1 (a) the Chairman of the Council;
2 (b) 2 members of the Council who are not members of the Academic
3 Board; and
4 (c) 2 members of the Academic Board not below the rank of Chief
5 Lecturer.

6 (3) The Joint Council and Academic Board Selection Committee shall
7 draw up a shortlist of suitable candidates from among those who applied for the
8 post of Rector strictly based on merit after a:

9 (a) consideration of their curriculum vitae, academic excellence and
10 administrative competence; and

11 (b) formal interview with each of them, for the purpose of
12 determining their suitability for the post.

13 (4) The Joint Council and Academic Board Selection Committee shall
14 recommend to the Council at least 3 but not more than 5 candidates from
15 among those shortlisted and arranged in order of performance.

16 (5) The Council shall, after considering the candidates recommended
17 by the Joint Council and Academic Board Selection Committee, forward 3 of
18 the names shortlisted to the Minister for appointment.

19 (6) The President shall appoint as Rector, one of the 3 candidates
20 recommended to him.

Functions of
the Rector

21 **39.-(1)** The Rector is:

22 (a) The Academic head and Chief Executive of the Polytechnic; and

23 (b) Responsible for the:

24 (i) execution of Policy decisions of the council;

25 (ii) expenditure of the Polytechnic in accordance with the estimates
26 of the Polytechnic;

27 (iii) presentation of statements of accounts to the Council;

28 (iv) daily administration of the Polytechnic;

29 (v) general authority over the staff; and

30 (vi) maintenance of discipline of staff and students.

1	(2) The Rector shall execute decisions of the Council and perform	
2	any other function as the Council may direct.	
3	(3) The Rector shall hold office for a term of 4 years from the date	Tenure of office of the Rector
4	of his appointment and shall be eligible for a second term of 4 years and no	
5	more, unless he resigns earlier.	
6	(4) A person is qualified for appointment as a Rector of the	Qualifications of the Rector
7	Polytechnic if he:	
8	(a) is an academic staff of the Polytechnic at the time of his	
9	appointment as Rector;	
10	(b) has attained the rank of a Chief Lecturer in the Polytechnic;	
11	(c) holds a doctoral degree, not being an honorary degree from a	
12	recognized academic institution; and	
13	(d) is not disqualified on a ground specified in this Law relating to	
14	the disqualification of staff and a member of any of the bodies of the	
15	Polytechnic.	
16	40. The President may, on the recommendation of the Council,	Removal of Rector
17	remove the Rector from office on grounds of misconduct or inefficiency.	
18	41. The Rector shall establish in the office of the Rector, the	Units in the office of the Rector
19	Information and Public Relations Unit, Legal Unit, Internal Audit Unit and	
20	any other unit as he deems necessary for the effective performance of his	
21	functions.	
22	42.-(1) A Rector, who remains in the service of the Polytechnic at	Former Rector
23	the expiration of his term of office shall revert to a position and salary grade	
24	level:	
25	(a) appropriate to his qualifications and experience; and	
26	(b) in accordance with the guidelines on appointments and	
27	promotions in force in the Polytechnic.	
28	43.-(1) There are a Deputy Rector (Academic) and Deputy Rector	The Deputy Rectors
29	(Administration) for the Polytechnic.	
30	(2) The Deputy Rectors shall be appointed by the Governing	

1 Council from 3 names submitted by the Rector from amongst the academic
2 staff of the Polytechnic not below the rank of a Chief Lecturer.

3 (3) The Deputy Rectors must be persons of high academic standing
4 and possess administrative experience.

5 (4) Where the Rector is absent, the Deputy Rector (Academic) shall
6 act on his behalf, in the absence of the Deputy Rector (Academic), the Deputy
7 Rector (Administration) shall act for the Rector.

8 (5) The Deputy Rectors shall perform any duty assigned to them by
9 the Rector.

Tenure of office
of Deputy Rectors

10 **44.**-(1) A Deputy Rector shall hold office for a single term of 3 years
11 beginning on the date on which he is appointed and on the terms and conditions
12 specified in the instrument of his appointment.

13 (2) Where a Deputy Rector has held office for 3 years, he is not
14 eligible for re- appointment, until 3 years have lapsed from the end of the
15 period in which he last held office as Deputy Rector.

16 (3) Where a Deputy Rector vacates office before his term expires, the
17 Council may, if it thinks fit, appoint a successor to hold the office for the
18 unexpired period of that term.

The Registrar

19 **46.**-(1) The Registrar is the Chief Administrative Officer of the
20 Polytechnic and is responsible to the Rector the general administration of the
21 Polytechnic.

22 (2) The Registrar shall:

23 (a) keep records and conduct the correspondence of the Polytechnic;
24 and

25 (b) perform any other duty assigned to him by the Council or the
26 Rector.

27 (3) The Registrar:

28 (a) is the Secretary to the Council, Academic Board, Congregation,
29 Convocation and Finance and General Purposes Committee of the Council;
30 and

1 (b) shall provide secretarial services for any other body of the
2 Polytechnic as may be prescribed by regulations.

3 **46.-(1)** The Bursar:

Other Principal
Officers of the
Polytechnic Bursar

4 (a) is the chief financial officer of the Polytechnic; and

5 (b) is responsible to the Rector for the administration and control of
6 every financial affair of the Polytechnic.

7 (2) The Polytechnic Librarian:

Polytechnic
Librarian

8 (a) is responsible to the Rector for the administration of the
9 Polytechnic Library; and

10 (b) shall co-ordinate every library service in the Polytechnic, and
11 its campuses, centres, schools, departments, institutes and any other
12 teaching and research units as may be prescribed by regulations.

13 (3) The Director of Works and Maintenance Services is responsible
14 to the Rector for every engineering works and maintenance services of the
15 Polytechnic.

Director of Works
and Maintenance
Services

16 (4) The Director of Medical Services is responsible to the Rector
17 for the Medical care, safety and welfare of every staff and student of the
18 Polytechnic.

Director of
Medical Services

19 (5) Where there is a question as to what an academic is or a
20 financial affair of the Polytechnic, it shall be decided by the Rector.

21 (6) Where there is a question as to the scope of the responsibilities
22 of the Rector or any Principal Officer of the Polytechnic, it shall be decided
23 by the Council.

Question as to
the scope of the
responsibilities

24 (7) The Registrar; Bursar; Polytechnic Librarian; Director of
25 Works, Maintenance Services and Director of Medical Services are
26 appointed by the Council on terms and conditions specified in their
27 instruments of appointment and shall hold office for a single term of 5 years.

Appointment and
Tenure of Office

28 (8) Where an officer in subsection (7) remains in the service of the
29 Polytechnic at the expiration of his term of office, the officer shall revert to a
30 position appropriate to his qualification and experience in accordance with

1 the existing guidelines on Appointments and Promotions.

2 (9) An appointment in an acting capacity in a department shall be the
3 most senior officer in that department unless the officer is incapacitated,
4 incompetent or has a record of proven misconduct.

5 (10) Where the officer is appointed in substantive capacity from the
6 last grade under the career structure of his department for the specific position,
7 he shall retain the substantive salary of that position on completion of his tenure
8 of office.

9 (11) Where the Registrar; Bursar; Polytechnic Librarian; Director of
10 Works and Maintenance Services and Director of Medical Services; and has
11 held office for:

12 (a) 5 years, he is deemed to have completed his term of office and shall
13 relinquish his position in accordance with subsections (7) and (8); and

14 (b) less than 5 years, he is entitled to complete the unexpired portion
15 of his term of 5 years and shall relinquish his position in accordance with
16 subsections (7) and (8).

Principal Officers
Selection
Committee

17 47.-(1) Where there is a vacancy in the office of the Registrar, Bursar,
18 Polytechnic Librarian, Director of Works and Maintenance Services or
19 Director of Medical Services, the Council shall constitute a Principal Officers
20 Selection Committee (hereinafter referred to as "the Selection Committee").

21 (2) The Selection Committee shall consist of:

22 (a) the Chairman of the Council, as the Chairman of the Selection
23 Committee;

24 (b) the Rector;

25 (c) the Deputy Rectors; and

26 (d) 2 members of the Council, who are not members of the Academic
27 Board;

28 (e) 2 members appointed by the Academic Board; and

29 (f) 3 assessors appointed by the Council on the recommendation of
30 the Rector to guide the Committee in the selection process.

1 (3) The Selection Committee shall recommend a candidate to the
2 Council for appointment to the vacant office after making the necessary
3 inquiries.

4 (4) Pursuant to subsection (1), the Council may make an
5 appointment after considering the recommendations of the Committee.

6 BOARDS OF SCHOOLS AND INSTITUTES, DEANS, HEADS OF
7 DEPARTMENTS, CONGREGATION, CONVOCATION, ETC.

8 *Establishment and composition of the Board of School*

9 **48.-(1)** There is established in each School or Institute in the Boards of Schools
10 Polytechnic, a body known as the Board of School or Institute. or Institutes

11 (2) The Board consists of:

12 (a) the Dean of the School or Institute;

13 (b) every Head of Department of the School or Co-ordinators of the
14 Institute;

15 (c) any person, whether or not a member of the School or Institute
16 as the Board may determine with the approval of the Academic Board;

17 (d) every Academic staff of the School or Institute; and

18 (e) the Rector and Deputy Rectors as ex officio members.

19 (3) The Board shall:

Functions of the
Board

20 (a) advise the:

21 (i) Polytechnic on; and

22 (ii) assist the Dean in, the superintendence of the academic and
23 administrative affairs of the School or Institute;

24 (b) consider and approve the examination results of the students of
25 the School or Institute before presenting the results to the Academic Board;

26 (c) advise the Academic Board and any other organ of the
27 Polytechnic on any matter referred to it;

28 (d) consider any matter referred to it by the Departmental Boards of
29 the School or Institute; and

30 (e) perform any other function as the Academic Board, Board of

	1	School or any other competent organ of the Polytechnic may deem necessary.
Meetings and regulation of procedure of the Board	2	(4) The Board of School or Institute may, subject to the direction of
	3	the Academic Board, regulate its own procedure and shall meet at a time and
	4	place as it deems necessary.
Deans of Schools or Institutes	5	49. -(1) Every School or Institute shall have a Dean (referred to as the
	6	"Dean") who is elected by the Board of the School or Institute from amongst
	7	the academic staff members of the School or Institute.
	8	(2) A person is eligible for election as a Dean if he is an academic staff
	9	of the school or institute and has attained the rank of a Chief Lecturer.
	10	(3) Where a School or Institute does not have a Chief Lecturer, the
	11	Rector may appoint the most senior academic staff in the School or Institute to
	12	serve as Acting Dean.
	13	(4) The Registrar shall conduct the election into the office of a Dean.
	14	(5) The Rector shall transmit the record of the election in subsection
	15	(1) to the Council for ratification.
	16	(6) The Dean is:
	17	(a) the head of the School or Institute;
	18	(b) the Chairman at every meeting of the Board of School or Institute,
	19	and in his absence, a member of the Board of School or Institute elected from
	20	amongst the members present at the meeting shall preside;
	21	(c) responsible to the Rector for the daily running of the School or
	22	Institute;
	23	(d) to exercise general superintendence over the academic and
	24	administrative affairs of the School or Institute; and
	25	(e) responsible for presenting to Convocation for the conferment of
	26	diplomas, certificates and prizes, every person qualified for a diploma,
	27	certificate or prize in every branch of learning for which responsibility is
	28	allocated to that School or Institute.
	29	(7) The Dean shall hold office for a term of 2 years from the date of
	30	appointment, unless he earlier resigns, but may be eligible for re-election for a

1 second term of 2 years and no more.

