

Extraordinary



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FEDERAL UNIVERSITY, WUKARI (ESTABLISHMENT) BILL, 2021

ARRANGEMENT OF SECTIONS

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FEDERAL UNIVERSITY, WUKARI

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A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY, WUKARI AND TO MAKE
COMPREHENSIVE PROVISIONS FOR DUE MANAGEMENT AND
ADMINISTRATION; AND FOR RELATED MATTERS

Sponsored by Hon. Mohhamed Tahir Monguno

[] Commencement

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

1 PART 1- ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF
2 FEDERAL UNIVERSITY, WUKARI

3 1.-(1) There is established the Federal University, Wukari (in this Establishment
4 Act referred to as "the University"). of Federal
University of
Wukari

5 (2) The University:

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

8 (b) may sue or be sued in its corporate name.

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

10 (a) encourage the advancement of learning and to hold out to all Objects of the
11 persons without distinction of race, creed, sex or political conviction the University
12 opportunity of acquiring higher and liberal education;

13 (b) provide courses of instruction and other facilities for the pursuit
14 of learning in all its branches, and to make those facilities available on
15 proper terms to such persons as are equipped to benefit from them;

16 (c) encourage and promote scholarship and conduct research in
17 restricted fields of learning and human endeavour;

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

	1	(e) undertake other activities appropriate for a university of the
	2	highest standard.
Membership of the University	3	3.-(1) The University shall consist of:
	4	(a) Chancellor;
	5	(b) Pro-Chancellor and a Council;
	6	(c) Vice Chancellor and a Senate;
	7	(d) Deputy Vice Chancellors;
	8	(e) a body to be called Congregation
	9	(f) a body to be called Convocation
	10	(g) the campuses and colleges of the University;
	11	(h) the faculties, schools, institutes and other teaching and research
	12	units of the University;
	13	(i) the persons holding the offices constituted by the First Schedule.
	14	to this Act other than those mentioned in paragraphs (a) to (c) of this
	15	subsection;
	16	(j) all graduates and undergraduates; and
	17	(k) all other persons who are members of the University in accordance
	18	with provisions made by this Act in that behalf.
	19	(2) The First Schedule to this Act shall have effect with respect to the
	20	Principal Officers of the University mentioned therein.
	21	(3) A provision shall be made by Statute with respect to the
	22	constitution of the following bodies the:
	23	(a) Council;
	24	(b) Senate;
	25	(c) Congregation; and
	26	(d) Convocation.
Powers of the University	27	4.-(1) For the carrying out of its objects as specified in section 2 of this
	28	Act, the University shall have power to:
	29	(a) establish such campuses, colleges, faculties, institutes, schools,
	30	extra-mural departments and other teaching and research units within the

1 University as may, from time to time, seem necessary or desirable, subject to
2 the approval of the National Universities Commission;

3 (b) institute professorships, readerships and associate demand and
4 receive from any student or any other person attending the University for the
5 purpose of instruction such fees as the University may, from time to time
6 determine, subject to the overall directives of the appropriate authority;
7 subject to section 22 of this Act, to acquire, hold, grant, charge or otherwise
8 deal with or dispose of movable and immovable property wherever situate;
9 professorships, lectureships and other posts and offices and to make
10 appointments accordingly;

11 (c) institute and award fellowships, scholarships, exhibitions,
12 bursaries, medals, prizes and other titles, distinctions, awards and forms of
13 assistance;

14 (d) provide for the residence, discipline and welfare of members of
15 the University;

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

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

21 (g) demand and receive from any student or any other person
22 attending the university for the purpose of instruction such fees as the
23 University may, from time to time determine, subject to overall directive of
24 the appropriate authority;

25 (h) subject to section 22 of this Act, to acquire, hold , grant, charge
26 or otherwise deal or dispose of movable and immovable property wherever
27 situated;

28 (i) accept gifts, legacies and donations, but without obligation to
29 accept the same for a particular purpose unless it approves the terms and
30 conditions attaching to them;

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

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

7 (l) hold public lectures and undertake printing, publishing and book
8 selling;

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

16 (n) borrow, whether on interest or not, and if need be, upon the
17 security of any or all of the property movable or immovable of the University,
18 such money as the Council may in its discretion, find necessary or expedient to
19 borrow or to guarantee any loan, advance or credit facility;

20 (o) make gifts for any charitable purpose;

21 (p) do anything which it is authorised or required by this Act or by any
22 other Statute to do; and

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

25 (2) Subject to the provisions of this Act and of the Statutes made there
26 under and without prejudice to section 9 (2) of this Act, the powers conferred
27 on the University by subsection (1) of this section shall be exercisable on behalf
28 of the University by the Council or by the Senate or in any other manner which
29 may be authorised by this Act.

1	5.-(1) The Chancellor shall in relation to the University, take	Chancellor to take
2	precedence before all other members of the University, and when he is	precedence before
3	present shall preside at all meetings of convocation held for conferring	other members
4	degrees.	
5	(2) The Pro-Chancellor shall, in relation to the University, take	
6	precedence before all other members of the University except the	
7	Chancellor, and except for the Vice-Chancellor when acting as Chairman of	
8	Congregation or Convocation, and the Pro- Chancellor shall, when he is	
9	present, be the Chairman at all meetings of the Council.	
10	6.-(1) There shall be a Council for the University consisting of:	Establishment
11	(a) the Pro-Chancellor;	and membership
12	(b) the Vice-Chancellor;	of the Council
13	(c) the Deputy Vice-Chancellors;	
14	(d) 1 person from the Federal Ministry responsible for education;	
15	(e) 4 persons representing a variety of interests and broadly	
16	representative of the whole Federation to be appointed by the President;	
17	(f) 4 persons appointed by the Senate from among its members;	
18	(g) 2 persons appointed by the Congregation from among its	
19	members; and	
20	(h) 1 person appointed by Convocation from among its members.	
21	(2) Persons to be appointed to the Council shall be persons of	
22	proven integrity, knowledgeable and familiar with the affairs and tradition	
23	of the University.	
24	7.-(1) Subject to the provisions of this Act relating to the Visitor,	Functions of the
25	the Council shall be the governing body of the University and shall be	Council and its
26	charged with the general control and superintendence of the policy, finances	Finance and
27	and property of the University, including its public relations.	General Purpose
28	(2) There shall be a committee of the Council known as the Finance	Committee
29	and General Purpose Committee, which shall, subject to the directions of the	
30	Council, exercise control over the property and expenditure of the Council	

1 as the Council may delegate to it.

2 (3) Provision shall be made by Statute with respect to the constitution
3 of the Finance and General Purpose Committee.

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

10 (5) Subject to this Act and the Statutes, the Council and the Finance
11 and General Purpose Committee may each make rules for the purpose of
12 exercising any of their respective functions or of regulating their own
13 procedure.

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

19 (7) There shall be paid to the members of the Council, the Finance and
20 General Purpose Committee and of any other committee set up by the Council,
21 travelling allowances and other reasonable expenses, at such rates as may be
22 fixed by extant government circulars.

23 (8) The Council shall meet as and when necessary for the performance
24 of its functions under this Act, and shall meet at least 4 times every year.

25 (9) If required in writing by 5 members of the Council, the Chairman
26 shall within, 28 days after the receipt of such request, call a meeting of the
27 Council:

28 (10) If after 28 days of the receipt or delivery to him of a request under
29 subsection (9), the Chairman fails or neglects to call a meeting, the Registrar
30 shall, within 14 days, cause a meeting of the Council to be convened for that

1 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 section 5 of this Act, subsections (3) and (4) of this
4 section and the provisions of this Act relating to the Visitor, it shall be the
5 general function of the Senate to organise and control teaching in the
6 University, admission to post-graduate courses and other 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
10 subsection (1) of this section, the Senate shall make provision for the:

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

15 (b) organisation and control of courses of study in the University
16 and of the examinations held in conjunction with those courses, including
17 the appointment of examiners, both internal and external;

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

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

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

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

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

29 (h) determination of what description of dress shall be academic

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

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

7 (4) Subject to this Act and the Statutes, the Senate may:

8 (a) make regulations for the purpose of exercising any function
9 conferred on it either by the provisions of this section or for the purpose of
10 providing for any matter for which provision by regulation is authorised or
11 required by this Act or by Statute; and

12 (b) by regulation, provide that at least 1 of the persons appointed as
13 examiners at each final or professional examination held in conjunction with
14 any course of study in the University is not a teacher at the University but is a
15 teacher at the branch of learning to which the course relates in some other
16 University of high repute.

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

Vice Chancellor
to take precedence
in the absence of
Chancellor

23 9.-(1) The Vice-Chancellor shall, in relation to the University, take
24 precedence before all other members of the University except the Chancellor
25 and, subject to section 5 of this Act, the Pro-Chancellor and any other person
26 for the time being acting as Chairman of the Council.

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

1 academic officer of the University and ex-officio Chairman of the Senate.

2 PART II - TRANSFER OF PROPERTY

3 **10.**-(1) All property held by or on behalf of the Provisional Council Transfer of
 4 shall vest in the University and be held by it for the purpose of the Property
 5 University.

6 (2) The provisions of the Second Schedule to this Act shall have Second Schedule
 7 effect with respect to the transfer of property by this section and to matters
 8 arising therefrom and with respect to other matters mentioned in that
 9 Schedule.

10 PART III - STATUTES OF THE UNIVERSITY

11 **11.**-(1) Subject to this Act, the University may make Statutes for: Powers of the
 12 (a) making provision with respect to the composition and University to
 13 constitution of any authority of the University; make Statutes

14 (b) specifying and regulating the powers and duties of any
 15 authority of the University, and regulating any other matter connected with
 16 the University or any of its authorities;

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

19 (d) determining whether any particular matter is to be treated as an
 20 academic or non-academic matter for the purposes of this Act and of any
 21 Statute, regulation or other instrument made under them; and

22 (e) making provision for other matters for which provision by
 23 Statute is authorised or required by this Act.

24 (2) Subject to section 25 (6) of this Act, the Interpretation Act shall
 25 apply in relation to any Statute made under this section as it applies to a
 26 subsidiary instrument within the meaning of section 27 (1) of that Act.

27 (3) The Statute contained in the Third Schedule to this Act shall be
 28 deemed to have come into force on the commencement of this Act and shall
 29 be deemed to have been made under this section by the University.

30 (4) The power to make Statute conferred by this section shall not be

	1	prejudiced or limited in any way by reason of the inclusion or omission of any
	2	matter in or from the Statute contained in the Third Schedule to this Act or any
	3	subsequent Statute.
Approval of Statutes	4	12. -(1) The power of the University to make Statutes shall be
	5	exercised in accordance with the provisions of this section.
	6	(2) A proposed Statute shall not have the force of law until it has been
	7	approved at a meeting of the:
	8	(a) Senate, by the votes of not less than two-thirds of the members
	9	present and voting; and
	10	(b) Council by the votes of not less than two-thirds of the members
	11	present and voting.
	12	(3) A proposed Statute may originate either in the Senate or Council,
	13	and may be approved as required by subsection (2) of this section by both
	14	bodies in no particular order.
	15	(4) A Statute which:
	16	(a) makes provision for or alters the composition or constitution of the
	17	Council, the Senate or any other authority of the University; or
	18	(b) provides for the establishment of a new campus or college or for
	19	the amendment or revocation of any Statute whereby a campus or college is
	20	established,
	21	shall not come into operation unless it has been approved by the Visitor.
Cap. 123 LFN, 2004	22	(5) For the purpose of section 2 (2) of the Interpretation Act, a Statute
	23	shall be treated as being made on the date on which it is approved by the
	24	Council and the Senate in accordance with subsection (3) of this section or in
	25	the case of a Statute falling within subsection (4) of this section, on the date on
	26	which it is approved by the President.
Proof of Statutes in court	27	13. A Statute may be proved in any court by the production of a copy
	28	thereof bearing or having affixed to it a certificate signed by the Vice-
	29	Chancellor or the Registrar to the effect that the copy is a true copy of a Statute
	30	of that University.

1 **14.**-(1) In the event of any doubt or dispute arising at any time as to
2 the meaning of any provision of a Statute, the matter may be referred to the
3 Visitor, who shall take such advice and make such decision on it as he deems
4 fit.

Visitor's decision
in case of dispute

5 (2) The decision of the Visitor on any matter referred to him under
6 this section shall be binding upon the authorities, staff and students of the
7 University and where any question as to the meaning of any provision of a
8 Statute has been decided by the Visitor under this section, no question as to
9 the meaning of that provision shall be entertained by any other authority in
10 Nigeria:

11 (3) Nothing in this subsection (2) of this section shall affect the
12 power of a court of competent jurisdiction to determine whether any
13 provision of a Statute is wholly or partly void as being ultra vires or as being
14 inconsistent with the Constitution.

15 (4) The provisions of this section shall apply in relation to any
16 doubt or dispute as to whether any matter is, for the purposes of this Act, an
17 academic or non-academic matter as they apply in relation to any such doubt
18 or dispute as is mentioned in subsection (1) of this section, and accordingly
19 the reference in subsection (2) of this section to any question as to the
20 meaning of any provision of the Statute shall include references to any
21 question as to whether any matter is for the purposes an academic or non-
22 academic matter.

23 PART IV - SUPERVISION AND DISCIPLINE

24 **15.**-(1) The President shall be the Visitor of the University.

Supervision and
discipline

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

29 (3) The bodies and persons comprising the University shall:

30 (a) make available to the Visitor, and to any other persons

1 conducting a visitation under this section, such facilities and assistance as he or
2 they may reasonably require for the purpose of the visitation; and

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

Removal of
members

5 **16.**-(1) Where it appears to the Council that a member (other than the
6 Pro- Chancellor or the Vice-Chancellor) should be removed from office on
7 grounds of misconduct or inability to perform the functions of his office, the
8 Council shall make a recommendation to that effect through the Minister to the
9 Federal Executive Council and if the Federal Executive Council, after making
10 such enquiries (if any) as may be considered necessary, approves the
11 recommendation it may direct the removal of the member from office.

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

Removal and
discipline of
Academic,
Administrative
and Professional
staff

15 **17.**-(1) Where it appears to the Council that there are reasons for
16 believing that any person employed as a member of the academic,
17 administrative or professional staff of the University, other than the Vice-
18 Chancellor, should be removed from office on grounds of
19 misconduct or inability to perform the functions of his office, Council shall:

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

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

23 (c) take a decision to terminate or not to terminate the appointment.

24 (2) If the affected staff or any three members of the Council so request
25 within a period of 1 month from the date of receipt of the notice of the Council's
26 decision, the Council shall
27 make arrangements for:

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

30 (b) the person in question to be afforded an opportunity to appear

1 before and be heard by an investigating committee with respect to the
2 matter; and if the Council after considering the report of the investigating
3 committee is satisfied that the person in question should be removed, the
4 Council may so remove him by an instrument in writing signed on the
5 directions of the Council.

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

10 (4) Any member of staff may be suspended from duty or his
11 appointment may be terminated by Council for a good cause and, for the
12 purposes of this subsection, "good cause" means:

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

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

19 (c) conduct of a scandalous or disgraceful nature which the
20 Council considers to be such as to render the person concerned unfit to
21 continue to hold office; or

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

25 (5) Any person suspended under subsection (3) of this section shall
26 be on half pay and the Council shall, before the expiration of a period of 3
27 months from the date of such suspension, consider the case against that
28 person and come to a decision as to whether to:

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

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

3 (c) terminate the appointment of the person concerned in which case
4 the person will not be entitled to the proportion of his emoluments withheld
5 during the period of suspension; and

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

9 (6) Where the Council, under this section, decides to continue a
10 person's suspension or decides to take further disciplinary action against the
11 person, the Council shall, before the expiration of 3 months from the decision,
12 come to a final determination in respect of the case concerning such a person.

13 (7) The person by whom an instrument of removal is signed under
14 subsection (1) of this section shall use his best endeavors, to cause a copy of the
15 instrument to be served as soon as reasonably practicable on the person to
16 whom it relates.

17 (8) Nothing in this section shall prevent the Council from making
18 regulations for the discipline of staff and workers of the University as may be
19 appropriate.

Removal of
Examiner

20 **18.**-(1) Where, on the recommendation of the Vice-Chancellor, it
21 appears to the Senate that a person appointed as an Examiner for any
22 examination of the University ought to be removed from his office or
23 appointment, then, the Senate may, after affording the Examiner an
24 opportunity of making representations in person on the matter, direct the Vice-
25 Chancellor to remove the Examiner by an instrument in writing signed by the
26 Registrar.

27 (2) Subject to the provisions of any regulation made under section 8
28 (4) of this Act, the Vice-Chancellor may, on the recommendation of Senate,
29 appoint an appropriate person as Examiner in the place of the Examiner
30 removed.

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

4 **19.-(1)** Subject to the provisions of this section, where it appears to
5 the Vice- Chancellor that any student is guilty of misconduct, the Vice-
6 Chancellor may, without prejudice to any other disciplinary powers
7 conferred on him by Statute or regulations, direct that the:

Disciplinary
action o students

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

11 (b) activities of the student shall, during such period as may be
12 specified in the direction, be restricted in such manner as may be specified;

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

15 (d) student be expelled from the University.

16 (2) Where a direction is given under subsection (1) (c) or (d) of this
17 section in respect of any student, the student may, within the prescribed
18 period and in the prescribed manner, appeal against the direction to the
19 Senate.

20 (3) Where an appeal is brought under subsection (2) of this section,
21 the Senate shall, after causing such inquiry to be made in the matter as the
22 Senate considers just, either confirm or set aside the direction or modify it in
23 such manner as the Senate deems fit.

24 (4) The fact that an appeal from a direction is brought under
25 subsection (2) of this section shall not affect the operation of the direction
26 while the appeal is pending.

27 (5) The Vice-Chancellor may delegate his powers under this
28 section to a disciplinary board consisting of such members of the University
29 as he may nominate.

30 (6) Nothing in this section shall be construed as preventing the

1 restriction or termination of a student's activities at the University for conduct
2 which in the opinion of Senate is prejudicial to the interest of the University or
3 to its corporate objective or image.

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

6 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

Exclusion or
discrimination

7 **20.**-(1) A person shall not be required to satisfy requirements as to
8 race (including ethnic grouping), sex, place of birth, family origin, religious or
9 political persuasion, as a condition for becoming or continuing to be a:

10 (a) student in the University;

11 (b) holder of any degree, appointment or employment in the
12 University; or

13 (c) member of anybody established by virtue of this Act.

14 (2) A person shall not be subjected to any disadvantage or accorded
15 any advantage in relation to the University by reference to any of the matters
16 referred to in subsection (1) of this section.

17 (3) Nothing in subsection (1) of this section shall be construed as
18 preventing the University from imposing any disability or restriction on any of
19 the persons specified in subsection (1) of this section, where such persons
20 willfully refuse or fail on grounds of religious belief to undertake any duty
21 generally and uniformly imposed on all such persons or any group of them
22 which duty, having regard to its nature and the special circumstances, is in the
23 opinion of the University reasonably justifiable in the national interest.

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

24 **21.**-(1) For the purpose of the Land Use Act (which provides for the
25 compulsory acquisition of land for public purposes) any purpose of the
26 University shall be the same as that of the Federation.

27 (2) Where an estate or interest in land is acquired by the Government
28 pursuant to this section, the Government may, by a certificate under the hand
29 and seal of the Chief Federal Lands Officer or any other person authorised in
30 that behalf transfer it to the University.

1	22. -(1) Without prejudice to the provisions of the Land Use Act, the	Consent of Visitor
2	University shall not dispose of or charge any land or an interest in any land	in land deals
3	(including any land transferred to the University by this Act) except with the	Cap. L5 LFN,
4	prior written consent, either general or special, of the Visitor;	2004
5	(2) The consent shall not be required in the case of any lease or	
6	tenancy at a rack-rent for a term not exceeding 21 years of any lease or	
7	tenancy to a member of the University for residential purpose.	
8	23. Except as may be otherwise provided by Statute or by	Quorum
9	regulation, the quorum and procedure of any body of persons established by	
10	this Act shall be such as may be determined by that body.	
11	24. -(1) Any body of persons established by this Act shall, without	Committees
12	prejudice to the generality of the powers of that body, have power to appoint	
13	committees, which need not consist exclusively of members of that body	
14	and authorise a committee established by it to:	
15	(a) exercise on its behalf, such of its functions as it may determine,	
16	and	
17	(b) co-opt members and direct whether or not co-opted members	
18	shall be entitled to vote in that committee.	
19	(2) Any two or more such bodies may arrange for the holding of	
20	joint meetings of those bodies or for the appointment of committees	
21	consisting of members of those bodies, for the purpose of considering any	
22	matter within the competence of those bodies or any of them and either	
23	dealing with it or of reporting on it to those bodies or any of them.	
24	(3) Except as may be otherwise provided by Statute or regulation,	
25	the quorum and procedure of a committee established or meeting held under	
26	this section shall be such as may be determined by the body or bodies which	
27	have decided to establish the committee or hold the meeting.	
28	(4) The Pro-Chancellor and the Vice-Chancellor shall be members	
29	of every committee of which the members are wholly or partly appointed by	
30	the Council, (other than a committee appointed to inquire into the conduct of	

1 the officer in question) and the Vice-Chancellor shall be a member of every
2 committee of which the members are wholly or partly appointed by the Senate.

3 (5) Nothing in this section shall be construed as enabling-

4 (a) statutes to be made otherwise than in accordance with section 11 of
5 this Act; or

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

Seal of the
University

8 **25.**-(1) The seal of the University shall be such as may be determined
9 by the Council and approved by the Chancellor and the affixing of the seal
10 shall:

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

13 (b) in the case of any other document, be authenticated by any
14 member or Council, the Vice-Chancellor and the Registrar or any other person
15 authorised by Statute.

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

19 (3) Any contract or instrument which, if made or executed by a person
20 not being a body corporate, would not be required to be under seal, may be
21 made or executed on behalf of the University by any person generally or
22 specially authorised to do so by the Council without seal.

23 (4) The validity of the proceedings of anybody established pursuant to
24 this Act shall not be affected by:

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

26 (b) any defect in appointment of a member of the body; or

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

29 (5) Any member of any such body who has a personal interest in any
30 matter proposed to be considered by that body shall disclose his interest to the

1 body and shall not vote on any question relating to that matter.

2 (6) Nothing in section 12 of the Interpretation Act (which provides Cap. 123 LFN,
3 for 2004 the application, in relation to subordinate legislation, of certain 2004
4 incidental provisions) shall apply to Statutes or Regulations made pursuant
5 to this Act.

6 (7) The power conferred by this Act on anybody to make Statute or
7 Regulations shall include power to revoke or vary any:

8 (a) Statute (including the Statute contained in the Third Schedule to Third Schedule
9 this Act; or

10 (b) Regulation by a subsequent Statute or Regulation as the case
11 may be, and that the Statutes and Regulations may have different provisions
12 in relation to different circumstances.

13 (8) No stamp or other duty shall be payable in respect of any Second Schedule
14 transfer of property to the University by virtue of sections 10, 21, and the
15 Second Schedule to this Act.

16 (9) Any notice or other instrument authorised to be served by virtue
17 of this Act may, without prejudice to any other mode of service, be served by
18 post.

19 **26.** Where in any provisions of this Act, it is laid down that Proposals and
20 proposals are to be submitted or a recommendation is to be made by one recommendation
21 authority to another through one or more intermediate authorities, every
22 such intermediate authority shall forward any proposal or recommendation
23 received by it pursuant to that provision to the appropriate authority; but
24 any such intermediate authority may, if it thinks fit, forward its own
25 comments on it.