2 (8) The Dean may be removed from office for good cause by the
3 Rector on the recommendation of the Board of School or Institute by the
4 vote of at least 2/3 of the members of the Board of School or Institute taken
5 at a meeting of the Board of School or Institute.

6 (9) Where a Dean has been removed under subsection (8) the
7 Rector may appoint an Acting Dean.

8 (10) The Acting Dean shall vacate his office when a substantive
9 Dean is elected.

10 Pursuant to subsection (8), an election of a new Dean shall hold within a
11 period of 3 months after the removal of the Dean.

12 **50.**-(1) Every School or Institute shall have a Sub-Dean (referred to
13 as the "Sub-Dean") who is elected by the Board of the School or Institute
14 from amongst the academic staff of the School or Institute.

Sub-Deans of
Schools or
Institutes

15 (2) A person is eligible for election as a Sub-Dean if he is an
16 academic staff of the school or institute not below the rank of a Principal
17 Lecturer.

18 (3) Where a School or Institute does not have an academic staff not
19 below the rank of a Principal Lecturer, the Rector may appoint the most
20 senior academic staff in the School or Institute to serve as Acting Sub-Dean.

21 (4) The Registrar shall conduct the election into the office of Sub-
22 Dean.

23 (5) The Rector shall transmit the record of the election exercise in
24 subsection (1) of this Section to the Council for ratification.

25 (6) The Sub-Dean shall:

26 (a) act in the absence of the Dean;

27 (b) perform any duty assigned to him by the Dean; and

28 (c) hold office for a term of 2 years from the date of appointment,
29 unless he earlier resigns, but may be eligible for re-election for a second term
30 of 2 years, and no more.

1 (7) The Sub-Dean may be removed from office for good cause by the
2 Rector on the recommendation of the Board of School or Institute by the vote of
3 at least 213 of the members of the Board of School or Institute taken at a
4 meeting of the Board of School or Institute.

5 (8) Where a Sub-Dean has been removed under subsection (7), the
6 Rector may, appoint an Acting Sub-Dean.

7 (9) The Acting Sub-Dean shall vacate his office when a substantive
8 Sub-Dean is elected.

9 (10) Pursuant to subsection (7), an election of a new Sub-Dean shall
10 hold within a period of 3 months after the removal of the Sub-Dean.

Committee of
Deans of Schools
and Institutes

11 **51.**-(1) Every School or Institute shall have a Committee of Deans of
12 Schools or Institutes which consists of every Dean of each School and Institute
13 in the Polytechnic.

14 (2) The Committee shall:

15 (a) advise on any academic matter referred to it by the Rector and the
16 Academic Board;

17 (b) regulate its own procedure;

18 (c) meet not less than once but not more than 4 times, in a semester;

19 and

20 (d) ensure the standardization of academic calendar and timetable.

21 (3) Chairmanship of the Committee, is one academic session and
22 shall rotate amongst the Deans of the Schools and Institutes.

23 (4) Secretary of the Committee is the Administrative Secretary of the
24 incumbent Chairman's School or Institute.

Departmental
Board

25 **52.**-(1) There is established in each department of a School or Institute
26 a body known as the Departmental.

27 (2) The Departmental Board consists of:

28 (a) the Head of Department as Chairman;

29 (b) every academic and senior non-academic staff of the department;

30 and

1 (c) any person, whether or not a member of the department, as the
2 Board of School deems necessary with the approval of the Academic Board.

3 **53.**-(1) The Departmental Board shall:

Functions of
Departmental
Board

4 -(a) advise the Board of School or Institute on academic and other
5 matters of the Polytechnic;

6 (b) consider and approve before presentation to the Board of
7 School, the examination results of the department;

8 (c) plan and organize academic activities in the Department; and

9 (d) perform any other function as the Academic Board, Board of
10 School and any other competent organ of the Polytechnic may refer to it.

11 (2) The Departmental Board may regulate its procedure and shall
12 meet at a time and place as it deems necessary.

13 (3) The Departmental Board is subject to the control of the
14 Academic Board through the Board of School.

15 **54.** Quorum at a meeting of the:

Quorum of
meetings of Board

16 (a) Board of school; and

17 (b) Departmental Board is 1/3 or the nearest whole number less
18 than 1/3 of the members of the body.

19 **55.**-(1) There shall be a head of department in every academic
20 department in the Polytechnic who is appointed by the Rector from amongst
21 the academic staff of the department, not below the rank of a senior lecturer.

Head of Department

22 (2) Where there is no Senior Lecturer in the Department, the most
23 senior lecturer in the Department shall be appointed as the Acting Head of
24 Department.

25 (3) The Head of Department is the Chairman at every meeting of
26 the Departmental Board and in his absence a member of the Departmental
27 Board elected from amongst the members present at the meeting shall
28 preside

29 (4) The Head of Department shall exercise general
30 superintendence over the academic and administrative affairs of the

	1	department and is responsible to the Dean of the School or Institute in which
	2	the department is established.
	3	(5) The Head of Department shall hold office for a term of 2 years
	4	from the date of his appointment, unless he resigns, but may be eligible for re-
	5	appointment for a further term of 2 years and no more.
Congregation	6	56. -(1) There is a Congregation of the Polytechnic which consists of:
	7	(a) the Rector;
	8	(b) the Deputy Rector;
	9	(c) every full-time academic staff; and
	10	(d) every member of the non-academic staff who holds a degree or its
	11	equivalent from any University or institution of higher learning recognized for
	12	the purpose, not being an honorary degree.
	13	(2) The Rector is the chairman at every meeting of the Congregation
	14	and in his absence the Deputy Rector shall preside.
	15	(3) The quorum of the Congregation is 113 or the nearest whole
	16	number less than 1/3 of the total number of members of the Congregation or 50
	17	members, whichever is less.
	18	(4) A certificate signed by the Rector specifying the:
	19	(a) total number of members of the Congregation for the purpose of
	20	any particular meeting of the Congregation; or
	21	(b) names of the persons who are members of the Congregation
	22	during a particular period, is conclusive evidence of that number or the names
	23	of those persons.
	24	(5) Subject to this section, the Congregation may regulate its own
	25	procedure.
	26	(6) The Congregation may express by resolution or in any other way,
	27	its opinion on every matter affecting the interest and welfare of the Polytechnic
	28	and shall have any other function as prescribed by regulation.
Convocation	29	57. -(1) There is a Convocation of the Polytechnic which consists of:
	30	(a) the Council,

- 1 (b) the Congregation,
 2 (c) students and invited persons of the Polytechnic; and
 3 (d) any other person as prescribed by regulation.

4 (2) Subject to this Law the Convocation has the powers and shall
 5 perform any function prescribed by regulation approved by the Academic
 6 Board and Council.

7 (3) Without prejudice to sub-section (1) the regulation shall
 8 contain conferment of:

- 9 (a) an award or honour;
 10 (b) a certificate or diploma;
 11 (c) a qualification approved by an appropriate regulatory body; and
 12 (d) any other award approved by the Academic Board and Council.

13 **58.**-(1) There is established in the Polytechnic an Industrial Service
 14 and Entrepreneurship development Centre, which shall be headed by a
 15 Director.

Establishment
of an Industrial
Service and
Entrepreneurship
Development
Centre

16 (2) Schedule 3 has effect to matters relating to the Industrial
 17 Service Centre.

18 **59.**-(1) There is established in the Polytechnic a Staff School.

Staff School

19 (2) Schedule 4 has effect to the operation of the Staff School.

20 PART III - STAFF CONDITIONS OF EMPLOYMENT, DISCIPLINE OF

21 STAFF AND STUDENTS

22 **60.**-(1) The Polytechnic may employ any staff necessary for the
 23 discharge of its functions.

Staff of the
Polytechnic

24 (2) A staff of the Polytechnic other than the Rector, is appointed by
 25 the Council on terms and conditions as the Council may determine subject to
 26 the Visitor's approval.

27 **61.**-(1) Service in the Polytechnic is approved service under the
 28 Pension Act.

Pensions

29 (2) Every staff of the Polytechnic is entitled to pension, gratuity
 30 and other retirement benefits prescribed under the Pensions Act.

1 (3) An Act, Law or Rule, which requires a person to retire from public
2 office after 35 years of service or attainment of 60 years shall not apply to a staff
3 of the Polytechnic.

4 (4) Notwithstanding anything to the contrary in the Pension Act, the
5 compulsory retirement age of a staff of the Polytechnic is 65 years.

6 (5) Nothing in this Bill shall prevent the appointment of a person to an
7 office in the Polytechnic on terms which preclude the grant of a pension,
8 gratuity or other retirement benefit in respect of that office.

Removal and
discipline of
academic, senior
administrative
and technical staff

9 **62.**-(1) Where it appears to the Council that there is any reason to
10 believe that an academic, a senior administrative or technical staff of the
11 Polytechnic, other than the Rector, should be removed from office on a ground
12 of misconduct or inability to perform the functions of his office, the Council
13 shall:

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

15 (b) afford him an opportunity of making a representation in person on
16 the matter to the Council; and

17 (c) where the person or any 3 members of the Council request, within
18 the period of one month beginning from the date of the notice, the Council shall
19 make arrangement:

20 (i) where the person is an academic Staff, for a joint committee of the
21 Council and the Academic Board to investigate the matter and report to the
22 Council; or

23 (ii) where the person is a non-academic staff, for a committee of the
24 council to investigate the matter, and to report to the Council; and

25 (iii) for the person to be afforded an opportunity to appear before the
26 investigating committee.