26 **27.-(1)** In this Act: Interpretation
27 "appropriate authority" means any person, body or authority authorised by
28 law to act in a specific or general capacity in relation to a subject matter;
29 "campus" means any campus which may be established by the University;
30 "college" means any college which may be established by the University;

- 1 "Constitution" means the Constitution of the Federal Republic of Nigeria;
- 2 "Government" means the Federal Government of Nigeria;
- 3 "graduate" means a person on whom a degree (other than an honorary degree)
- 4 has been conferred by the University;
- 5 "gross misconduct" means any act of misconduct and improper behaviour that
- 6 may be designated as gross misconduct by any Statute or regulation made,
- 7 pursuant to this Act;
- 8 "Minister" means the Minister charged with responsibility for education;
- 9 "misconduct" means any conduct which is prejudicial to the good name of the
- 10 University or discipline and the proper administration of the business of the
- 11 University;
- 12 "notice" means notice in writing;
- 13 "officer" does not include the Visitor;
- 14 "prescribed" means prescribed by Statute or regulation made under this Act;
- 15 "professor" means a person designated as a professor of the University in
- 16 accordance with provisions made in that behalf by Statute or by regulations;
- 17 "property" includes rights, liabilities and obligations;
- 18 "the Provisional Council" means the Provisional Council appointed for the
- 19 University by the President with effect from September 2011;
- 20 "regulations" means regulations made by the Senate or Council;
- 21 "Senate" means the Senate of the University established by this Act;
- 22 "Statute" means a Statute made by the University under section 11 of this Act
- 23 and in accordance with the provisions of section 12 of this Act;
- 24 "the Statutes" means all such Statutes as are in force from time to time;
- 25 "teacher" means a person holding a full time appointment as a member of the
- 26 teaching or research staff of the University;
- 27 "undergraduate" means a person in statu pupilaris in the University, other than:
- 28 (a) a graduate, and
- 29 (b) a person of such description as may be prescribed for the purposes
- 30 of this definition,

1 "University" means the Federal University, Wukari as incorporated and
2 constituted by this Act; and
3 "the Act" means the Federal University, Wukari Act.

4 **28.** This Bill may be cited as the Federal University, Wukari Citation
5 (Establishment) Bill, 2021.

6 FIRST SCHEDULE

7 PRINCIPAL OFFICERS OF THE UNIVERSITY

8 *The Chancellor*

9 1. The Chancellor shall be appointed by, and hold office at the
10 pleasure of, the President.

11 *The Pro-Chancellor*

12 2.-(1) The Pro-Chancellor shall be appointed or removed from
13 office by the President.

14 *The Vice Chancellor*

15 3. The procedure for the appointment and removal of the Vice-
16 Chancellor shall be in accordance with the provisions of the University
17 (Miscellaneous Provisions) Act 1993 as amended.

18 *Deputy Vice Chancellor*

19 4.-(1) There shall be for the University, two Deputy Vice-
20 Chancellors or such number of Deputy Vice-Chancellors as the Council
21 may, from time to time, deem necessary for the proper administration of the
22 University.

23 (2) The procedure for the appointment and removal of a Deputy
24 Vice-Chancellor shall be in accordance with the provisions of the University
25 (Miscellaneous Provisions) Act 1993 as amended.

26 (3) A Deputy Vice-Chancellor shall:

27 (a) assist the Vice-Chancellor in the performance of his functions;

28 (b) act in place of the Vice-Chancellor when the post of the Vice-
29 Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or
30 unable to perform his functions as Vice-Chancellor; and

1 (c) perform such other functions as the Vice-Chancellor or the
2 Council may, from time to time, assign to him.

3 *Office of the Registrar, Bursar and University Librarian, etc.*

4 5.-(1) There shall be for the University, a Registrar, who shall be the
5 Chief Administrative Officer of the University and shall be responsible to the
6 Vice-Chancellor for the day-to-day administration of the University except as
7 regards matters for which the Bursar is responsible in accordance with
8 paragraph 6 (2) of this Schedule.

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

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

14 6.-(1) There shall be for the University, the following Principal
15 Officers in addition to the Registrar:

16 (a) the Bursar; and

17 (b) the University Librarian.

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

21 (3) The University Librarian shall be responsible to the Vice-
22 Chancellor for the administration of the University Library and the co-
23 ordination of all library services in the University and its campuses, colleges,
24 faculties, schools, departments and institutes and other teaching or research
25 units.

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

29 7. There shall be for the University, a Director of Works, who shall be
30 responsible to the Vice-Chancellor for the administration of the Works

Department, and shall be responsible for all works, services and maintenance of University facilities.

8. There shall be for the University, a Director of Health Services, who shall:

(a) be responsible to the Vice-Chancellor for the administration of the Health Centre;

(b) be the Chief Medical Officer of the University; and

(c) coordinate all matters relating to the health of all staff and students.

Resignations and Appointment

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

(a) the case of the Chancellor or Pro-Chancellor, by notice to the 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.

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC

Transfer of Property to the University

1. Without prejudice to the generality of section 10 (2) of this Act:

(a) the reference in the subsection to property held by the Provisional Council and the University shall include a reference to the right to receive and give a good discharge for any grant or contribution which may have been voted or promised to the Provisional Council and the University; and

(b) all outstanding debts and liabilities of the Provisional Council shall become debts and liabilities of the University established by this Act.

The Provisional Council

2.-(1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modification, have effect as if the University established by this Act had been a party to it in place of the Provisional Council.

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

(3) Any legal proceeding or application to any authority pending by or against the Provisional Council may be continued by or against the University established by this Act.

Registration of Transfers

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

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

Meeting

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

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

(3) The first meeting of the Senate as constituted by this Act shall be

1 convened by the Vice-Chancellor on such date and in such manner as he may
2 determine.

3 (4) The persons who were members of the Senate immediately
4 before the coming into force of this Act shall be deemed to constitute the
5 Senate of the University until the date when the Senate as set up under the
6 Third Schedule of this Act must have been duly constituted.

7 (5) Subject to any regulation which may be made by the Senate
8 after the date on which this Act is made, the facilities, faculty boards and
9 students of the University immediately before the coming into force of this
10 Act shall on that day become faculties, faculty boards
11 and students of the University as established by this Act.

12 (6) Persons who were deans or associate deans of faculties or
13 members of faculty boards shall continue to be deans or associate deans or
14 become members of the corresponding faculty boards, until new
15 appointments are made in pursuance of the Statutes under this Act.

16 *The Staff*

17 5. Any person who was a member of staff of the University as
18 established or was otherwise employed by the Provisional Council shall be
19 employed at the University on such designation, status and functions which
20 correspond as nearly as possible to those which pertained to him as a
21 member of that staff or as such an employee.

22 *The scope*

23 6. Questions as to the scope of the responsibilities of the officers
24 shall be determined by the Vice-Chancellor.

25 THIRD SCHEDULE

26 FEDERAL UNIVERSITY, WUKARI STATUTE NO.1

27 *Articles:*

- 28 1. The Council
29 2. Finance and General Purpose Committee
30 3. The Senate

- 1 4. The Congregation
- 2 5. Convocation
- 3 6. Organisation of Faculties and the Branches thereof
- 4 7. Faculty Board
- 5 8. The Dean of the Faculty
- 6 9. Selection of certain Principal and other key officers
- 7 10. Creation of Academic Post
- 8 11. Appointment of Academic Staff
- 9 12. Appointment of Administrative and Technical Staff

10 *The Council*

(1) Any member of Council holding office pursuant to section 6 (1),
(e), (f), (g) or (h) of this Act may, by notice to the Council resign his office.

(2) A member of Council holding office pursuant to section 6 (1) (e),
(f), (g) or (h) of this Act shall, unless he previously vacates it, vacate that office
on the expiration of a period of 4 years starting from 1st August in the year in
which he was appointed.

(3) Where a member of Council holding office pursuant to section 6(1) (e), (f), (g) or (h) of this Act vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.

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

(5) The quorum of the Council shall be 5, at least 1 of whom shall be a member pursuant to section 6 (1) (d) and (e) of this Act.

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

30 (7) Where the Council desires to obtain advice with respect to any

1 particular matter, it may co-opt not more than 2 persons for that purpose; and
2 the persons co-opted may take part in the deliberations of the Council at any
3 meeting but shall not be entitled to vote.

4 (8) The Council constituted by this Act shall have a 4 year tenure
5 from the date of its inauguration, provided that where a Council is found to
6 be incompetent and corrupt, it shall be dissolved by the visitor and a new
7 Council shall be immediately constituted for the effective functioning of the
8 University.

9 (9) The powers of the Council shall be exercised in accordance
10 with the laws and Statutes of the University, and to that extent, establishment
11 circulars that are inconsistent with the laws and Statutes of the University
12 shall not apply to the University.

13 *The Finance and General Purpose Committee*

14 2.-(1) The Finance and General Purpose Committee of the Council
15 shall consist of:

16 (a) the Pro-Chancellor, who shall be the Chairman of the
17 Committee at any meeting at which he is present;

18 (b) the Vice-Chancellor and a Deputy Vice- Chancellor;

19 (c) 6 other members of the Council appointed by the Council 2 of
20 whom shall be selected from among the 4 members of the Council appointed
21 by the Senate and 1 of whom shall be selected from among members of the
22 Council appointed by the Congregation; and

23 (d) the Permanent Secretary, Federal Ministry of Education or, in
24 his absence, such member of his Ministry as he may designate to represent
25 him.

26 (2) The quorum of the Committee shall be 6.

27 (3) Subject to any direction given by the Council, the Committee
28 may regulate its own procedure.

29 *The Senate*

30 3.-(1) There shall be a Senate for the University consisting of:

- 1 (a) the Vice-Chancellor;
2 (b) the Deputy Vice-Chancellor;
3 (c) all Professors of the University;
4 (d) all Deans, Provosts and Directors of Academic Units of the
5 University;
6 (e) all Heads of Academic Departments, Units and Research Institutes
7 of the University;
8 (f) the University Librarian; and
9 (g) academic members of the Congregation who are not Professors as
10 specified in the Laws of the University.

11 (2) The Vice-Chancellor shall be the Chairman at all meetings of the
12 Senate when he is present and, in his absence, one of the Deputy Vice-
13 Chancellors appointed by him shall be the Chairman at the meeting.

14 (3) The quorum of the Senate shall be one-quarter (or the nearest
15 whole number less than one quarter), and subject to paragraph (2), the Senate
16 may regulate its own procedure.

17 (4) If so requested in writing by any 10 members of the Senate, the
18 Vice-Chancellor, or, in his absence a person duly appointed by him shall
19 convene a meeting of the Senate to be held not later than the tenth day
20 following that on which the request was received.

21 *Congregation*

22 4.- (1) Congregation shall consist of:

- 23 (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
24 (b) the full time members of the academic staff;
25 (c) the Registrar;
26 (d) the Bursar; and
27 (e) every member of the administrative and technical staff who holds
28 a degree of any University recognized for the purpose of this Statute by the
29 Vice-Chancellor, not being an honorary degree.

30 (2) Subject to section 5 of this Act, the Vice-Chancellor shall be the

1 Chairman at all meetings of Congregation when he is present, and, in his
2 absence, one of the Deputy Vice-Chancellors appointed by him shall be the
3 Chairman at the meeting.

4 (3) The quorum of Congregation shall be one-third (or the nearest
5 whole number to one-third) of the total number of members of Congregation
6 or 50, whichever is less.

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

8 (a) the total number of members of Congregation for the purposes
9 of any particular meeting or meetings of Congregation, or

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

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

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

20 *Convocation*

21 5.-(1) Convocation shall consist of:

22 (a) the Officers of the University mentioned in the First Schedule to
23 this Act;

24 (b) all teachers within the meaning of this Act; and

25 (c) all other persons whose names are registered in accordance with
26 sub-paragraph (2) of this paragraph.

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

29 (a) is either a graduate of the University or a person satisfying such
30 requirements as may be prescribed for the purposes of this paragraph; and

1 (b) applies for the registration of his name in the prescribed manner
2 and pays the prescribed fee.

3 (3) Regulations shall provide for the establishment and maintenance
4 of a register for the purpose of this paragraph and, subject to sub- paragraph (3),
5 may provide for the payment from time to time of further fees by persons
6 whose names are on the register and for the removal from the register of the
7 name of any person who fails to pay those fees.

8 (4) The person responsible for maintaining the register shall, without
9 the payment of any fee, ensure that the names of all persons who are for the time
10 being members of Convocation by virtue of sub- paragraph (1)(a) or (b) of this
11 paragraph are entered and retained on the register.

12 (5) A person who reasonably claims that he is entitled to have his
13 name on the register shall be entitled on demand to inspect the register, or a
14 copy of the register at the principal offices of the University at all reasonable
15 times.

16 (6) The register shall, unless the contrary is proved, be sufficient
17 evidence that any person named therein is, and that any person not named
18 therein is not, a member of convocation; but for the purpose of ascertaining
19 whether a particular person was such a member on a particular date, any entry
20 in, and deletion from, the register made on or after that date shall be
21 disregarded.

22 (7) The quorum of Convocation shall be 50 or one-third (or the whole
23 number nearest to one-third) of the total number of members of Convocation
24 whichever is less.

25 (8) Subject to section 5 of this Act, the Chancellor shall be Chairman
26 at all meetings of Convocation when he is present, and, in his absence, the Vice
27 Chancellor shall be the Chairman at the meeting.