27 (2) The investigating committee established under subsection (1)
28 shall report its findings and recommendations to the Council not later than 3
29 months after it is constituted.

30 (3) The Council shall, within one month of the receipt of the report of

1 the investigating committee, consider the report and if satisfied that the
2 person should be removed, the Council may remove him by an instrument in
3 writing signed on the directives of the Council.

4 **63.** Where it appears to the Council that there is any reason to
5 believe that the Rector should be removed from office on a ground of
6 misconduct or inability to perform the functions of his office, Section 62
7 shall apply provided that the Council shall, after considering the report of
8 the investigating Committee, send its recommendations to the Visitor.

Discipline of
Rector

9 **64.-(1)** Without prejudice to Section 62, the Rector may, in a case
10 of misconduct by a staff which, in the opinion of the Rector, is prejudicial to
11 the interests of the Polytechnic, suspend the staff and the suspension shall
12 immediately be reported to the Council.

Discipline of staff
by Rector

13 (2) A member of staff may be suspended from office or his
14 appointment terminated by the Council for Good Cause.

15 (3) "Good Cause" in sub-section (2) means:

16 (a) conviction of an offence which renders a person unfit to
17 discharge the functions of his office;

18 (b) a physical or mental incapacity, which in the opinion of the
19 Council, after obtaining medical advice, renders the person unfit to continue
20 to discharge the functions of his office;

21 (c) conduct of a scandalous or disgraceful nature which in the
22 opinion of the Council renders the person unfit to continue to discharge the
23 functions of his office; or

24 (d) conduct which in the opinion of the Council constitute failure or
25 inability of the person to discharge the functions of his office or comply with
26 the terms and conditions of his employment.

27 (4) A person suspended under subsection (1) or (2) shall be placed
28 on half pay, and the Council shall, before the expiration of 3 months after the
29 date of the suspension, consider the case against the person and decide
30 whether to:

1 (a) continue the suspension and on what terms and proportion of his
2 emoluments to be paid;

3 (b) reinstate him, and where the Council reinstates him, it shall restore
4 his full emoluments with effect from the date of suspension;

5 (c) terminate his appointment and where the Council terminates his
6 appointment, he is not entitled to the proportion of his emoluments withheld
7 during the period of suspension; or

8 (d) take such lesser disciplinary action against him and restore the
9 proportion of his emoluments that may have been withheld.

10 (5) Where the Council decides to:

11 (a) Continue with the person's suspension; or

12 (b) decides to take further disciplinary action against a person, the
13 Council shall, before the expiration of 3 months from the decision, come to a
14 final determination in respect of the case.

15 (6) A person who signs an instrument of removal under Section 62
16 subsection (3) shall ensure that a copy of the instrument is served on the person
17 as soon as it is reasonably practicable.

18 (7) Nothing in this Section shall prevent the Council from making any
19 regulation prescribing any other disciplinary measure for staff and workers of
20 the Polytechnic as it may deem necessary.

Discipline of
junior staff

21 **65.**-(1) Where a junior staff is accused of misconduct or inefficiency,
22 the Rector may suspend him for not more than three months and shall
23 immediately constitute a committee to:

24 (a) consider the misconduct or inefficiency; and

25 (b) make any recommendation on the appropriate action to be taken
26 by the Rector.

27 (2) The Committee shall:

28 (a) inform the staff of the charge against him in writing; and

29 (b) give him a reasonable opportunity to defend himself.

30 (3) The Rector may, after considering the recommendation made

1 under subsection (1) (b), dismiss, terminate, retire, downgrade or apply any
2 other disciplinary measure to the staff as he may deem necessary.

3 (4) A staff aggrieved by the Rector's decision under subsection (3)
4 may, within a period of 21 days from the date of the letter communicating the
5 decision to him, appeal in writing to the Council, and the Council's decision
6 shall be final.

7 **66.**-(1) Subject to this Section, where it appears to the Rector that a
8 student of the Polytechnic is guilty of misconduct, the Rector may, without
9 prejudice to any other disciplinary power conferred on him by this Bill or
10 any regulation, direct that the:

Discipline of
students

11 (a) student shall not, during the period specified in the directive:

12 (i) participate in any activity of the Polytechnic; or

13 (ii) make use of any facility of the Polytechnic, as the Rector may
14 specify;

15 (b) any activity of the student shall, during the period specified in
16 the directive, be restricted in a manner as specified;

17 (c) student be suspended for a period as specified in the directive;

18 (d) student be expelled from the Polytechnic.

19 (2) Where a directive is given under subsection (1) (c) or (d), the
20 student may, within 21 days from date of the letter communicating the
21 decision to him, appeal to the Council; and where an appeal is brought, the
22 Council shall, after making inquiry as it considers just, either confirms,
23 modify or set aside the decision in a manner as it deems fit.

24 (3) Where an appeal from a decision is brought in under subsection
25 (2), it shall not affect the operation of the decision while the appeal is
26 pending.

27 (4) The Rector may delegate his powers under this Section to a
28 disciplinary committee consisting of members of the Polytechnic, one of
29 whom shall be the Student Union President if any, as the Rector deems
30 necessary; provided that in a case of gross misconduct, the Rector shall refer

1 the matter to a disciplinary committee.

2 (5) Nothing in this section shall be construed as preventing the
3 restriction or termination of any activity of the student at the Polytechnic or
4 other than on the ground of misconduct.

5 (6) A directive under subsection (1) (a) may be combined with a
6 directive under subsection (1) (b).

7 PART IV - FINANCIAL COMPENDIUM

8 TOTAL PROJECTION/ESTIMATES FOR THE TAKE-OFF OF THE FEDERAL
9 POLYTECHNIC TOMBIA, RIVERS STATE IN THE FIRST TWELVE MONTHS
10 FOLLOWING THE COMMENCE OF THE ACT; AND SUBSEQUENTLY THE
11 POLYTECHNIC SHALL GENERATE FUNDS TO SUPPORT ITS BUDGETARY
12 ALLOCATION.

13	1. TOTAL PERSONNEL:	N 737,640,699
14		
15	a. Salaries and Wages:	₦ 655,680,621
16	- (Consolidated Salary)	
17		
18	b. Allowances and Social Contribution:	₦ 81,960,078
19	- NON-REGULAR ALLOWANCES:	₦ 32,784,031
20	- FOREIGN SERVICE ALLOWANCE:	₦ 49,176,047
21		
22	2. <u>TOTAL OVERHEAD:</u>	₦ 111,111,111
23	- TOTAL GOODS AND NON-PERSONAL SERVICES GENERAL	
24	- Travel & Transport: Training	
25		
26	TOTAL RECURRENT:	₦ 848,751,810
27		
28	3. <u>TOTAL CAPITAL:</u>	₦ 277,777,778
29	- CONSTRUCTION / PROVISION	
30	- CONSTRUCTION / PROVISION OF FIXED ASSETS – GENERAL	
	- CONSTRUCTION / PROVISION OF INFRASTRUCTURE	
	TOTAL PERSONNEL:	₦ 737,640,699
	TOTAL OVERHEAD:	₦ 111,111,111
	TOTAL RECURRENT:	₦ 848,751,810
	TOTAL CAPITAL:	₦ 277,777,778
	TOTAL ALLOCATION	₦ 1,126,529,588

- 1 **67.**-(1) The Funds and resources of the Polytechnic consist of: Funds and
Resources of the
Polytechnic
- 2 (a) an amount appropriated by the National Assembly;
- 3 (b) Subventions and grants-in-aid from the Federal or State
- 4 Government;
- 5 (c) tuition and boarding fees, and any other fee or levy charged by
- 6 and payable to the Polytechnic with regard to its students;
- 7 (d) every gift, donation, endowment, grant, testamentary
- 8 disposition and investment;
- 9 (e) any money which may accrue to the Polytechnic for services
- 10 including the disposal, lease or hire of any property vested in or acquired by
- 11 the Polytechnic; and
- 12 (f) any other money or property which may accrue to the
- 13 Polytechnic from any other lawful source.
- 14 (2) Pursuant to sub-section (1), the Polytechnic shall not accept any
- 15 grant, endowment, legacy, donation or gift if any condition attached is
- 16 inconsistent with the objects or functions of the Polytechnic.
- 17 (3) Any money donated for a particular purpose shall be placed in a
- 18 Special Reserve Account approved by the Council until the money is
- 19 expended for the purpose.
- 20 (4) Any money received on behalf of the Polytechnic shall be paid
- 21 into a bank account of the Polytechnic approved by the Council.
- 22 (5) The Polytechnic shall manage the fund in accordance with
- 23 regulations made by the Council.
- 24 (6) The Council may make regulations for the Polytechnic to:
- 25 (a) specify the manner in which any asset or the fund of the
- 26 Polytechnic is to be held;
- 27 (b) regulate how payment is made in and out of the fund; and
- 28 (c) keep proper accounts and records for the purpose of the fund in
- 29 a form specified in the regulations.

Power to borrow and invest	1	68. -(1) The Council may, with the approval of the Visitor, borrow
	2	from any source any money as loan or overdraft required by the Polytechnic to
	3	meet its obligations and discharge its functions.
	4	(2) The Council may invest any sum not immediately required for the
	5	purpose of the Polytechnic in any security as it deems necessary.
Annual estimates	6	69. -(1) The Council shall prepare and submit to the Minister not later
	7	than 30th June in each financial year, an estimate of income and expenditure of
	8	the Polytechnic who shall present it to the Federal Executive Council.
	9	(2) The annual estimates of the Polytechnic are subject to the approval
	10	of the National Assembly.
Annual Accounts and Audit	11	70. -(1) The Polytechnic shall keep proper books of accounts and
	12	records of financial transactions undertaken by it in respect of each financial
	13	year in a form which conform with best accounting standards and practices.
	14	(2) The Council shall ensure that the accounts of the Polytechnic are
	15	audited not later than 6 months after the end of each year by external auditors
	16	appointed by the Council from a list of qualified auditors prepared by the
	17	Auditor-General of the Federation.
	18	(3) The External Auditor shall be appointed after advertisement and
	19	interview of applicants by the Council.
	20	(4) The External Auditor's report shall state if:
	21	(a) proper books of accounts have been kept by the Polytechnic;
	22	(b) the financial statement of the Polytechnic:
	23	(i) was prepared on a basis consistent with that of the preceding year
	24	and is in agreement with the books of accounts;
	25	(ii) in case of the balance sheet, gives a true and fair view of the state
	26	of the Polytechnic's financial affairs as at the end of the financial year; and
	27	(iii) in the case of the statement of income and expenditure, gives a
	28	true and fair view of the income and expenditure of profit and loss of the
	29	Polytechnic for the financial year.
	30	(5) The Council shall fix the remuneration of the External Auditor