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

1 *Organisation of faculties and Branches Thereof*

2 6. Each Faculty shall be divided into such number of branches as
3 may be prescribed.

4 7.-(1) There shall be established in respect of each Faculty, a
5 Faculty Board, which, subject to the provisions of this Act, and subject to the
6 directions of the Vice-Chancellor, shall:

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

9 (b) deal with other matters assigned to it by Statute, the Vice-
10 Chancellor or the Senate; and

11 (c) advise the Vice-Chancellor or Senate on any matter referred to
12 it by the Vice-Chancellor or Senate.

13 (2) Each Faculty Board shall consists of:

14 (a) the Vice-Chancellor;

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

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

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

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

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

24 *The Dean of the Faculty*

25 8.-(1) The Dean of a faculty shall be a professor elected by the
26 Faculty Board and such Dean shall hold office for a term of 2 years and may
27 be eligible for re-election for another term of 2 years after which he may not
28 be elected again until 2 years has elapsed.

29 (2) If there is no professor in a faculty, the Vice-Chancellor shall
30 appoint an Acting Dean who shall not be below the rank of Senior Lecturer

1 for the faculty, who shall act for a period of 1 year in the first instance,
2 renewable for another 1 year only.

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

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

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

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

20 (7) In this article, "good cause" has the same meaning as in section 17
21 (4) of this Act.

22 *Selection of certain Principal and other key Officers*

23 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,
24 the University Librarian, Director of Works or Director of Health Services, a
25 Selection Board shall be constituted by the Council and shall consist of:

26 (a) the Pro-Chancellor;

27 (b) the Vice-Chancellor;

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

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

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

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

10 *Creation of Academic Post*

11 10. Recommendation for the creation of posts other than those
12 mentioned in paragraph 9 of this Schedule shall be made by the Senate to the
13 Council through the Finance and General Purpose Committee.

14 *Appointment of Academic Staff*

15 11. Subject to this Act and the Statute made under it, the filling of
16 vacancies in academic posts (including newly created ones) shall be as
17 prescribed from time to time by Statute.

18 *Appointment of Administrative and Technical Staff*

19 12.-(1) The administrative and technical staff of the University,
20 other than those mentioned in paragraph 9 of this Schedule, shall be
21 appointed by the Council or on its behalf by the Vice- Chancellor or the
22 Registrar in accordance with any delegation of powers made by the Council
23 in that behalf.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University, Wukari to ensure equity and access to tertiary education in the country. The University is a conventional University with restricted programmes, limited and focused faculties.

NATIONAL INSTITUTE FOR POLICY AND STRATEGIC STUDIES BILL, 2021

ARRANGEMENT OF SECTIONS

Sections:

1. Establishment of the National Institute
 2. Objectives of the National Institute
 3. Policy of Non-Attribution
 4. Board of Governors of the National Institute
 5. Tenure of the Board
 6. Remuneration of Members of the Board
 7. Removal of Members of the Board
 8. Functions of the National Institute
 9. Powers of the National Institute
 10. Powers of the Board
 11. Management of the National Institute
 12. Appointment of the Director-General of the National Institute
 13. Appointment of other Principal Officers of the National Institute
 14. Academic Board of the National Institute
 15. Remuneration of employees of the National Institute
 16. Board Regulations, etc.
 17. Removal and discipline of staff in the National Institute
 18. Pensions
 19. Establishment of Endowment Fund for the National Institute
 20. Annual estimates, accounts and audit
 21. Annual report
 22. Power to accept gifts
 23. Borrowing and investment powers of the National Institute
 24. The Seal of the National Institute
 25. Limitation of suits against the National Institute
 26. Repeal and savings
 27. Interpretation
 28. Short title
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR POLICY AND
STRATEGIC STUDIES, TO SERVE AS NIGERIA'S APEX INSTITUTE FOR POLICY
AND STRATEGIC STUDIES AND FOR RELATED MATTERS

Sponsored by Hon. Mohammed Tahir Monguno

[] Commencement

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

1 2 3	1.-(1) There is established the National Institute for Policy and Strategic Studies, Kuru (in this Bill referred to as "the National Institute"), which shall be the apex policy and strategic Institute in Nigeria.	Establishment of the National institute, Kuru
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4 (2) The Institute:

(i) Shall be a body corporate with perpetual succession and a common seal, which may sue or be sued in its corporate name; and

7 (ii) May acquire, hold or dispose of any property, movable or
8 immovable for the purposes of carrying out any of its functions under this
9 Bill.

10	2.-(1) The objectives of the National Institute shall include:	Objectives of
11	(i) serving as the nation's highest Think Tank and a centre for high	the National Institute

level reflection, research, and dialogue, where academics of intellectual excellence, policy initiators, executors and other citizens with high level of practical experience and knowledge drawn from different spheres of Nigerian's national life and the African Continent, meet to reflect and exchange ideas on issues of society as they relate to Nigeria and Africa, in the context of the dynamics of a constantly changing world;

(ii) identifying, encouraging, stimulating, assembling, consolidating and helping to deploy the country's best intellectual talents and experienced policy analysts, who shall make positive contributions to

- 1 the handling of complex policy problems to the best national advantage;
- 2 (iii) serving as a centre of convergence for representatives from
- 3 different walks of Nigeria's National life and Africa to discuss and analyze
- 4 long-term development plans of Nigeria and the African Continent through
- 5 workshops, seminars, action- oriented courses, studies and conferences;
- 6 (iv) The National Institute as the national apex think tank shall
- 7 coordinate national and regional think tanks to respond actively to national and
- 8 regional development challenges; and
- 9 (v) Carrying out its tasks and responsibilities in an objective and non-
- 10 partisan manner that is independent of any group in the body politic.

Policy of Non-
Attribution

11 3. For the National Institute to achieve its objectives as

12 aforementioned, the policy of non-attribution is hereby adopted to the extent

13 that no statement oral or written or made in any other form howsoever, made by

14 faculty members, course participants or guest lecturers in the National Institute

15 shall be attributed to that person therefore no legal liability or form of

16 censorship whatsoever shall arise from such statement.

Board of
Governors of the
National Institute

17 4.-(1) There shall be appointed by Mr. President, a Board of

18 Governors for the National Institute vested with governance and the direction

19 of the National Institute and its affairs (in this Act referred to as "the Board").

20 (2) The Board shall consist of:

- 21 (i) A Chairman to be appointed by Mr. President, who must have
- 22 served in a position not below the rank of Federal Permanent Secretary;
- 23 (ii) The Minister charged with the responsibility for Finance;
- 24 (iii) The Minister charged with the responsibility for Foreign Affairs;
- 25 (iv) The Minister charged with the responsibility for Science and
- 26 Technology;
- 27 (v) The Chief of Defence Staff;
- 28 (vi) The Director-General of the National Institute;
- 29 (vii) An eminent economist who shall be a member of Nigerian
- 30 Economic Society;

1 (viii) An eminent political scientist who shall be a Professor of not
2 less than 20 years;

3 (ix) The serving President of Alumni Association of the National
4 Institute; and

5 (x) Two other appointees of Mr. President, who by reason of their
6 ability, experience or specialized knowledge of administration or profession
7 or business attainments, are capable of adding value to the work and
8 development of the National Institute.

9 (xi) The Secretary Deputy Director (Administration) who shall
10 serve as the Secretary of the Board.

11 (3) The supplementary provisions set out in the First Schedule to
12 this Act, shall have effect with respect to the proceedings of the Board and
13 other matters contained therein.

14 **5.-(1)** The membership of the Board shall hold office for a single
15 term of four years.

Tenure of the
Board

16 **6.** The Chairman and other members of the Board shall be paid
17 such allowances and expenses as the Federal Government may, from time to
18 time direct.

Remuneration
of Members of
the Board

19 **7.-(1)** Where it appears that the Chairman or any member of the
20 Board should be removed from office on the grounds of misconduct or
21 inability to perform the functions of his office, the Board shall make a
22 recommendation to the President for his removal.

Removal of
Members of the
Board

23 (2) Where the President, after making such inquiries as he
24 considers necessary, approves the recommendation made by the Board, the
25 Secretary to the Government of the Federation shall, in writing declare the
26 position of such member vacant.

27 (3) Notwithstanding the provision of subsection (1) of this Section,
28 the President may remove any member of the Board, where he is satisfied
29 that it is in the interest of the National Institute and the public to do so.

Functions of the
National Institute

- 1 **8.-(1)** The functions of the National Institute shall be to:
- 2 (i) conduct courses for top level policy makers and executors from
- 3 different sectors of Nigeria's national life and Africa with a view to expanding
- 4 their outlook, perspective, stretching their conceptual capacity and qualities of
- 5 discernment analysis, thereby helping to improve their overall performance in
- 6 their different fields of responsibilities;
- 7 (ii) carry out an in-depth research into socio-economic, political,
- 8 security, scientific, cultural and other problems facing Nigeria and the African
- 9 sub-region with a view to formulating and presenting in applicable form,
- 10 solution options;
- 11 (iii) conduct seminars, workshops and other action-oriented
- 12 programmes on a continuing or ad-hoc basis for leaders in the public service
- 13 including the military and paramilitary forces, private sector, political
- 14 organizations, professions and other groups with a view to promoting,
- 15 defining, and enhancing appreciation for long-term national plans and
- 16 objectives;
- 17 (iv) organize and carry out, on an inter-disciplinary basis, intellectual
- 18 support for those charged with making and implementing policy for Nigeria
- 19 and Africa;
- 20 (vi) disseminate by way of publication and any other means
- 21 information about any part of its activities, to the extent deemed justified by the
- 22 Board in the interest of the nation, as a contribution towards knowledge and for
- 23 better national and international perception of Nigeria;
- 24 (vii) establish and maintain an ICT based library comprising such
- 25 books, records, reports and other publications as may be directed by the Board
- 26 for the advancement of knowledge in the areas of work undertaken by it,
- 27 research purposes and other purposes connected with the functions conferred
- 28 on the National Institute by this Act; and
- 29 (viii) Carry out any other activities as are necessary or expedient for
- 30 the performance of its function under this Act.

- 1 **9.-(1)** The National Institute shall have powers to: Powers of the
National Institute
- 2 (i) award certificates of Membership of the National Institute (mni)
- 3 to persons, who have satisfactorily completed the Senior Executive Course
- 4 as required by the National Institute and issue Certificate of Attendance to
- 5 those who could not satisfy minimum requirements set by the National
- 6 Institute, while other courses shall attract appropriate certificates as may be
- 7 approved by the Board;
- 8 (ii) award certificates of recognition, [mni] to persons who are
- 9 already members of the National Institute and who must have served as
- 10 members of Directing Staff or Principal Officer of the Institute for a certain
- 11 period of time not less than 2 (Two) Academic Sessions and have
- 12 contributed in a positive manner to the development of the Institute as
- 13 may be determined from time to time by the Board.
- 14 (iii) Award certificates of Honour (Honoris Causa}, with
- 15 appellations as may be determined by the Board to deserving Nigerians.
- 16 (iv) Develop action-oriented research programmes in every sphere
- 17 with a view to advancing development, good governance and democracy in
- 18 Nigeria and Africa;
- 19 (v) Institute professorships, readerships, fellowships, other posts
- 20 and offices and to make appointments and promotions thereto to enable it
- 21 achieve its powers under (i) above;
- 22 (vi) Collaborate with other Institutes with similar objectives
- 23 around the world with a view to projecting its image and impact on the
- 24 Nigeria nation in a globalized world;
- 25 (vii) withdraw any certificate awarded by it to a person if it is
- 26 satisfied that the holder of such certificate has conducted himself in such a
- 27 manner that is unbecoming of a holder of said certificate and consequently
- 28 could debase the integrity and reputation of the National Institute and;
- 29 (viii) Carry out such other activities as the National Institute may,
- 30 from time to time, deem necessary for the purpose of carrying out its

	1	functions under this Act.
Powers of the Board	2	10.-(1) The Board of the National Institute shall have powers to:
	3	(i) formulate policies and ratify short and long-term plans of the
	4	National Institute;
	5	(ii) Ratify the annual budget of the National Institute;
	6	(iii) Approve investment plans of the National Institute.
	7	(vi) receive and consider proposals, recommendations and
	8	suggestions from the Director-General and any Committee set up by the Board
	9	on matters relating to the functions of the National Institute under this Act;
	10	(vii) Set up any committee that may be necessary to discharge the
	11	functions assigned to it under this Act;
	12	(viii) Attract funds by way of donations, endowments and
	13	contributions to the National Institute and put in place, mechanisms for
	14	management of such funds;
	15	(ix) Recruit and promote members of staff, and also entertain appeals
	16	on disciplinary matters affecting such members of staff;
	17	(x) Approve appropriate fees for services rendered by the National
	18	Institute;
	19	(xi) notwithstanding the provisions of (ix) above, in consultation with
	20	the Management, set guidelines and requirements for selection of members of
	21	Directing Staff from the Military, Police and Security Services on posting to
	22	the National Institute, to ensure that the required standard is not compromised;
	23	(xii) notwithstanding the provision of (xi) above, the National
	24	Institute shall only accept Military and Police Officers on posting as members
	25	of Directing Staff and Defence Fellows, if such officers have attended and
	26	passed the Senior Executive Course and have been recommended by the
	27	National Institute for posting as Directing Staff based on their performance in
	28	the course; and
	29	(xiii) Carry out or exercise any other powers that may be necessary for
	30	the attainment of the objects of this Act.