- 1 based on the guideline provided by the Auditor-General of the Federation.
- 2 (6) The External Auditor shall serve for a period of 3 years only.
- 3 **71.** The financial year of the Polytechnic is the same as the Financial Year
- 4 financial year of the Federal Government.
- 5 **72.**-(1) The Council shall prepare and submit to the Auditor- Annual Report
- 6 General of the Federation, not later than the 30th day of June in each year, a
- 7 report on the activities of the Polytechnic during the immediate preceding
- 8 year.
- 9 (2) The annual report shall include:
- 10 (a) the Internal Auditor's report during the year to which the report
- 11 relates;
- 12 (b) the audited accounts of the Polytechnic for that year and the
- 13 comments of the Council;
- 14 (c) a statement of all directives given by the Visitor to the
- 15 Polytechnic under section 12 of this Bill; and
- 16 (d) any other matter as the Minister may require the Council to
- 17 include.
- 18 (3) The Auditor-General of the Federation shall, not later than 30
- 19 days of receipt of the report make any comment on the report and forward it
- 20 to the:
- 21 (a) Minister who shall forward the report to the Federal Executive
- 22 Council; and
- 23 (b) the National Assembly.
- 24 **73.**-(1) There is a Chief Internal Auditor for the Polytechnic, who is Chief Internal
- 25 appointed and removed by the Council on terms and conditions as the Auditor
- 26 Council may determine.
- 27 (2) The Chief Internal Auditor shall:
- 28 (a) be responsible to the Rector in the performance of his functions;
- 29 (b) every 3 months, prepare a report on the internal audit carried out
- 30 by him during the period of the report; and

1 (c) as soon as practicable after the preparation of the reports, submit it
2 to the Rector.

3 (3) The Chief Internal Auditor's report shall contain any observation
4 and recommendation as appear necessary for the proper and efficient conduct
5 of the financial affairs of the Polytechnic during the period under review.

6 (4) The Rector shall on receipt of the report, forward copies to the
7 Chairman of the Council as soon as practicable.

8 (5) The Council shall consider the report of the Chief Internal Auditor
9 at its meeting.

Auditors to have
access to books,
etc.

10 **74.** The External Auditor and Chief Internal Auditor:

11 (a) shall have access during normal official hours to every book,
12 record and any other document of the Polytechnic; and

13 (b) may also inspect any project being undertaken by the Polytechnic.

14 **PART V - TRANSITIONAL PROVISIONS**

Liability

15 **75.** A member of the Council, Academic Board or a body established
16 under this Bill shall not be personally liable for an act or omission committed or
17 omitted to be done in the performance of his duties under the authority of the
18 Council, Academic Board or other body established under this Bill.

Declaring personal
interest

19 **76-(1)** Any member of the Council, Academic Board or any other
20 body established under this Bill shall declare in writing any direct or indirect
21 personal interest which he may have in a matter before the Council, Academic
22 Board or the body of which he is a member.

23 (2) Where the member declares his personal interest under subsection
24 (1), he shall be disqualified from:

25 (a) participating in any deliberation on the matter; and

26 (b) voting in any decision of the Council, Academic Board or the body
27 on the matter, and his presence shall not count towards a quorum.

28 (3) A member who contravenes this Section shall be removed from
29 the Council, Academic Board or other body.

1 PART VI - MISCELLANEOUS AND GENERAL PROVISIONS

2 77.-(1) The Seal of the Polytechnic shall be determined by the
3 Council. Miscellaneous
administrative
provisions

4 (2) The affixing of the Seal of the Polytechnic shall be
5 authenticated by the signatures of the Rector and the Registrar.

6 (3) A document purporting to be:

7 (a) an instrument executed or issued by or on behalf of the
8 Polytechnic; and

9 (b) sealed with the seal of the Polytechnic authenticated in the
10 manner prescribed in subsection (1) of this section, is deemed to be executed
11 or issued until the contrary is shown.

12 (4) Any contract or instrument which, if made or executed by a
13 person who is not a body corporate, would not be required to be under seal,
14 may be made or executed on behalf of the University by a person authorized
15 by the Council.

16 78.-(1) The validity of any proceeding of a body established under
17 this Bill is not affected by a vacancy in the membership of the body or by
18 reason that a person not entitled to take part in the proceeding took part in it. Validity of
proceedings

19 (2) The power conferred by this Bill to make any regulation
20 includes power to vary or revoke the regulation by a subsequent regulation.

21 79.-(1) In this Bill:

22 "Academic staff" means the teaching staff of the polytechnic;

23 "Ex-officio member" means a person who is a member of a body or
24 committee by virtue of his holding or performing the functions of an office;

25 "Graduate" means a person on whom a degree, diploma or certificate (other
26 than an honorary, degree, diploma or certificate) has been conferred,
27 awarded by the Polytechnic or by a recognized institution of higher learning;

28 "Member" means a member of any of the bodies established by this Bill and
29 it includes the Chairman of the body;

30 "Minister" means the Minister responsible for Education in the Federation;

Interpretation

1 "Misconduct" means improper behaviour, a specified act of wrong-doing
2 susceptible to investigation and proof and it includes:

3 (a) any wilful act, omission or general misconduct which constitutes a
4 scandal to the public or polytechnic or to the prejudice of discipline and proper
5 administration of the polytechnic, which includes dishonesty, drunkenness,
6 use of false certificates, foul language, violent demonstration, wilful
7 destruction of the Polytechnic's property, immorality and falsification or
8 forgery of certificates or any other document:

9 (b) a criminal offence and conviction for a criminal offence; and

10 (c) an act prejudicial to the good name of the Polytechnic; and "gross
11 misconduct" may be construed where the misconduct complained of is of a
12 vulgar or an aggravated kind. Cases of doubt may be referred by the Rector to
13 the Academic Board for definition.

14 "National Assembly" means the Federal law making body of the Federal
15 Republic of Nigeria;

16 "Polytechnic" means the Federal Polytechnic, Tombia;

17 "President" means the head of State, government and the Commander - in -
18 Chief of the Armed Forces of Nigeria;

19 "Staff" means an employee of the Polytechnic and it includes Principal
20 Officers;

21 "State" means Nigeria;

22 "Student" means a person attending the Polytechnic for the purpose of
23 instruction;

24 "Visitor" means the Minister of Education.

Citation

25 **80.** This Bill may be cited as the Federal Polytechnic, Tombia, Bill,
26 2021.

SCHEDULE 1

[Section 21]

MEETINGS OF THE GOVERNING COUNCIL

Times of Meeting

1. The Council shall meet in the Polytechnic except where it is impossible:

(a) at a time and place as the Chairman may decide; and

(b) at least 3 times, but not more than 6 times in a year, with respect to regular meetings.

Notice of meetings

2.-(1) A notice of the meeting shall be sent to every member of the Council.

(2) The notice shall:

(a) state the agenda for the meeting;

(b) be delivered to every member of the Council at least 7 clear days prior to the meeting to which the notice relates unless a majority of the members decide to waive the requirements in respect of the notice.

(3) The Rector or 4 members of the Council may, by a notice in writing signed by them, request the Chairman to convene a special meeting of the Council and the Chairman shall, on receipt of the notice, summon a meeting of the Council.

(4) The request in sub-section (3) shall specify the business to be transacted at the meeting and any business not specified shall not be considered at the meeting.

Presiding at meetings

3.-(1) The Chairman shall preside at every meeting of the Council at which he is present, and in his absence a member of the Council, other than the Rector, elected by the members present from amongst themselves, shall preside.

(2) Subject to this Schedule, the Council may adopt rules, in

1 accordance with this Law, for the conduct of its meetings.

2 (3) The validity of any proceeding of the Council is not affected by a
3 vacancy in its membership.

4 (4) The minutes of the meetings of the Council shall be:

5 (a) recorded by the Secretary;

6 (b) signed by the Chairman of the Council; and

7 (c) kept in the custody of the Secretary.

8 (5) Where the Secretary is absent at a meeting, the Rector shall
9 nominate a person to act as Secretary at the meeting.

10 *Power to co-opt*

11 4. The Council may co-opt a person to act as an adviser at any of its
12 meetings, but the person co-opted is not entitled to vote at the meeting on any
13 matter for decision by the Council.

14 *Quorum*

15 5. The quorum of the Council is 7 and it includes not less than 2
16 members who are not staff of the Polytechnic.

17 *Simple majority*

18 6. A question before the Council at any meeting shall be decided by a
19 majority of the votes of members present.

20 SCHEDULE 2

21 *[Section 32]*

22 MEETINGS OF THE ACADEMIC BOARD

23 *General meetings*

24 1.-(1) The Board shall meet at a place and time as the Rector may
25 decide.

26 (2) The Rector shall summon a meeting of the Academic Board when
27 he deems it necessary, provided that the Board shall meet not less than once in a
28 month.

29 *Special meetings*

30 2.-(1) 4 members of the Academic Board may request in writing to the

1 Rector to convene a special meeting of the Board and the request shall
2 specify the business to be transacted at the meeting.

3 (2) The Rector shall convene the special meeting not later than ten
4 days after the receipt of the request.

5 *Quorum*

6 3.-(1) The quorum of the Academic Board at any meeting is one-
7 third or the nearest whole number less than one-third of the members of the
8 Board.

9 (2) Subject to this Section, the Board may regulate its own
10 procedure.

11 SCHEDULE 3

12 *[Section 58(2)]*

13 INDUSTRIAL SERVICE AND ENTREPRENEURSHIP DEVELOPMENT CENTRE

14 1.-(1) The Centre shall be administered in line with the National
15 Board for Technical Education (NBTE) guidelines and duties.

16 (2) The Centre shall engage the talents and facilities of all
17 disciplines in the polytechnic for the execution of joint projects of special
18 relevance to the State and the country.

19 (3) The Centre shall, in particular, propagate the maintenance
20 culture, undertake innovative jobs like designing and production of spare
21 parts and tools, and engage in consultancy services for which expertise
22 exists within the Polytechnic.

23 2.-(1) The Centre has a Management Board consisting of:

24 (a) the Rector as the Chairman or his representative; and

25 (b) other members appointed by the Council on the
26 recommendation of the Rector.

27 (2) The terms of reference of the Board are determined by the
28 Council on the recommendation of the Rector.

29 (3) The Board has power to:

30 (a) appoint and remove from office its core staff (managerial,

- 1 professional, technical and otherwise); and
- 2 (b) set out the terms and conditions of service for the appointments,
- 3 subject to the approval of the Council.
- 4 (4) The Director of the Centre is responsible to the Management
- 5 Board.
- 6 (5) The Council, on the recommendation of the Rector, shall
- 7 determine the working condition and emoluments of the Polytechnic staff
- 8 participating in the activities of the Industrial Service and Entrepreneurship
- 9 Development Centre.
- 10 3.-(1) The Centre shall be financed by:
- 11 (a) the Polytechnic; and
- 12 (b) fees charged for its works and services.
- 13 (2) Subject to the approval of the Council, the Management Board of
- 14 the Centre shall ensure prudent management of its finances and shall:
- 15 (a) keep proper accounting records, in accordance with standard
- 16 accounting practice and financial regulations in respect of:
- 17 (i) revenues and expenditures of the Centre;
- 18 (ii) its assets, liabilities and other financial transactions; and
- 19 (iii) any other revenue collected by the Centre.
- 20 (b) prepare an annual report and audit report, including financial
- 21 statements, in accordance with generally accepted accounting principles and
- 22 practice; and
- 23 (c) ensure that the accounting records of the Centre are in line with
- 24 financial regulations.
- 25 (3) The Centre is self-accounting.
- 26 (4) The Management Board shall submit comprehensive half-year
- 27 reports of its activities through the Rector to the Council for appropriate action.

SCHEDULE 4

[Section 59 (2)]

STAFF SCHOOL

Composition of the Staff School

1. There is a Comprehensive Staff School, which shall be self-funded and consists of:

- (a) Nursery and Day-Care;
- (b) Primary; and
- (c) Secondary.

Objects of the Staff School

2. The objects of the Staff School are to:

- (a) provide courses of instruction and learning in nursery, day-care, primary and secondary education levels;
- (b) prepare, groom and present students and pupils for internal and external examinations;
- (c) promote and encourage sound moral training and discipline;
- (d) inculcate in the students and pupils respect for national ethics and the fear of God;
- (e) pursue any other academic programme as may be approved by the Academic Board.

Director of the Staff School

3.-(1) There is a Director of the Staff School who shall be:

- (a) an academic staff not below the rank of a Chief Lecturer; and
- (b) responsible to the Rector for the administration of the Staff School.

(2) The Director shall co-ordinate academic and administrative activities of the Staff School.

Appointment and Discipline of the Director

(3) The Rector shall appoint the Director subject to ratification by the Council.

1 (4) The tenure of office of the Director is 2 years and may be
2 reappointed for a further term of 2 years and no more.

3 (5) The Director shall be disciplined in accordance with Section 62 of
4 this Law.

5 *Board of Governors*

6 4.-(1) There is a Board of Governors for the Staff School which
7 consists of:

8 (a) the Director as Chairman;

9 (b) heads of the arms of the School,

10 (c) a representative from every School and Institute of the
11 Polytechnic, not below the rank of a Senior Lecturer;

12 (d) 2 representatives of the Academic Board;

13 (e) one representative of the Congregation; and

14 (f) Chairman of Parents and Teachers Association.

15 (2) The Rector shall appoint a Secretary for the Board.

16 (3) The Secretary shall be a Registry staff not below the rank of a
17 Principal Assistant Registrar.

18 *Functions of the Board of Governors*

19 5. The Board shall:

20 (a) advise the Academic Board and every organ of the Polytechnic on
21 any matter concerning the academic programmes and activities of the Staff
22 School;

23 (b) plan and organize every academic activity of the Staff School:

24 (c) make proposals to the Academic Board on any matter concerning
25 the Staff School for consideration and approval; and

26 (d) perform any other function as the Academic Board may refer to it.

27 *Appointment of Staff of the Staff School*

28 6.-(1) Subject to this Bill, academic and non-teaching staff shall be
29 appointed by the Council on the advice of the Appointments and Promotions
30 Committee.

1 (2) The appointment of academic and non-teaching staff by the
2 Council may be on permanent, temporary or contract basis as the Council
3 may consider necessary.

4 *Conditions of Service*

5 7. The remuneration, terms and conditions of service of every staff
6 of the School is determined by the Council.

7 *Pensions, gratuities, etc.*

8 8.-(1) The Polytechnic shall ensure that the conditions of service of
9 staff of the Staff School are in line with the Pensions Act.

10 (2) Nothing in this Bill shall prevent the appointment of a person to
11 an office on any term which precludes the grant of a pension and gratuity in
12 respect of that office.

13 *Discipline of staff and students of the Staff School*

14 9.-(1) Where there is a case of misconduct or inability to perform
15 the functions of an office against an academic or non-teaching staff, the
16 Director shall refer the case to the Rector who shall forward it to the Council.

17 (2) Where it appears to the Council that there is a reason to believe
18 that the staff should be removed from office on those grounds of misconduct
19 or inability to perform the functions of his office, the Council shall:

20 (a) give notice of the reasons in writing to the person;

21 (b) afford him an opportunity of making a representation in person
22 on the matter to the Council; and

23 (c) constitute a joint Committee of Council and Academic Board or
24 a Committee of Council to investigate the matter and report its findings to
25 the Council.

26 (3) The Rector shall exercise powers on discipline of staff as
27 provided under this Bill.

28 *Discipline of students*

29 (4) There is a Disciplinary Committee of the Staff School which
30 consists of the:

- 1 (a) Director as Chairman;
- 2 (b) Assistant Director;
- 3 (c) Guidance Counsellor of the School; and
- 4 (d) Co-ordinators of each class.
- 5 (5) The Committee shall advise the Rector and Academic Board on
- 6 any matter relating to discipline of pupils and students.
- 7 (6) The Rector shall exercise powers on discipline of students as
- 8 provided under this Bill.

EXPLANATORY NOTE

This Bill seeks to establish a Polytechnic in Tombia and would promote knowledge in courses of instruction, training and research in science, technology, engineering, arts, and mathematics (STEAM, which is a core access of guiding students' inquiry and critical thinking in the new age.

A growing number of schools are now incorporating teaching methods that are more in line with STEAM education. STEAM gives students tools and methods to explore new and creative ways of problem-solving, displaying data, innovating, and linking multiple fields.

The arts and STEM subjects naturally complement and inform each other, so implementing STEAM principles into education allows for more understanding, innovation and a cohesive education in the classroom.

Tombia is a Community in Degema Local Government Area of Rivers State and has a Technical College, which could be upgraded with the passage of this Bill.

NATIONAL SECURITY AGENCIES BILL, 2021

ARRANGEMENT OF CLAUSES

Clause-

1. Establishment of the National Security Agencies
2. Schedule
3. Establishment of the office of the National Security Adviser
4. Duties of the Agencies
5. Chief executive of the agencies
6. Co-ordinator on National Security
7. Establishment of advisory councils
8. Repeal.
9. Savings and transitional provisions
10. Citation

A BILL

FOR

AN ACT TO REPEAL THE NATIONAL SECURITY AGENCIES ACT OF 1986 AND ENACT NATIONAL SECURITY AGENCIES BILL, 2021 TO DELINEATE THE FUNCTIONS OF THE VARIOUS AGENCIES, TO REFLECT THE CURRENT NAME OF THE DEPARTMENT OF THE STATE SECURITY SERVICES IN THE CURRENT LEGAL REGIME, PROVIDE A ROADMAP FOR INTELLIGENCE GATHERING AND SHARING, MANDATE THE NATIONAL SECURITY ADVISER TO COORDINATE SECURITY AGENCIES IN INTELLIGENCE GATHERING AND SHARING BETWEEN THE SECURITY AGENCIES AND FOR RELATED MATTERS

Sponsored by Hon. Abubakar Kabir Bichi

[] Commencement

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

- | | | |
|----|--|--|
| 1 | 1. There is established the National Security Agencies (in this Bill | Establishment |
| 2 | referred to as "the Agencies") as listed in the schedule to this Bill. | of the National
Security Agencies |
| 3 | 2.-(1) There is establish the Office of the National Security | Establishment |
| 4 | Adviser, which shall be managed by the National Security Adviser. | of the office of
the National
Security Adviser |
| 5 | (2) The National Security Adviser shall- | |
| 6 | (a) coordinate the services of the Agencies established under this | |
| 7 | Bill; and | |
| 8 | (b) provide constant security report to the President of the Federal | |
| 9 | Republic of Nigeria. | |
| 10 | 3.-(1) The Defence Intelligence Agency (DIA) shall be | Duties of the |
| 11 | responsibility for- | Agencies |
| 12 | (a) intelligence gathering and sharing between the security | |
| 13 | agencies on matters that related to the duties of the Military; | |
| 14 | (b) the prevention and detection of crime of a military nature | |
| 15 | against the security of Nigeria; | |

1 (c) the protection and preservation of all military classified matters
2 concerning the security of Nigeria, both within and outside Nigeria;

3 (d) providing constant security reports to the Office of the National
4 Security Adviser; and

5 (e) such other responsibilities affecting defence intelligence of a
6 military nature, both within and outside Nigeria, as the President, the National
7 Security Adviser, or the Chief of Defence Staff may from time to time direct.

8 (2) The National Intelligence Agency (NIA) shall be responsibility
9 for-

10 (a) intelligence gathering and sharing between the security agencies
11 on matters that relates to the duties of the Agency;

12 (b) general maintenance of the security of Nigeria outside Nigeria,
13 concerning matters that are not related to military issues;;

14 (c) providing constant security reports to the Office of the National
15 Security Adviser; and

16 (d) other matters affecting national intelligence outside Nigeria as the
17 President, National Security Adviser or the National Defence Council may
18 from time to time direct.

19 (3) The Department of State Security Service (DSSS) shall be
20 responsibility for-

21 (a) intelligence gathering and sharing between the security agencies
22 on matters that relates to the duties of the Department;

23 (b) the prevention and detection of crime within Nigeria against the
24 internal security of Nigeria;

25 (c) the protection and preservation of all non-military classified
26 matters concerning the internal security of Nigeria;

27 (d) providing constant security reports to the Office of the National
28 Security Adviser; and

29 (e) such other responsibilities affecting Nigerian internal security as
30 the National Assembly, the President, National Security Adviser or National

1 Defence Council may from time to time direct.

2 (4) The provisions of sub-clauses (I), (2) and (3) of this clause shall
3 have effect notwithstanding the provisions of any other law to the contrary,
4 or any matter therein mentioned.

5 4.-(1) There shall be appointed for each of the agencies, chief I
6 executive officers, who shall be known by such designation as the President
7 may determine.

Chief Executive
of the Agencies

8 (2) The Chief Executive officers of the agencies shall in
9 performing the functions of their offices be responsible for-

10 (a) in the case of the Department of State Security Service and the
11 National Intelligence Agency, be responsible directly to the President and
12 the National Security Adviser; and

13 (b) in the case of the Defence Intelligence Agency, be directly
14 responsible to the Chief of Defence Staff and the National Security Adviser.