1	11.-(1) Management of the National Institute shall be vested in its	Management of the National Institute
2	Principal Officers, which shall comprise:	
3	(i) Director General;	
4	(ii) Secretary/ Deputy Director-General (Administration);	
5	(iii) Deputy Director-General (Studies);	
6	(iv) Deputy Director-General (Research);	
7	(v) Institute Librarian;	
8	(vi) Institute Bursar.	
9	12.-(1) There shall be appointed for the National Institute, a	Appointment of the Director- General of the National Institute
10	Director-General, who shall be the Chief Executive Officer of the National	
11	Institute.	
12	(2) The Director-General shall be:	
13	(i) Appointed by Mr. President of the Federal Republic, on the	
14	recommendation of the Board of Governors of the National Institute;	
15	(ii) Responsible to the Board for the management of the affairs of	
16	the National Institute;	
17	(iii) entitled to earn a remuneration and allowances which is at par	
18	with a Minister of the Federal Republic of Nigeria, in addition to any	
19	allowances as may be approved by the Board from time to time; and	
20	(iv) Hold a renewable tenure of four years on such terms and	
21	conditions as may be specified in his letter of appointment.	
22	13.-(1) There shall be appointed by the Board the following	Appointment of other Principal Officers of the National Institute
23	Principal Officers who shall constitute members of the Management	
24	Committee of the National Institute:	
25	(i) The Secretary/Deputy Director-General (Administration) of the	
26	National Institute shall be at par with the office of a Federal Permanent	
27	Secretary in the Federal Civil Service of the Federation, earning such	
28	remuneration and allowances as enjoyed by the office or as may be	
29	prescribed by the Board. He shall be responsible to the Director-General for	
30	the day-to-day administration of the National Institute. The	

1 Secretary/Deputy Director-General (Administration) shall serve as Secretary
2 to the Board of the National Institute, and hold a non-renewable tenure of four
3 years;

4 (ii) The Deputy Director-General (Studies), shall be a Professor or
5 equivalent and be at par with the office of a Federal Permanent Secretary in the
6 Federal Civil Service of the Federation, earning such remuneration and
7 allowances as enjoyed by the office or as may be prescribed by the Board and
8 be responsible to the Director-General for organizing and conducting courses
9 undertaken by the National Institute, including the collation and publication of
10 course materials and other publications relating thereto. The Deputy Director-
11 General (Studies), shall hold a non-renewable tenure of four years;

12 (iii) The Deputy Director-General (Research) shall be a Professor or
13 equivalent and be at par with the office of a Federal Permanent Secretary in the
14 Federal Civil Service of the Federation, earning such remuneration and
15 allowances as enjoyed by the office or as may be prescribed by the Board and
16 be responsible to the Director-General for coordinating research staff, research
17 projects, collation and publication of research materials of the National
18 Institute. The Deputy Director- General (Research) shall hold a non-renewable
19 tenure of four years;

20 (iv) The National Institute Librarian, having the status, qualifications
21 and remuneration of a University Librarian, shall be responsible to the
22 Director-General for administering, coordinating and implementing the
23 Institute's Library policy with respect to the development of the Library under
24 this Bill. The National Institute Librarian shall be appointed on such terms and
25 conditions as may be approved by the Board;

26 (v) The National Institute Bursar having the status, qualifications and
27 remuneration of a University Bursar is the Chief Financial Officer of the
28 National Institute and shall be responsible to the Director-General for the day
29 to day administration and control of the financial affairs of the Institute. The
30 National Institute Bursar shall be appointed on such terms and conditions as

1 may be approved by the Board.

2 **14.**-(1) There shall be established an Academic Board for the
3 National Institute, which shall be the highest academic decision-making
4 body for the National Institute.

Academic Board
of the National
Institute

5 (2) The Academic Board shall have powers to:

6 (i) Approve programme of studies, major research and courses to
7 be undertaken by the National Institute;

8 (ii) Approve final results for all courses.

9 (3) The Academic Board shall comprise:

10 (i) Director General;

11 (ii) Secretary/ Deputy Director-General (Administration);

12 (iii) Deputy Director-General (Studies);

13 (iv) Deputy Director-General (Research);

14 (v) Institute Librarian;

15 (vi) All Directing Staff;

16 (vii) All Senior Fellows I and Heads of Department in Research
17 Directorate.

18 **15.** Salaries and allowances of members of Staff of the National
19 Institute, shall be in accordance with the conditions and scheme of service as
20 may be approved by the Board of the National Institute; provided that rates
21 and salary scale and other emoluments accruing to the employees shall not
22 in any case be less than 50% of what is prevailing in Nigerian Federal
23 Universities.

Salary and
Allowances of
employees of the
National Institute

24 **16.**-(1) Subject to the provisions of the Law, the Board may make
25 Regulations:

Regulations

26 (i) For the effective implementation of any of the provisions of this
27 Act.

28 (2) The Board may approve staff Regulations and adopt staff
29 Conditions of Service and may provide for:

30 (i) appointment, promotion, fringe benefits, incentives, and

Removal and
discipline of staff
in the National
Institute

Pensions

1 discipline of members of staff of the National Institute provided that in the case
2 of academic positions such rules and regulation shall provide that the standard
3 learning and scholarship in respect of candidates to be appointed or promoted
4 are comparative to the standard required for similar appointment in Nigerian
5 Universities;

6 (ii) The remuneration and tenure of office of members of staff of the
7 National Institute.

8 (3) The Board shall have power to amend Regulations made under
9 this Act, provided that the proposal for amendment shall be passed by two-third
10 of the Board members.

11 (4) All Regulations made by the Board subject to the provisions of this
12 Act, may be published in the Official Gazette of the Government of Nigeria.

13 **17.-(1)** Subject to procedure as may be established thereof:

14 (i) The Principal Officers of the National Institute may be removed
15 from office by the Board;

16 (ii) Other senior members of staff of the National Institute may be
17 removed from office by the Director-General with the approval of the Board;

18 (iii) Removal from office of any junior staff shall be with the approval of the
19 Director-General.

20 **18.-(1)** Service in the National Institute shall be Public Service for the
21 purpose of the Pensions Reform Act and Officers and other persons employed
22 in the National Institute shall in respect of the service in the National Institute,
23 be entitled to pension and other retirement benefits as are prescribed by the
24 Pension Reform Act and/or any extant laws relating to pension, but nothing in
25 this Act shall prevent the appointment of a person to any office on terms which
26 preclude the grant of a pension in respect of that office.

27 (2) For the purpose of the application of the Pensions Reform Act, any
28 power exercisable thereunder by the President or authority other than the
29 Federal Government vested in and exercisable by the National Institute.

30 (3) Subject to subsection (1) of this Section, the Pensions Reform Act, shall in

its application by virtue of subsection (2) of this section, have effect as if, the office were in the public service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria, 1999 (as Amended).

19.-(1) The National Institute shall establish and maintain an Endowment Fund, which shall be applied towards the implementation of the aims and objectives of this Act.

Establishment
of Fund for the
National Institute

(2) There shall be paid and credited to the Fund established pursuant to subsection (1) of this Section:

(i) Such sums as may be provided by the Government of the Federation or of a State for payment into the Fund;

(ii) Fees charged for services rendered by the Institute; and

(iii) all sums accruing to the National Institute by way of gifts, testamentary dispositions, endowments or contributions from philanthropic persons or organizations or otherwise howsoever.

(3) A Board of Trustees of not more than seven members shall be established by the Board of the National Institute to manage the Fund.

20.-(1) The National Institute shall not later than 30th September of each year, submit to the Board for approval its estimates of income and expenditure for the next financial year.

Annual estimates,
accounts and
audit

(2) The National Institute shall:

(a) keep proper records of all accounts of its income and expenditure; and

(b) prepare a statement of account in respect of each financial year.

(3) The National Institute shall, not later than 30th June of each financial year, submit its accounts to auditors appointed from a list of qualified auditors in accordance with guidelines laid down by the Auditor-General for the Federation and the auditors fees and expenses shall be paid from the Funds of the National Institute.

21.-(1) The National Institute shall not later than 30th June of each financial year, submit to the Board, in respect of the preceding financial

Annual Report

1 year, an annual report on the activities of the National Institute in such form as
2 the Board may direct.

3 (2) The report referred to in subsection (1) of this Section shall
4 include:

5 (a) information on the activities of the Institute in that year;

6 (b) a copy of the audited accounts of the Institute for that year together
7 with the Auditor-General's report on the accounts of the National Institute; and

8 (c) such other information as the Board may request.

9 (3) The Director-General shall provide such information on the affairs
10 of the National Institute as the Board may from time to time request.

Power to accept
gifts

11 **22.**-(1) The National Institute may accept any gift of land, money or
12 other property upon such terms and conditions, if any, as may be specified by
13 the person or organization making the gift.

14 (2) The National Institute shall not accept any gift where the
15 conditions attached by the person or organization making the gift are
16 inconsistent with the functions and objectives of the National Institute.

Borrowing and
investment powers
of the National
Institute

17 **23.**-(1) The National Institute may, with the consent or in accordance
18 with any general authority given by the Board, borrow by way of loan or
19 overdraft from any source, any specified amount of money required by the
20 Institute for its obligations and functions under this Act.

21 (2) The National Institute may, subject to the provisions of this Act
22 and the conditions of any trust created in respect of any property, invest any of
23 its funds with the consent or general authority of the Board or Board of trustees
24 under Section 19.

25 (3) The National Institute may invest any of its surplus funds in such
26 securities as the Board may, from time to time, approve.

The seal of the
National Institute

27 **24.**-(1) The seal of the National Institute shall be such as may be
28 administered by the Board and the affixing of the seal of the National Institute
29 shall be signed by the Chairman of the Board and the Secretary/Deputy
30 Director-General (Administration).

1 (2) Certificates issued by the National Institute shall have the
2 National Institute seal affixed and signed by the Director General and the
3 Secretary/Deputy Director General (Administration) of the National
4 Institute.

5 (3) Any contract or instrument which, if made or executed by a
6 person not being a body corporate, would not be required to be under seal
7 may be made or executed on behalf of the National Institute by any
8 authorized by the Board.

9 **25.**-(1) Subject to the provisions of this Act, the provisions of the
10 Public Officers Protection Act shall apply to any suit instituted against the
11 National Institute, an officer or employee of the National Institute.

Limitation of
suits against the
National Institute

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

18 (a) within three months of such act, neglect or default complained
19 thereof; or

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

22 (3) No suit shall be commenced against the National Institute, a
23 member of the Board or any principal officer or employee of the National
24 Institute before the expiration of a period of one month after written notice
25 of the intention to commence the suit has been served on the National
26 Institute by the intending plaintiff or his agent.

27 (4) The notice referred to in subsection (3) of this Section shall
28 clearly state the cause of action, particulars of the claim, the name and place
29 of abode of the intending plaintiff and the relief sought.

Repeal, savings
and Transitional
Provision

1 **26.**-(1) The National Institute for Policy and Strategic Studies is
2 hereby repealed (Cap. N51 L.F.N. 2004).

3 (2) Notwithstanding the provisions of subsection (1) of this Section,
4 all the amendments to the repealed Act and all the subsidiary instruments made
5 thereunder, shall be deemed to have been made under this Act;

6 (3) From the commencement of this Act, all rights, functions,
7 interests, obligations and liabilities of the National Institute for Policy and
8 Strategic Studies existing before the commencement of this Act under any
9 contract or instrument of Law or in equity shall by virtue of this Act be deemed
10 to have been assigned to and vested in the National Institute established by this
11 Act.

12 (4) Any proceeding or cause of action pending or existing
13 immediately before the commencement of this Act by or against the National
14 Institute for Policy and Strategic Studies in respect of any rights, interest or
15 obligation may be continued or discontinued by or against the National
16 Institute in any court of Law or Tribunal.

17 (5) Every assets, funds, resources and other movable or immovable
18 property which before the commencement of this Act, was vested in the
19 National Institute for Policy and Strategic Studies shall by virtue of this Act and
20 without further assurance be vested in the National Institute.

21 (6) Any person who at the coming into force of this Act was the holder
22 of any office in the National Institute for Policy and Strategic Studies, shall on
23 the commencement of this Act continue in that office and be deemed to have
24 been appointed to the office by the National Institute under this Act.

25 (7) Every regulation, order, requirement, certificate, notice, direction,
26 decision, authorization, consent, application, request or thing made, issued,
27 given or done under the repealed Act or sections shall, if in force at the
28 commencement of this Act, continue to be in force and have effect as if made,
29 issued, given or done under the corresponding provisions of this Act.

1	27. In this Act, unless the context otherwise requires:	Interpretation
2	"Board' means the Board of Governor of the National Institute constituted as	
3	provided under Section 3 of this Act;	
4	"Chairman" means the Chairman of the Board of Governors of the National	
5	Institute;	
6	"Directing Staff' mean Officers on posting and appointees of the Board as	
7	members of Directing Staff;	
8	"member" includes the Chairman of the Board and other members of the	
9	Board of Governors of the National Institute;	
10	"misconduct" means any act of misconduct as may be specified by	
11	regulations;	
12	"Participants" mean course enrollees at the National institute of Policy and	
13	Strategic Studies;	
14	"President" means the President and Commander-in Chief of the Armed	
15	Forces of the Federal Republic of Nigeria;	
16	"the National Institute" means the National Institute for Policy and Strategic	
17	Studies established by Section 2 of this Act.	
18	26. This Bill may be cited as the National Institute for Policy and Strategic Studies, Kuru Bill, 2021.	Short title

1 SCHEDULE

2 *Proceedings of the Board*

3 1. Subject to this Act and section 27 of the Interpretation Act (CAP I
4 23) 2004, Laws of the Federation:

5 (a) the Board may make Standing Orders to regulate its proceedings
6 or those of any of its Committees; and

7 (b) the quorum of the Board shall be the Chairman or the person
8 presiding at the meeting and 4 other members of the Board, the quorum of any
9 Committee of the Board shall be as determined by the Board.

10 2. The Board shall meet not less than twice a year or when the
11 Chairman is required to do so by notice given to him by not less 3 other
12 members, he shall summon a meeting of the Board to be held within fourteen
13 days from the date on which the notice is given.

14 3. At any meeting of the Board, the Chairman shall preside but where
15 he is absent, the members present at the meeting shall appoint one of their
16 members to preside over the meeting.

17 4. Where the Board desires to obtain the advice of any person on a
18 particular matter, the Board may co-opt him to the Board for such period as it
19 deems fit, but the person who is in attendance by virtue of this paragraph shall
20 not be entitled to vote at any meeting of the Board and shall not count towards
21 the constitution of required quorum as contemplated by paragraph 2.

22 *Committees*

23 5. The Board may constitute one or more Committees to carry out, on
24 its behalf, such functions as it may consider necessary.

25 6. A Committee appointed under this paragraph shall consist of such
26 number of persons as may be determined by the Board and such persons shall
27 hold office on the Committee in accordance with the terms of their
28 appointment.

29 7. A decision of a Committee of the Board shall be of no effect until it
30 is confirmed by the Board.

1 *Miscellaneous*

2 8. The affixing of the seal of the National Institute shall be
3 authenticated by the signatures of the Chairman or any other member of the
4 Board generally or specifically authorized by the Board to act for that
5 purpose and the Secretary of the National Institute.

6 9. Any contract or instrument which, if made or executed by a
7 person not being a body corporate, would not be required to be under seal,
8 may be made or executed on behalf of the Board by the Director-General or
9 any person generally or specifically authorized by the Board to act for that
10 purpose.

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

14 11. The validity of any proceedings of the Board or of a Committee
15 shall not be adversely affected by:

16 (a) a vacancy in the membership of the Board or the Committee; or

17 (b) a defect in the appointment of a member of the Board or the
18 Committee; or

19 (c) reason being that a person not entitled to do so took part in the
20 proceedings of the Board or the Committee.

21 12. Any member of the Board or any person holding office on a
22 Committee of the Board, who has a personal interest in any contract or
23 arrangement entered into or proposed to be considered by the Board or a
24 Committee thereof, shall disclose his interest to the Board and shall not vote
25 on any question relating to the contract or arrangement.

26 13. A person shall not by reason of his membership of the Board be
27 treated as holding an office of emolument under the State.

EXPLANATORY MEMORANDUM

*(This note does not form part of the above Act but is intended
to explain its purport)*

The Bill seeks to establish the National Institute for Policy and Strategic Studies to serve as the apex institute for research activities on policy and strategy in Nigeria, for policy initiators and executors at the helm of government affairs in the Public Service of the Federation, Military, Paramilitary, the Academia, Private Sector, Professionals, political organizations, commerce and industry and other sectors of Nigeria's national life through seminars, studies, workshops, conferences and other action-oriented courses, to analyze and exchange ideas as to long-term national goals, by providing advance courses leading to award of different categories of certificates to successful participants.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AGRICULTURE (TECHNICAL) OGBOINBIRI, BAYELSA STATE, TO PROVIDE FULL TIME COURSES, TEACHING INSTRUCTION AND TRAINING IN AGRICULTURAL TECHNOLOGY, AGRICULTURE, AND CARRY OUT ITS DUE ADMINISTRATION AND MANAGEMENT FOR RELATED MATTERS, 2021

Sponsored by Hon. Preye Influence Goodluck Oseke

[] Commencement

ENACTED by the National Assembly of the Federal republic of Nigeria as follows;

- 1 **1.-(1)**There is hereby established a College to be known as the Establishment
- 2 Federal College of Agriculture (Technical), Ogboinbiri, Bayelsa State (in
- 3 this Act referred to as "the College") which shall have such powers and
- 4 exercise such functions as are conferred on it by this Act.
- 5 **(2)** The College shall be a body corporate with perpetual
- 6 succession and a common seal and shall have power to acquire and dispose
- 7 of interests in moveable and immovable properties and may sue and be sued
- 8 in its corporate name.
- 9 **2.** The objects of the College shall be: Objects of the
- 10 **(a)** to encourage the advancement of learning and to hold out to all College
- 11 persons without distinction of race, creed, sex or political conviction, the
- 12 opportunity of acquiring higher education in technical agriculture and
- 13 agriculture;
- 14 **(b)** to provide detailed identification of technical and skills
- 15 acquisition needs in technical modernized agriculture equipment's and
- 16 agriculture and develop training programmes to meet those needs;
- 17 **(c)** to develop and offer academic and professional programmes
- 18 leading to award of Professional certificates, Ordinary National Diplomas

1 and Higher National Diplomas which emphasise planning, adaptive, technical,
2 maintenance, developmental and production skills in agriculture, agricultural
3 equipment and technics, and contribute to the scientific transformation
4 Nigeria; with the aim of producing socially mature men and women with the
5 capacity not only to understand agriculture but to be apt in the use of
6 modernized technologies in Agriculture, and also develop these modern
7 technologies;

8 (d) to acts as agents catalysts, through training, research and
9 innovation for the effective and economic utilization, exploitation and
10 conservation of Nigeria's natural, technical agricultural, economic and human
11 resources;

12 (e) to be able to use modern technologies and tools in identifying the
13 agricultural problems and needs of Nigeria and to find solutions to them within
14 the context of overall national development;

15 (f) to establish appropriate relationships with other national
16 institutions involved in production, manufacturing, training of modern
17 agricultural tools and development of technologies in the Agricultural Sector.

Tenure of office
of Members of
the Council

18 **3.-(1)** A member of the Council (Other than an ex-officio member)
19 shall hold office for a term of four-years and shall be eligible for reappointment
20 for a further period of four years and no more.

21 (2) Any member of the Council other than an ex-officio member may
22 by notice to the Council resign its appointment.

23 (3) Any vacancy occurring in the membership of the Council shall be
24 filled by the appointment of a successor who shall represent the same interest as
25 his predecessor for the remainder of the term of the predecessor.

Powers of the
Council

26 **4.-(1)** For the carrying out of its objects as specified in Section 1 sub 3
27 of this Act, the Council shall have power to:

28 (a) hold examination and grant diplomas, professional certificates
29 and other distinctions to persons who have pursued a course of study approved
30 and accredited by the National Board for Technical Education (NBTE) and

- 1 have satisfied such other requirement as the Council may lay down;
- 2 (b) demand and receive from any student or any other person
- 3 attending the College for the purpose of instruction such fees as the Council
- 4 may, with the prior approval of the Minister, from time to time to determine;
- 5 (c) establish technical agricultural, agricultural and rural extension
- 6 services in various parts of Nigeria;
- 7 (d) hold public lectures and undertake printing, publishing and
- 8 book selling;
- 9 (e) provide amenities for and make such, other provision for the
- 10 welfare of the staff of the College;
- 11 (f) invest the funds of the College in securities specified by law or
- 12 in such other securities in Nigeria as may be approved by the Minister;
- 13 (g) borrow money within Nigeria as may in such manner upon such
- 14 security as the Minister may from time to time authorise;
- 15 (h) enter into such contracts as may be necessary or expedient for
- 16 carrying into effect the objective of the College;
- 17 (i) recruit staff to the right calibre and determine the centre the
- 18 career structure of such staff;
- 19 (j) establish and maintain such schools, institutes, extramural
- 20 departments and other teaching and research units within the college as the
- 21 Council may from time to time, deem necessary;
- 22 (k) institute and award fellowships, scholarship, medals, prizes
- 23 and other titles;
- 24 (l) erect, provide, equip and maintain such educational,
- 25 recreational and residential facilities as the College may require from time to
- 26 time;
- 27 (m) accept gifts, legacies and donations, but without obligations to
- 28 accept the same for a particular purpose unless it approves the terms and
- 29 conditions attaching thereto;
- 30 (n) enter into contracts, establish trust, acts as trustee, solely or

- 1 jointly with any other person, and employ and act through agents;
- 2 (o) to provide and promote sound basic scientific technological
- 3 training as a foundation for the development of Agriculture in Nigeria, taking
- 4 into account indigenous of learning; and human endeavour;
- 5 (p) to organise research relevant to training in agricultural-
- 6 technology;
- 7 (q) to organise extension services and out-reach programmes for
- 8 technology transfer;
- 9 (r) to establish institutional linkages in order to foster collaboration
- 10 and integration of training research, and extension activities; and
- 11 (s) to undertake any other activity appropriate for Technical College
- 12 of Agriculture.

Governing Council
of the College

13 **5.-(1)** The governance of the College and the direction of its affairs
14 shall vest in the Governing Council of the College (in this Act referred as the
15 "the Council ").

16 (2) Without prejudice to the generality of subsection (1) of this
17 Section, it shall be the responsibility of the Council to consider and approve:

- 18 (a) the plan of activities of the College;
- 19 (b) the programme of studies, courses, and research to be undertaken
- 20 by the College;
- 21 (c) the annual estimates of the College; and
- 22 (d) the investment plans of the College.

23 (3) The provisions of the part of this act shall have effect with respect
24 of the Council specified herein.

Membership
of the Council

25 **6.-(1)** The Council shall consist of a chairman and the following other
26 members, to be appointed by the Minister of Education:

- 27 (a) a representative of the Federal Ministry of Education;
- 28 (b) a representative of the Federal Ministry of Agriculture;
- 29 (c) a representative of the Federal Ministry of National Board for
- 30 Technical Education;

- 1 (d) a representative of the Agricultural research Counsel of
- 2 Nigeria;
- 3 (e) a representative of the Federal Ministry of Science and
- 4 Technology;
- 5 (f) a representative of the alumni association of the College;
- 6 (g) two representatives of the Academic Board College;
- 7 (h) a representatives of the National Commission for Colleges;
- 8 (i) the Provost of the College;
- 9 (j) advance the objects of the College.