15 5.-(1) For the purpose of co-ordinating the intelligence activities of
16 the National Security Agencies established under clause I of this Bill, there
17 shall be appointed the National Security Adviser, by the President of the
18 Federal Republic of Nigeria the Co-ordinator on National Security.

Co-ordinator on
National Security

19 (2) The Co-ordinator shall be responsible for-

20 (a) advising the President on matters concerning the intelligence
21 activities of the agencies;

22 (b) making recommendations in relation to the activities of the
23 agencies to the President, as contingencies may warrant;

24 (c) correlating and evaluating intelligence reports relating to the
25 national security and providing the appropriate dissemination of such
26 intelligence by each agency established pursuant to Clause 1 of this Bill;

27 (e) performing such other things in connection with the foregoing
28 provisions of this clause as the President may, from time to time, direct.

29 6.-(1) There shall, in the interest of national security, be established
30 two advisory councils, the-

Establishment of
Advisory Councils

	1	(a) National Defence Council; and
	2	(b) National Security Council.
	3	(2) The National Security Council shall be responsible for matters
	4	relating-
	5	(a) to public security; and
	6	(b) generally; to the structure, staff and other matters concerning the
	7	agencies set up under this Bill.
Repeal	8	7. The National Security Agencies Act of 1986 is repealed.
Savings and transitional provisions	9	8.-(1) All assets, rights, liabilities, interests, and obligations vested in
	10	the Agencies established under the National Security Agencies Act, before the
	11	commencement of this Bill, shall after commencement of this Bill be vested in
	12	the Agencies established under this Bill.
	13	(2) All staff of the Agencies established under the National Security
	14	Agencies Act, before the commencement of this Bill, shall after
	15	commencement of this Bill, continue to be staff of the Agencies established
	16	under this Bill in accordance with new terms of appointment.
Citation	17	9. This Bill may be cited as the National Security Agencies Act
	18	(Amended) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the National Security Agencies Act of 1986 and enact National Security Agencies Bill, 2021 to delineate the functions of the various agencies, to reflect the current name of the Department of the State Security Services in the current legal regime, provide a road map for intelligence gathering and sharing, mandate the National Security Adviser to coordinate security agencies in intelligence gathering and sharing between the security agencies.

NATIONAL YOUTH EMPOWERMENT DEVELOPMENT COMMISSION

BILL, 2021

ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT OF THE NATIONAL YOUTH EMPOWERMENT
DEVELOPMENT COMMISSION

1. Establishment of the Commission.
2. Governing Board of the Commission
3. Tenure of some members of the Board
4. Resignation, Cessation or removal of some members of the Board

PART II - FUNCTIONS OF THE BOARD

5. Functions of the Commission
6. Powers of the Board

PART III - STAFF OF THE COMMISSION

7. The Chairman and Secretary of the Commission
8. Other Staff of the Commission
9. Staff Regulations

PART IV - STRUCTURE OF THE COMMISSION

10. Departments of the Commission.
11. Zonal offices of the Commission.
12. Establishment of management and other committees for the
commission

PART V - FINANCIAL PROVISIONS

13. Establishment of fund for the Commission
14. Applications and Management of the funds
15. Annual budget of the Commission
16. Reports

PART VI - MISCELLANEOUS PROVISIONS

- 17. Procedure and Limitation of suits against the Commission
- 18. Service of Process
- 19. Indemnity of members etc.
- 20. Acquisition of property
- 21. Regulations
- 22. Directives by the president.
- 23. Powers to obtain information
- 24. Citation
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL YOUTH EMPOWERMENT DEVELOPMENT COMMISSION, TO BE SADDLED WITH THE RESPONSIBILITY OF COORDINATING AND REGULATING ALL FORMS OF GOVERNMENT FUNDS DISBURSEMENT AND DONATIONS FOREIGN AND LOCAL THAT WOULD ENHANCE THE STANDARD LIVING OF THE YOUTHS AND LIFT THEM OUT OF POVERTY AND FOR RELATED MATTERS

Sponsored by Hon. Richard Gbande

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL YOUTH EMPOWERMENT

2 DEVELOPMENT COMMISSION AND ITS GOVERNING BOARD

3 1.-(1) There is established National Youth Empowerment Establishment
4 Development Commission (in this Bill referred to as "the commission") of the Commission

5 (2) The Commission shall be a corporate body with a perpetual
6 succession and a common seal, may sue and be sued in its corporate name
7 and shall operate under the presidency.

8 2.-(1) There is established for the commission a Governing, Board Governing Board
9 ("in this Bill referred to as "the Board"). Which shall consists- of the Commission

10 (a) Chairman, who shall be an experienced person(s) in Public
11 Administration expert and Administration, shall be appointed by the
12 President of the Federal Republic of Nigeria "FRN".

13 (b) A representative of-

14 (i) Ministry responsible Sports and Youth development;

15 (ii) Ministry responsible for Finance, budget and National
16 planning;

17 (iii) CBN;

	1	(iv) EFCC;
	2	(v) Civil Society Organizations;
	3	(vi) NGO;
	4	(vii) IGP office.
	5	(c) The Chairman of the Commission, who shall serve as a member
	6	and secretary of the Board.
	7	(2) Members of the Board shall not be below the rank of a Director.
	8	(3) The supplementary provisions contained in the schedule to this
	9	Bill, shall have effect with respect to the proceedings of the board and other
	10	Matters.
Tenure of members of the Board	11	3.-(1) The Chairman and members of the Board, shall hold office for
	12	the four "4" years and renewable, subject to satisfactory performances, for
	13	further term of four "4" years and no more.
	14	(2) The members of the Board shall be paid such remunerations and
	15	allowances as the President of the FRN, on recommendation of salaries and
	16	wages commission, may from time to time determine.
Resignation, Cessation or removal of some members of the Board	17	4.-(1) The members of the Board may resign the appointment, , by
	18	notice in writing addressed to the chairman, while the chairman shall address
	19	his/her letter of resignation to the President of the FRN.
	20	(2) A member of the Board, may cease membership if the member:
	21	(a) dies or becomes of unsound mind;
	22	(b) becomes bankrupt;
	23	(c) is convicted of a felony or of any offence involving dishonesty;
	24	(d) is guilty of serious misconduct In relation to the office;
	25	(e) in the case of a member holding professional qualification, if the
	26	person(s) is disqualified or suspended from practicing the profession; or
	27	(f) cease to be a staff of the commission he IS representing.
	28	(3) A member of the Board may be removed, at any time, from the
	29	office by the president of the "FRN", if the President of the "FRN" is satisfied
	30	that it is not in the interest of the commission or the public that the member

1 should continue to hold office.

2 PART II - FUNCTIONS OF THE BOARD

3 5. The commission shall be responsible for-

Functions of the
Commission

4 (a) Coordinating and regulating all forms of the Nigerian youth's
5 engagement through government effort to improve their livelihood in
6 partnership with the states and local government level for better
7 transformation;

8 (b) Develop strategic plans to Assist the youths on monetary
9 disbursement from the government to effectively and efficiently actualized
10 their potential dreams;

11 (c) Develop skill and training that could sustained the youth
12 engagement in all states of the federation to earn a living;

13 (d) Provide platform in which the youth would access financial
14 Assistance to key-start their own businesses as to discover and realize their
15 talents;

16 (e) Provide evaluation mechanism on the youth funds monitoring
17 in order to achieve the utmost desired results;

18 (f) Provide the procedures III which policies and programs of the
19 youths will be effectively and efficiently achieved to curb youth restiveness;

20 (g) Formulate and develop a master plan that would enable the
21 youth contribute in the development of Nigeria.

22 6. The Board shall have powers to-

Powers of the
Board

23 (a) superintend smooth implementation of the functions of the
24 commission;

25 (b) approve guidelines in which the youth funds would be accessed
26 for the proper utilization in order to alleviate poverty and curb restiveness
27 across the Nation;

28 (c) approve appointment, discipline and promotion of staff of the
29 commission;

30 (d) approve creation of additional departments, divisions and units

- 1 as it may deem necessary to achieve the objectives of the commission;
- 2 (e) perform any other function that may be assigned to it by the
- 3 President of the "FRN" from time to time; and
- 4 (f) do any other thing that is incidental to the objectives of this Bill.

5 PART III - STAFF OF THE COMMISSION.

Chairman and
Secretary of the
Commission

- 6 7.-(1) There shall be appointed for the commission a chairman, by the
- 7 president of the FRN, who shall possess cognate experience and qualification
- 8 in Public administration expert and Administration, for a period of not less than
- 9 10 years.

- 10 (2) The Chairman shall-

- 11 (a) be the Chief-Executive and accounting of the commission and
- 12 shall be charged with-

- 13 (i) matters relating to day-to-day management, and operations of the
- 14 commission; and

- 15 (ii) Determining structure of ranks, for staff of the commission.

- 16 (b) hold office for a term of four "4" years and renewable, subject to
- 17 satisfactory performance, for further term of four "4" years, and no more; and

- 18 (c) be answerable to the Board.

- 19 (3) There shall be appointed for the commission, by the Board on the
- 20 recommendation of the chairman, a Secretary for the commission, who shall
- 21 qualify as a legal practitioner and was so qualified for a period of not less than
- 22 10 years.

- 23 (4) The Secretary shall be-

- 24 (a) a legal adviser of the commission;

- 25 (b) secretary to all the committees to be established by the
- 26 management committees; and

- 27 (c) answerable to the chairman of the commission;

Other staff of
the Commission

- 28 8.-(1) The staff of the commission other than those, mentioned in this
- 29 Bill, shall be employed according to the procedure stipulated by the Board.

- 30 (2) The staff can be on permanent or temporary appointment on the

1 terms which precludes the grants of pension and gratuity.

2 (3) The staff of the commission who qualify as a legal practitioner, Cap. L11 LFN,
3 within the meaning of legal practitioners Act, shall in addition to other 2004
4 function, enter appearance to prosecute or defend any civil matters in any
5 court involving the commission.

6 9.-(1) The commission may subject to the provision of this Bill,. Staff regulations
7 with the approval of the Board, make regulations relating, generally to the
8 condition of service in the commission such regulation may provide for the
9 appointment, promotion, discipline and appeals for the staff of the
10 commission;

11 (2) The staff of the commission shall be paid such salary and
12 allowances as may be determined by the president on recommendation of
13 the Board.