10 **7. The functions of the College shall be**

Functions of the
College

11 (a) to provide full-time courses in teaching instruction and training

12 in:

- 13 (i) agriculture, agricultural technology, technology, applied
- 14 sciences, arts social science, humanities and management; and
- 15 (ii) such other fields of applied learning relevant to the
- 16 development of needs in Nigeria.

17 (b) to conduct courses in agriculture, technical agriculture and

18 applied sciences for teachers;

19 (c) to arrange conferences, seminars and workshop relative to the

20 functions of the College; and

21 (d) to perform such other functions which, in the opinion of the

22 College may serve to promote the objectives of the College.

23 **8.-(1) The Minister shall be the Visitor of the College (2) The**

24 Visitor shall not less than once in every five (5) years conduct a visitation to

25 the College or appoint a visitation panel to consist of not less than 5 experts

26 to conduct the visitation for:

The Visitor of
the College

27 (a) the purpose of evaluating the academic and administrative

28 performance of the College; or

29 (b) such other purpose as the Visitor may deem fit.

The Academic Board of the College	1	9. There shall be established for the College a board to be known as
	2	the Academic Board which shall consist of the following members:
	3	(a) the provost of the College as the Chairman;
	4	(b) all heads of departments;
	5	(c) the College Bursar;
	6	(d) the College Librarian; and
	7	(e) not more than 3 members of the academic staff other than the
	8	heads of departments to be appointed by the Governing Council;
	9	(2) The Academic Board shall be responsible for:
	10	(a) the direction and management of academic matters of the College
	11	including regulation of admission of students, the award of certificates,
	12	scholarships, prizes and other academic distinction; and
	13	(b) discharging of any other function which the Governing Council
	14	may from time to time delegate it.
Directions	15	10. The Minister may give to the Governing Council directions of
	16	general Character relating generally to matters with regard to the exercise by
	17	the Council of its functions and it shall be the duty of the Governing Council to
	18	comply with such directions.
The Provost of the College	19	11.-(1) There shall be the Provost of the College (in this bill referred as
	20	the Provost) who shall be appointed by the President on the recommendation of
	21	the Minister.
	22	(2) where a vacancy occurs in the post of the Provost, the Governing
	23	Council shall advertise the vacancy in a reputable widely read newspapers in
	24	Nigeria specifying the:
	25	(a) qualities of the person who may apply for the post, and
	26	(b) terms and condition of service applicable to the post, and
	27	thereafter draw up short list of suitable candidates for considerations.
	28	(3) The President shall appoint as Provost one of the candidates
	29	recommended to him by the Minister.
	30	(4) subject to this Act and the general control of the Council, the

1 Provost shall be the chief executive of the College and shall be charged with
2 the general responsibility for matters relating to the day-day management of
3 the College.

4 (5) The Provost:

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

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

10 **12.-(1)** There shall be for the College 2 Deputy Provost namely: Deputy Provost

11 (a) Deputy Provost (Academics); and

12 (b) Deputy Provost (Administration).

13 (2) The Governing Council shall appoint the Deputy Provosts from
14 among the Chief Lecturers in the College in any of the following ways that
15 is:

16 (a) from a list of 5 candidates in order of preference, submitted by
17 the Provost;

18 (b) on the recommendation of a Selection Board constituted for the
19 purpose; or

20 (c) on the nomination of the Provost.

21 (3) The Deputy Provost (Academics) shall:

22 (a) assist the Provost in the performance of his functions in
23 academic matters of the College; and

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

26 (4) The Deputy Provost (Administration) shall:

27 (a) assist the Provost in administrative matters of the College; and

28 (b) perform such other function as the Provost or the Governing
29 Council shall from time to time assign to him.

30 (5) Each of the Deputy Provosts:

	1	(a) shall hold office for a period of two years beginning with effective
	2	date of his appointment and on such terms and conditions as may be specified
	3	in his letter of appointment;
	4	(b) may be reappointed for one further period of 2 years and no more.
Register of the College	5	13.-(1) There shall be a Registrar for the College to be appointed by
	6	the Governing Council.
	7	(2) The Registrar shall keep the records and conduct the
	8	correspondence of the Council
	9	(3) The Registrar shall be the Secretary to:
	10	(a) the Governing Council;
	11	(b) the Academic Board; and
	12	(c) any committee of the Governing Council.
	13	(4) The Registrar may perform any duty as may be assigned to him by
	14	the Governing Council or the Provost.
	15	(5) The Registrar shall:
	16	(a) shall hold office for a period of two years beginning with effective
	17	date of his appointment and on such terms and conditions as may be specified
	18	in his letter of appointment;
	19	(b) may be reappointed for one further period of 2 years and no more.
Bursar and Librarian of the College	20	14.-(1) There shall be for the College in addition to the Registrar, the:
	21	(a) Bursar; and
	22	(b) College Librarian who shall be appointed by the Governing
	23	Council.
	24	(2) The Bursar shall be the chief financial officer of the College and be
	25	responsible to the Provost for the day-to-day administration and control of the
	26	financial affairs of the College
	27	(3) The College Librarian shall be responsible to the Provost for the
	28	administration and control of the financial affairs of the College.
	29	(4) The Bursar and the College Librarian:
	30	(a) Shall each hold office for a period of 4 years beginning with

1 effective date of his appointment and on such terms and conditions as may
2 be specified in his letter of appointment; and

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

5 **15.** A Principal Officer of the College may resign his appointment: Resignation of
Principal Officers

6 (a) in the case of the Provost, by notice to the Visitor; and

7 (b) in any other case, by notice to the Governing Council.

8 **16.-(1)** The Governing Council may appoint other persons to be Other employees
of the College
9 employees of the College as they deem it fit to assist the Provost and the
10 Principal Officer in the performance of their functions.

11 (2) The remuneration, tenure of office and condition of service of
12 the employees of the College shall be determined by the Governing Council
13 in consultation with the Federal Civil Service Commission.

14 **17.** Service in the College shall be approved service for the Pension
15 purpose of the Pension Reform Act and accordingly, officers and other
16 persons employed in the College shall be entitled to pensions, gratitude and
17 other retirement benefits as may be prescribed in their respective letters of
18 appointment.

19 **18.-(1)** There shall be a Selection Board for the College which shall Selection Board
20 consist of:

21 (a) the Chairman of the Governing Council;

22 (b) the Provost of the College;

23 (c) 4 members of the Governing Council not being members of the
24 Academic Board; and

25 (d) 3 members of the Academic Board.

26 (2) The functions, procedure and other matters relating to the
27 Selection Board constituted under subsection (1) of this section shall be
28 determined from time to time by the Governing Council.

29 **Fund of the College**

Fund of the
College

30 **19.-(1)** The College shall establish and maintain a fund which shall be

1 applied towards the promotion of the objective of this Bill.

2 (2) There shall be paid and credited to the fund established under
3 subsection (1) of this section:

4 (a) such sums as may from time to time be granted by the Federal
5 Government;

6 (b) all monies raised by the Governing Council by way of gifts,
7 grants-in-aid and monetary depositions; and

8 (c) all subscription, fee and charges for services rendered by the
9 College and all other sums that may accrue to the College from any source,

10 (3) The Governing Council shall submit to the Minister, through the
11 National Commission for College of Education not later than three months
12 before the end of each financial year or at such other time as he may direct an
13 estimate of its revenue and expenditure for the next succeeding financial year.

Power to accept
gift

14 **20.-(1)** The College may accept gifts, money or of other property and
15 upon such terms and conditions, if any, as may be specified by the person
16 making the gifts.

17 (2) The College shall not accept any gift if the conditions attached in
18 the gifts are inconsistent with the functions of the College.

Accounts and
Audit

19 **21.** The College shall keep proper accounts of its receipts, payment
20 assets and liabilities and shall in respect of each year cause the accounts to be
21 audited.

Annual reports

22 **22.** The Governing Council shall as soon as may be after the
23 expiration of each financial year, prepare and submit to the Minister a report of
24 its activities during the immediate preceding financial year and shall include in
25 the report a copy of the audited accounts of the College for that year and of the
26 auditor's report of the accounts.

Interpretation

27 **23.** In this Bill:

28 "Chairman" means the Chairman of the Governing Council;

29 "College" means the Federal Technical College of Agriculture Ogboinbiri
30 established under section (1) of this Bill;

1 "Council" means the Governing Council of the College established under
2 section 2 of this Bill;

3 "Functions" includes powers and duties;

4 "Minister" means the Minister charged with responsibility for education;

5 "Members" means a member of the Governing Council including the
6 Chairman;

7 "Provost" means the Provost of the College established under section 10 of
8 this Bill.

9 **24.** This Bill may be cited as the Federal Technical College of Citation
10 Agriculture Ogboinbiri (Establishment, etc) Bill, 2021.

11 **SCHEDULE**

12 *(Section 2(3))*

13 **SUPPLEMENTARY PROVISION RELATING TO THE**

14 **GOVERNING COUNCIL ETC**

15 *Terms of Service*

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

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

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

26 *Proceedings*

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

30 (2) The Chairman may at any time and shall, at the request in

1 writing of not less than five members, convene a meeting of the Governing
2 Council.

3 (3) At any meeting of the Council the Chairman shall preside; but in
4 his absence, members present shall elect one of their members to preside at the
5 meeting.

6 (4) Where the Governing Council desires to obtain the advice of any
7 person on any particular matter, the Council may co-opt persons who are not
8 members of the Governing Council but the person shall not be entitled to vote
9 at a meeting of the Governing Council.

10 (5) The Quorum of the Governing Council shall be one and half of the
11 total members of the Governing Council, at least one of whom shall be a
12 member appointed by the Minister.

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

15 *Miscellaneous*

16 5.-(1) The fixing of the seal of the College shall be authenticated by
17 the signature of the Chairman, Provost and of some other members of the
18 Governing Council authorized generally or specially by the Governing
19 Council to act for that purpose.

20 (2) Any contract or instrument which, if made or executed by a person
21 other than a body corporate would not be required to be under seal may be made
22 executed on behalf of the College by any person generally or specially
23 authorised to act for that purpose by the Council.

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

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal College of Agriculture (Technical) Ogboinbiri, Bayelsa State, to provide full time courses, teaching instructions and training in Agriculture and carry out its due Administration and Management.

A BILL

FOR

AN ACT TO AMEND THE NATIONAL BIOTECHNOLOGY DEVELOPMENT
AGENCY AND FOR RELATED MATTERS

Sponsored by Hon. Alli Adeyemi Taofeek

[] Commencement

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

- | | | |
|----|---|--|
| 1 | 1. The National Biotechnology Development Agency and other | Amendment of
the National
Biotechnology
Development
Agency Act, 2015 |
| 2 | related matters, 2015 (herein after referred to "the Principle Act") is | |
| 3 | amended as set out in this Bill. | |
| 4 | 2. Section 10: | Amendment of
Section 10 |
| 5 | (a) The Principle Act is amended by introducing in line 10 having | |
| 6 | three (3) publications in any international Biotechnology journals not later | |
| 7 | than 1 year to two persons shall represent the Universities; | |
| 8 | (b) The principle Act is amended by introducing in line "having 2 | |
| 9 | publications in any international Biotechnology Journals "not later 1 year to | |
| 10 | "the persons shall represent the Polytechnics. | |
| 11 | 3. This Bill may be cited as the National Biotechnology | Short title |
| 12 | Development Agency Act (Amendment), 2021. | |

EXPLANATORY NOTE

This Bill seeks to amend the National Biotechnology Development Agency
Act, 2015 to strength the quality of members of the Technical Committee of
the Agency.