14 PART VI - STRUCTURE OF THE COMMISSION

15 10.-(1) There shall be established for the commission, such Departments of
16 number of Departments and units as the commission, with the approval of the Commission
17 the Board may deem necessary.

18 (2) Each Department shall be headed by a Director who shall be
19 professionally qualified to hold the office appointed through a competitive
20 process.

21 (3) Subject to the approval of the Board, of the commission may
22 create additional departments, divisions and units as it may deem necessary
23 to achieve the objective of the commission.

24 11. The commission shall-

25 (a) divide the federation into such number of zones as it may from Zonal offices of
26 time to time, determine for effective organization of the commission; and the Commission

27 (b) establish in each zone, a zonal office.

28 12.-(1) There is established for the commission, a management, Establishment of
29 committee comprising of all the Directors and the chairman of the Managements and
30 commission, who shall be the chairperson of the committee. other Committees
for the Commission

1 (2) The committee may create additional standing or Ad-Hoc
2 committees and give them specific function.

3 PART V - FINANCIAL PROVISIONS

Establishment
of fund for the
Commission

4 **13.** The commission shall establish and maintain a fund, which shall
5 be paid and credited-

6 (a) all subventions and budgetary allocation from the Federal
7 Government;

8 (b) all sums accruing to the commission by the way of gifts,
9 endowments, bequests, grants or other contributions, by person(s) and
10 organizations;

11 (c) returns of investments;

12 (d) foreign donations or aid; and

13 (e) local donations or aid and assistances.

Application and
management of
the fund

14 **14.** The commission shall manage and apply its fund, In accordance
15 with the general guidelines made by the management committees, particularly
16 on-

17 (a) general operations of the commission;

18 (b) payment of salaries and other allowances for the staff of the
19 commission;

20 (c) maintenance of any property vested in the commission;

21 (d) provide procurement to monitor and evaluate all dams, rivers,
22 lakes, over haul turn around maintenance sub-stainable, to achieve the core
23 mandate of the commission; and

24 (e) cost of procurement of goods and consultancy services for the
25 benefits of the commission.

Annual Budget
of the Commission

26 **15.** The commission shall not later than 30th September each year or
27 other date stipulated by law or policy, submit to the president an estimate of
28 expenditure or Income of the commission as approved by the Board for the next
29 fiscal year, for incorporation into the State budget.

1	16. The commission shall submit to the Board quarterly report of	Reports
2	the activities of the commission and the Board shall submit annual report of	
3	its activities to the president of FRN.	
4	PART VI - MISCELLANEOUS PROVISIONS	
5	17. A person who has a cause of action against the commission	Procedure and
6	shall-	Limitation of suit
7	(a) give the commission one-month notice, in writing, of intention	against the
8	to commence an action, disclosing the cause of action and relief sought to be	Commission
9	served on the commission at its head office; and	
10	(b) Commence the legal action within six '6' weeks from the date	
11	the cause of action emanated or arose.	
12	18. Any document, summons, notices, process or any other thing	Service of process
13	required or authorized to be served to the commission, shall be served by	
14	delivering same to the office of the chairman of the commission.	
15	19. Every member of the commission, agents or employees of the	Indemnity of
16	commission, shall be indemnified from the fund of the commission, against	members etc.
17	any liability incurred in defending any proceeding brought against the	
18	person(s) under this clause, in the person's capacity as member or employee	
19	of the commission.	
20	20. The commission may subject to the provisions of, Land Use	Acquisition of
21	Act and any other applicable law, have powers to lease, rent or acquire an	property.
22	interest in land and other properties.	Cap L40 LFN, 2004
23	21. The commission with approval of the Board shall have power	Regulations
24	to make regulations for-effective implementation of the provisions of this	
25	Bill.	
26	22. The President may give the commission such, directives	Directives by the
27	dealing with matters of general policy and maintenance of public safety and	President
28	peace in Nigeria.	
29	23. For purpose of carrying out the functions of the commission	Power to obtain
30	under this Bill, the chairman, or any officer of the commission shall-	information

1 (a) have powers of access to any premises or record, within a
2 reasonable time to obtain information of record of person(s) affected by this
3 Bill; and.

(b) by notice in writing served on affected person to provide an information required to carrying out the functions of commission.

Citation 6 **24.** This Bill, is cited as the National Youth Empowerment
7 Development Commission Bill, 2021.

8 SCHEDULE

9 *Clause 2(3)*

10 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

11 *Proceedings of the Board*

12 1.-(1) Subject to the Provisions of this Bill and other applicable laws,
13 the Board may make Standing orders regulating its proceedings.

(2) The Board shall meet whenever summoned by the Chairman, or if required to do so, by at least five '5' members out of '10' en members of the Board, and shall meet for a minimum of 4 times in each Fiscal year.

(3) The Chairman shall preside over the meetings of the commission and in his/her absence, the Secretary of the commission, may act and report back to the Chairman.

(4) The quorum of the Board shall be formed by the Chairman or a person sitting (secretary) in his/her place as chairman and five "5" other members of the Board or more.

23 Committees

24 2.-(1) The Board may appoint committees and sub-committees to
25 carry out, on its behalf, such functions that Board shall do.

26 (2) The decision of the sub-committee appointed under paragraph
27 2(1) shall have no effect until it is approved by the committee and the Board.

28 *Miscellaneous*

29 3.-(1) The Secretary of the Board shall be the custodian of the seal of
30 the Board.

1 (2) Fixing of the common seal of the commission shall be
2 authenticated by the signature of the chairman of the Board or some other
3 person(s) authorized to do so.

4 (3) Any contract or instrument, which if made or executed by a
5 person(s) not being a corporate body, shall not require to be made under seal,
6 shall be executed on behalf of the commission by the chairman or any other
7 person authorized to do so.

8 (4) Where the Board desires to obtain an expert opinion from a
9 person not being a member of the board, the Board may co-opt such person
10 for such period the Board may determine but the co-opted person shall not
11 have the right to vote or to count in forming a quorum.

12 (5) The validity of any proceeding of the Board or of a committee
13 shall not be adversely affected by any vacancy in the membership of the
14 Board or committee or by any defect in the appointment of a member of the
15 Board or committee or by reason that a person not entitled to take part in the
16 proceedings of the Board or the committee took part.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Youth Empowerment Development Commission, to be saddled with the responsibility of coordinating and regulating all forms of government funds disbursement and donations foreign and local that would enhance the standard living of the youths in order curb youth restiveness.

NATIONAL EXCESSIVE FLOOD MANAGEMENT COMMISSION BILL 2021

ARRANGEMENT OF CLAUSES

Clause:

PART 1 - ESTABLISHMENT OF THE NATIONAL EXCESSIVE FLOOD
MANAGEMENT COMMISSION

1. Establishment of the Commission
2. Governing Board of the Commission
3. Tenure of some members of the Board
4. Resignation, Cessation or removal of some members of the Board.

PART II - FUNCTIONS OF THE BOARD

5. Functions of the Commission.
6. Powers of the Board.

PART III - STAFF OF THE COMMISSION

7. The Chairman and Secretary of the Commission
8. Other Staff of the Commission
9. Staff Regulations

PART IV - STRUCTURE OF THE COMMISSION

10. Departments of the Commission
11. Zonal offices of the Commission
12. Establishment of management and other committees for the commission

PART V - FINANCIAL PROVISIONS

13. Establishment of fund for the Commission
14. Applications and Management of the funds
15. Annual budget of the Commission
16. Reports

Part VI - Miscellaneous Provisions

17. Procedure and Limitation of suits against the Commission
18. Service of Process

- 19. Indemnity of members etc.
- 20. Acquisition of property
- 21. Regulations.
- 22. Directives by the president.
- 23. Powers to obtain information
- 24. Citation
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL EXCESSIVE FLOOD MANAGEMENT COMMISSION, TO BE SADDLED WITH THE RESPONSIBILITY OF COORDINATING AND REGULATING ALL FORMS OF NIGERIAN DAMS- OPERATIONS, ITS DRAINAGES, MAINTENANCE, DAMS CONSTRUCTION WORK, SUPERVISION, COST ANALYSIS, REVIEW OF WORK MAINTENANCE TO TIME FRAME SPECIFICATION, RECOMMENDATION TO GOVERNMENT AS DEEM NECESSARY TO CURB AND ACHIEVE UTMOST CONTROL OF EXCESSIVE FLOOD INVASION RAVAGING THE COUNTRY ANNUALLY AND FOR RELATED MATTERS

Sponsored by Hon. Richard Gbande

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL EXCESSIVE FLOOD

2 MANAGEMENT COMMISSION AND ITS GOVERNING BOARD

3 **1.-(1)** There is established National Excessive Flood Management Establishment of
4 Commission (in this Bill referred to as "the commission") the Commission

5 (2) The Commission shall be a corporate body with a perpetual
6 succession and a common seal, may sue and be sued in its corporate name
7 and shall operate under the presidency.

8 **2.-(1)** There is established for the commission a Governing Board Governing Board
9 ("in this Bill referred to as "the Board"). Which shall consists: of the Commission

10 (a) Chairman, who shall be an experienced person(s) in Geology
11 Expert (Geologist) and Administration, shall be appointed by the President
12 of the Federal Republic of Nigeria "FRN".

13 (b) A representative of:

14 (i) Ministry responsible for water Resources;

	1	(ii) Ministry responsible for Finance, budget and National planning;
	2	(iii) CBN;
	3	(iv) EFCC;
	4	(v) Metrology Agency;
	5	(vi) Ministry of environment & mines & steel;
	6	(vii) IGP office;
	7	(c) The Chairman of the Commission, who shall serve as a member
	8	and secretary of the Board.
	9	(2) Members of the Board shall not be below the rank of a Director.
Schedule	10	(3) The supplementary provisions contained in the schedule to this
	11	Bill, shall have effect with respect to the proceedings of the board and other
	12	Matters.
Tenure of members of the Board	13	3.-(1) The Chairman and members of the Board, shall hold office for
	14	the four "4" years and renewable, subject to satisfactory performances, for
	15	further term of four "4" years and no more.
	16	(2) The members of the Board shall be paid such remunerations and
	17	allowances as the President of the FRN, on recommendation of salaries and
	18	wages commission, may from time to time determine.
Resignation, Cessation or removal pf some members of the Board	19	4.-(1) The members of the Board may resign the appointment, by
	20	notice in writing addressed to the chairman, while the chairman shall address
	21	his/her letter of resignation to the President of the FRN.
	22	(2) A member of the Board, may cease membership if the member:
	23	(a) dies or becomes of unsound mind;
	24	(b) becomes bankrupt;
	25	(c) is convicted of a felony or of any offence involving dishonesty;
	26	(d) is guilty of serious misconduct III relation to the office;
	27	(e) in the case of a member holding professional qualification, if the
	28	person(s) is disqualified or suspended from practicing the profession; or
	29	(f) cease to be a staff of the commission he is representing.
	30	(3) A member of the Board may be removed, at any time, from the

1 office by the president of the "FRN", if the President of the "FRN" is
2 satisfied that it is not in the interest of the commission or the public that the
3 member should continue to hold office.

4 PART II - FUNCTIONS OF THE BOARD

5 5. The commission shall be responsible for:

Functions of the
Commission

6 (a) Coordinating and regulating all forms of Nigerian Dams and
7 flood control operations in all the states of the federation;

8 (b) Provide sustainable drainages system of Dams across
9 federation to cushion the effect of excessive flood in Nigeria;

10 (c) Determine the time framework specification for turnaround
11 Dams maintenance across the country;

12 (d) Provide procedure for Dams construction and rehabilitation to
13 apprehend and curb excessive flood invasion in the Nation;

14 (e) Provide supervision and cost analysis for the utmost control of
15 excessive flood ravaging lives and properties of Nigerians annually;

16 (f) Provide a sustainable review of Dams and other rivers, Lakes,
17 maintenance work to actualize and achieve the core mandate of the
18 commission; and

19 (g) Perform any other function that may be assigned to it by the
20 president of the FRN, or do any other thing that is incidental to the objectives
21 of this Bill.

22 6. The Board shall have powers to:

powers of the
Board

23 (a) superintend smooth implementation of the functions of the
24 commission;

25 (b) approve guidelines in which Nigeria Dams, Lakes, Rivers
26 would be controlled in order to curb excessive flood in Nigeria;

27 (c) approve appointment, discipline and promotion of staff of the
28 commission;

29 (d) approve creation of an additional departments, divisions and
30 units as it may deem necessary to achieve the objectives of the commission;

1 (e) perform any other function that may be assigned to it by the
2 President of the "FRN" from time to time; and

3 (f) do any other thing that is incidental to the objectives of this Bill.

4 PART III - STAFF OF THE COMMISSION

Chairman and
Secretary of the
Commission

5 7.-(1) There shall be appointed for the commission a chairman, by the
6 president of the FRN, who shall possess cognate experience and qualification
7 in geology expert (geologist) and Administration, for a period of not less than
8 10 years.

9 (2) The chairman shall:

10 (a) be the chief-Executive and accounting of the commission and
11 shall be charged with-

12 (i) matters relating to day-to-day management, and operations of the
13 commission; and

14 (ii) Determining structure of ranks, for staff of the commission.

15 (b) hold office for a term of four "4" years and renewable, subject to
16 satisfactory performance, for further term of four "4" years, and no more; and

17 (c) be answerable to the Board.

18 (3) There shall be appointed for the commission, by the Board on the
19 recommendation of the chairman, a Secretary for the commission, who shall
20 qualify as a legal practitioner and was so qualified for a period of not less than
21 10 years.

22 (4) The Secretary shall be:

23 (a) a legal adviser of the commission;

24 (b) secretary to all the committees to be established by the
25 management committees; and

26 (c) answerable to the chairman of the commission;

Other staff of
the Commission

27 8.-(1) The staff of the commission other than those, mentioned in this
28 Bill, shall be employed according to the procedure stipulated by the Board.

29 (2) The staff can be on permanent or temporary appointment on the
30 terms which precludes the grants of pension and gratuity.

1 (3) The staff of the commission, who qualifies as a legal
2 practitioner, within the meaning of legal practitioners Act, shall in addition
3 to other function, enters appearance to prosecute or defend any civil matters
4 in any court involving the commission.

Cap. L11 LFN,
2004

5 9.-(1) The commission may subject to the provision of this Bill
6 with the approval of the Board, make regulations relating, generally to the
7 condition of service in the commission such regulation may provide for the
8 appointment, promotion, discipline and appeals for the staff of the
9 commission;

Staff regulations

10 (2) The staff of the commission shall be paid such salary and
11 allowances as may be determined by the president on recommendation of
12 the Board.

13 PART VI - STRUCTURE OF THE COMMISSION

14 10.-(1) There shall be established for the commission, such
15 number of Departments and units as the commission, with the approval of
16 the Board may deem necessary.

Departments of
the Commission

17 (2) Each Department shall be headed by a Director who shall be
18 professionally qualified to hold the office appointed through a competitive
19 process.

20 (3) Subject to the approval of the Board, of the commission may
21 create additional departments, divisions and units as it may deem necessary
22 to achieve the objective of the commission.

23 11. The commission shall:

Zonal offices of
the Commission

24 (a) divide the federation into such number of zones as it may from
25 time to time, determine for effective organization of the commission; and

26 (b) establish in each zone, a zonal office.

27 12.-(1) There is established for the commission, a management,
28 committee comprising of all the Directors and the chairman of the
29 commission, who shall be the chairperson of the committee.

Establishment of
management and
other committees
for the Commission

30 (2) The committee may create additional standing or Ad-Hoc

	1	committees and give them specific function.
	2	PART V - FINANCIAL PROVISIONS
Establishment of fund of the Commission	3	13. The commission shall establish and maintain a fund, which shall
	4	be paid and credited:
	5	(a) all subventions and budgetary allocation from the Federal
	6	Government;
	7	(b) all sums accruing to the commission by the way of gifts,
	8	endowments, bequests, grants or other contributions, by person(s) and
	9	organizations;
	10	(c) returns of investments;
	11	(d) foreign donations or aid; and
	12	(e) Local donations or aid and assistances.
Application and management of the fund	13	14. The commission shall manage and apply its fund, in accordance
	14	with the general guidelines made by the management committees, particularly
	15	on:
	16	(a) general operations of the commission;
	17	(b) payment of salaries and other allowances for the staff of the
	18	commission;
	19	(c) maintenance of any property vested in the commission;
	20	(d) provide procurement to monitor and evaluate all dams, rivers,
	21	lakes, over haul turn around maintenance sub-sustainable, to achieve the core
	22	mandate of the commission; and
	23	(e) Cost of procurement of goods and consultancy services for the
	24	benefits of the commission.
Annual Budget of the Commission	25	15. The commission shall not later than 30th September each year or
	26	other date stipulated by law or policy, submit to the president an estimate of
	27	expenditure or income of the commission as approved by the Board for the next
	28	fiscal year, for incorporation into the State budget.
Reports	29	16. The commission shall submit to the Board quarterly report of the
	30	activities of the commission and the Board shall submit annual report of its

1 activities to the president of FRN.

2 PART VI - MISCELLANEOUS PROVISIONS

3 17. A person who has a cause of action against the commission
4 shall: Procedure and
Limitation of suit
against the
Commission

5 (a) give the commission one months' notice, in writing, of intention
6 to commence an action, disclosing the cause of action and relief sought to be
7 served on the commission at its head office; and

8 (b) Commence the legal action within six '6' weeks from the date
9 the cause of action emanated or arose.

10 18. Any document, summons, notices, process or any other thing Service of process
11 required or authorized to be served to the commission, shall be served by
12 delivering same to the office of the chairman of the commission.

13 19. Every member of the commission, agents or employees of the Indemnity of
14 commission, shall be indemnified from the fund of the commission, against members etc.
15 any liability incurred in defending any proceeding brought against the
16 person(s) under this clause, in the person's capacity as member or employee
17 of the commission.

18 20. The commission may subject to the provisions of, Land Use Acquisition of
19 Act and any other applicable law, have powers to lease, rent or acquire an property
20 interest in land and other properties. Cap. L40 LFN,
2004

21 21. The commission with approval of the Board shall have power Regulations
22 to make regulations for-effective implementation of the provisions of this
23 Bill.

24 22. The President may give the commission such, directives Directives by
25 dealing with matters of general policy and maintenance of public safety and the President
26 peace in Nigeria.

27 23. For purpose of carrying out the functions of the commission Power to obtain
28 under this Bill, the chairman, or any officer of the commission shall: information

29 (a) have powers of access to any premises or record, within a

Citation

1 reasonable time to obtain information of record of person(s) affected by this
2 Bill; and

3 (b) By notice in writing served on affected person to provide
4 information required to carrying out the functions of commission.

5 **24.** This Bill may be cited as the National Excessive Flood
6 Management Commission Bill, 2021.

7 SCHEDULE

8 *Clause 2(3)*

9 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

10 *Proceedings of the Board*

11 1.-(1) Subject to the Provisions of this Bill and other applicable laws,
12 the Board may make Standing orders regulating its proceedings.

13 (2) The Board shall meet whenever summoned by the Chairman, or if
14 required to do so, by at least five' 5' members out of 10' ten members of the
15 Board, and shall meet for a minimum of 4 times in each Fiscal year.

16 (3) The Chairman shall preside over the meetings of the commission
17 and in his/her absence, the Secretary of the commission, may act and report
18 back to the Chairman.

19 (4) The quorum of the Board shall be formed by the Chairman or a
20 person sitting (secretary) in his/her place as chairman and five "5" other
21 members of the Board or more.

22 *Committees*

23 2.-(1) The Board may appoint committees and sub-committees to
24 carry out, on its behalf, such functions that Board shall do.

25 (2) The decision of the sub-committee appointed under paragraph
26 2(1) shall have no effect until it is approved by the committee and the Board.

27 *Miscellaneous*

28 3.-(1) The Secretary of the Board shall be the custodian of the seal of
29 the Board.

30 (2) Fixing of the common seal of the commission shall be

1 authenticated by the signature of the chairman of the Board or some other
2 person(s) authorized to do so.

3 (3) Any contract or instrument, which if made or executed by a
4 person(s) not being a corporate body, shall not require to be made under
5 seal, shall be executed on behalf of the commission by the chairman or any
6 other person authorized to do so.

7 (4) Where the Board desires to obtain an expert opinion from a
8 person not being a member of the board, the Board may co-opt such person
9 for such period the Board may determine but the co-opted person shall not
10 have the right to vote or to count in forming a quorum.

11 (5) The validity of any proceeding of the Board or of a committee
12 shall not be adversely affected by any vacancy in the membership of the
13 Board or committee or by any defect in the appointment of a member of the
14 Board or committee or by reason that a person not entitled to take part in the
15 proceedings of the Board or the committee took part.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Excessive Flood Management Commission, to be saddled with the responsibility of coordinating and regulating all forms of Nigerian Dams operations, drainages, maintenance, construction work, cost analysis, review of work maintenance to time frame specification, recommendation to government as deem necessary to curb and achieve utmost control of excessive flood invasion ravaging the country annually.