A BILL

FOR

AN ACT TO AMEND THE NATIONAL SENIOR CITIZENS CENTRE ACT, 2017
ACT NO. 24, 2010 TO ESTABLISH SENIOR CITIZENS CENTRES AND OLD AGE
HOMES IN ALL THE STATES OF THE FEDERATION AND THE FEDERAL CAPITAL
TERRITORY, ABUJA; AND FOR RELATED MATTERS

Sponsored by Hon. Olarewaju Ibrahim Kunle

[] Commencement

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

- | | | |
|----|---|------------------|
| 1 | 1. The National Senior Citizens Centre Act, 2017 Act No. 24, 2010 | Amendment of |
| 2 | (in this Bill referred to as the "Principal Act") is amended as set out in this | Act No. 24, 2017 |
| 3 | Bill. | |
| 4 | 2. Section 2 of the Principal Act is amended by substituting for | Amendment of |
| 5 | subsection (4), a new subsections "(4)": | Section 2 |
| 6 | “(4) There is established senior citizens centres and old age homes | |
| 7 | (senior citizens homes) in all the states of the Federation and the Federal | |
| 8 | Capital Territory, Abuja.” | |
| 9 | 3. Section 6 of the Principal Act is amended by inserting after | Amendment of |
| 10 | paragraph (d), a new paragraph "(da)": | Section 6 |
| 11 | "(da) maintain linkages with the States, local governments and | |
| 12 | other agencies of government for maintenance of old age homes". | |
| 13 | 4. Section 20 of the Principal Act is amended by inserting in | Amendment of |
| 14 | alphabetical order a new definition of "old age home": | Section 20 |
| 15 | "old age home" means a residence where elderly citizens live and are cared | |
| 16 | for when old age prevents them from looking after themselves in their own | |
| 17 | homes;" | |
| 18 | 5. This Bill may be cited as the National Senior Citizens Centre | Citation |
| 19 | (Amendment) Bill, 2021. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Senior Citizens Centre Act, 2017 Act No. 24, 2010 to establish senior citizens centres and old age homes in all the states of the Federation and the Federal Capital Territory, Abuja.

A BILL

FOR

AN ACT TO AMEND THE NATIONAL COMMISSION FOR NOMADIC EDUCATION ACT, CAP N20, LFN, 2004 TO REDEFINE THE CONCEPT OF NOMADIC EDUCATION TO COVER ALL CATEGORIES OF NOMADS INCLUDING MIGRANT FISHERMEN, AND ITINERANT FARMERS, PASTORALISTS AND OTHER PERSON OR GROUP OF PERSONS THAT FREQUENTLY MOVE FROM ONE PLACE TO THE OTHER IN THE COUNTRY AND TO REDEFINE THE LEARNING METHODS TO INCLUDE MODERN EMERGING LEARNING APPROACHES AND THE USE OF RELEVANT TEACHING AIDS AMONGST NOMADS IN TANDEM WITH MODERN REALITIES; AND FOR RELATED MATTERS

Sponsored by Hon. Preye Influence Goodluck Oseke

[] Commencement

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

- | | |
|--|---|
| <p>1 1. The National Commission for Nomadic Education Act, CAP</p> <p>2 N20, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as the"</p> <p>3 Principal Act") is amended as set out in this Bill.</p> | <p>Amendment of
the Principal Act</p> |
| <p>4 2. The Long Title to the Principal Act is Substituted for a new long</p> <p>5 Title:</p> <p>6 "An Act to establish the National Commission for Nomadic Education</p> <p>7 charged with the responsibility of catering for the education of all categories</p> <p>8 of nomads including migrant fishermen, and itinerant farmers, and for this</p> <p>9 purpose establish, manage, and maintain primary schools, promote literacy</p> <p>10 through all the methods of distance learning in order to educate and improve</p> <p>11 the literacy skills of nomads and their children of school age; and for related</p> <p>12 matters."</p> | <p>Amendment to
the Long Title</p> |
| <p>13 3. Section 1 of the Principal Act is amended by inserting</p> <p>14 immediately after subsection (2), new" subsection (3):</p> | <p>Amendment to
section 1</p> |

1 "(3) The headquarters of the Commission shall be located in Federal
2 Capital Territory Abuja with zonal offices as follows:

3 (a) North-Central Zone - Minna, Niger State;

4 (b) South west- Zone - Ibadan , Uyo State;

5 (c) South- East Zone - Enugu, Enugu State;

6 (d) North-East Zone - Bauchi, Bauchi State;

7 (e) North-West Zone - Kano, Kano State;

8 (f) South-South Zone - Benin, Edo State.

Amendment
to section 2

9 **4.** Section 2 of the Principal Act is amended by the substituting for
10 subsection (3) (g), new subsection (3) (g):

11 “(g) one person each to represent a State from any of the six
12 geopolitical zones of Nigeria that have nomadic population as defined in this
13 Bill”.

Amendment
to section 3

14 **5.** Section 3 of the Principal Act is amended by substituting for
15 paragraph (d), new paragraph (d):

16 “(d) establish, manage, and maintain primary schools, sponsor literacy through
17 all formal, non-formal and informal learning methods/techniques and through
18 all relevant modern teaching aids in order to educate and improve the literacy
19 skills of nomads and their children of school age”

Amendment
to section 4

20 **6.** Section 4 of the Principal Act is amended:

21 (a) in paragraph (a), by substituting for the words, "who cross state
22 boundaries", the words, " in any part of the country "

23 "(a) implement guidelines and ensure geographical spread of
24 nomadic education activities and targets for the nomadic people in any part of
25 the country".

26 (b) in lines 1 and 2 respectively of paragraph (b), by substituting for
27 the words "Livestock Department of the Ministry of Agriculture", with the
28 words, "relevant Ministries, Departments and Agencies, and for the words,
29 nomadic people", with the words, " and relevant learning aids for the education
30 and improvement of the literacy skills of nomads across the country":

1 (c) in paragraph (c), insert the words, " and modern teaching
2 classes/methods and aids for the education and improvement of the literacy
3 skills of nomads across the country":

4 "(c) establish schools and other modern learning centers that
5 should make use of latest technologies for the education and improvement
6 of the literacy skills of all the categories of nomads across the country."

7 (d) in line 4 of paragraph (j), by substituting for the word,
8 "President", the word, "Minister":

9 "(j) subject to the provisions of sections 11 and 12 of Part V of this
10 Act, receive block grants and funds from the Federal Government or any
11 agency authorized in that behalf, particularly the National Primary
12 Education Commission and allocate them to all categories of nomadic
13 schools in accordance with such formulas as may be laid down by the
14 Minister".

15 (e) in line 2 of paragraph (1) sub-paragraph (iv), substitute for the
16 words "and supporting grazing reserves" , the words, " for nomadic
17 education as defined under this Bill":

18 "(iv) contribution towards the acquisition of sites for the
19 establishment of schools for nomadic education as defined under this Bill;"

20 (f) in line 4 paragraph (m), by substituting for the words" settled
21 farmers", the words, " their host communities":

22 "(m) Undertake any other action desirable for the promotion of its
23 responsibilities for nomadic education, including soliciting for funds and
24 other support activities, organising activities to promote peaceful co-
25 existence between the nomadic people and their host communities and
26 formation of inter-disciplinary and sectoral committees with Ministries,
27 agencies and communities."

28 **7.** Section 7 of the Principal Act is amended by inserting Amendment to
29 immediately after subsection 3, new "subsection 4": section 7

30 "(4) In exercising his powers under subsection (1) of this section,

Amendment
to section 10

1 the President shall give due regard to all States with nomads such as migrant
2 fishermen, itinerant farmers and pastoralists as well as the principle of federal
3 character under the Constitution."

4 **8.** Section 10 of the Principal Act is amended:

5 (a) inserting immediately after subsection (1) (c), new paragraph"
6 (d)":

7 "(d) Federal University, Utuoke, Bayelsa State";

8 (b) by substituting for subsections ((3), (4) (a) - (e) and 5 (a):

9 (b), new subsections (3), (4) (a) - (e) and (5) (a) - (b)".

10 "(3) The Centres established under this clause shall conduct research
11 into nomadic lifestyles within their respective regions, including their
12 occupations, the role of women, economic activities, migratory patterns and
13 their demographic distributions, relationship with host or sedentary
14 community populations and attitudes to education, and recommend
15 appropriate formal, informal and non- formal educational systems and
16 evaluate programmes relating to nomads.

17 (4) The Centres shall collate and analyze data from various sources,
18 such data as may be required by it to develop:

19 (a) the curriculum for nomadic education as defined under this Bill;

20 (b) development of reading and teaching materials;

21 (c) teachers' training programme;

22 (d) outreach programmes, including mobile education learning
23 programmes; and

24 (e) resource materials.

25 (5) The Centres shall through the Commission collaborate with
26 universities and other educational research bodies such National Educational
27 Research and Development Council, the National Teachers Institute and the
28 National Educational Technology Centre in the discharge of their functions
29 under this clause.

1	9. Section 11 of the Principal Act is amended:	Amendment to section 11
2	(a) in line 4 of subsection 1, by substituting for the words, " the	
3	Commission shall establish a" , the words, " There is established the" :	
4	"11. (1) There is established the National Nomadic Education Fund	
5	(in this Act referred to as "the Fund") into which shall be paid all monies	
6	received from the Federal Government, particularly through the State	
7	Governments and other sources, including gifts, endowment and profits."	
8	(b) in line 3 and 5 subsection 2 respectively, by substituting for the	
9	word " President", the word " Minister", and inserting the words, "its Centres	
10	established under this Bill", immediately after the word, " universities":	
11	(2) The Fund shall be disbursed in accordance with the accepted	
12	rules and procedures and in pursuit of the objectives of nomadic education,	
13	as may be directed, from time to time, by the Minister, including the making	
14	of appropriate grants to State Governments, local governments,	
15	universities, its Centres established under this Bill and other agencies and	
16	communities."	
17	10. Section 17 of the Principal Act is amended:	Amendment to section 17
18	(a) In line 5 by inserting immediately after the definition of the	
19	word" Commission", the definition of the word, Constitution":	
20	"Constitution" means the Constitution of the Federal Republic of Nigeria,	
21	1999 as amended.	
22	(b) in line 10 by inserting immediately after the definition of the	
23	word, " Minister", the definition of the words, "nomads or nomadic	
24	population" , "Nomadic Education"	
25	"Nomads or nomadic population" means migrant fishermen, itinerant	
26	farmers, and pastoralists or any other person or group of people that are	
27	moving frequently from one place to the other for economic, social or for	
28	any other legitimate means/reasons in any State in Nigeria"	
29	"Nomadic Education "means educational or literacy services delivered to	
30	migrant fishermen, itinerant farmers and pastoralists and any person or	

1 persons that are frequently moving from one place to the other in any part of the
2 country pursuant to the provisions of this Bill."
Short title 3 **11.** This Bill may be cited as the National Commission for Nomadic
4 Education Commission Act (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend sections 1, 2, 3, 4, 7, 10, 11, and 17 as well as the Long Title to the National Commission for Nomadic Education, Cap N20, LFN, 2004 (the "Principal Act") to define the concept of nomadic education to include all categories of nomads namely migrant fishermen, itinerant farmers, and pastoralists and any person or group of persons that frequently move from one place to the other for legitimate means/reasons, and for among other reasons redefine the pedagogy and approaches to nomadic education under the Principal Act to include the use of formal. Informal and non-formal systems and modern teaching aids that promote learning amongst nomads in tandem with modern realities.

A BILL

FOR

AN ACT TO REPEAL THE EXAMINATION MALPRACTICES ACT CAP. E15, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE EXAMINATION MALPRACTICES ACT, 2021 TO EXPAND OFFENCES RELATING EXAMINATION MALPRACTICES AND PRESCRIBE ADEQUATE PUNISHMENT; AND FOR RELATED MATTERS

Sponsored by Hon. Olarewaju Ibrahim Kunle

[] Commencement

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

- 1 1.-(1) A person who by:
- 2 (a) fraudulent trick or device or in abuse of his office or with intent
- 3 to unjustly enrich himself or any other person procures any question paper
- 4 produced or intended for use at any examination of persons, whether or not
- 5 the question paper concerned is proved to be false, not genuine or not related
- 6 to the examination in question;
- 7 (b) false pretence or with intent to cheat or secure any unfair
- 8 advantage for himself or any other person, procures from or induces any
- 9 other person to deliver to him or another person any question paper intended
- 10 for use at any examination;
- 11 (c) false pretence or with intent to cheat or unjustly enrich himself
- 12 or any other person buys, sells, procures or otherwise deals with any
- 13 question paper intended for use or represented as a genuine question paper in
- 14 respect of any particular examination;
- 15 (d) fraudulently or with intent to cheat or secure any unfair
- 16 advantage for himself or any other person or in abuse of his office, procures,
- 17 sells, buys or otherwise deals with any question paper intended for the
- 18 examination of persons at any examination;

Cheating at
examination

1 (e) fraudulent means or with intent to cheat or unjustly enrich himself
2 or any other person, uses a technological device at any examination, commits
3 an offence.

4 (2) A person who violates subsection (1), is liable on conviction in:

5 (a) the case of a person under the age of 18 years, to a fine of at least
6 N500,000 or imprisonment for a term not more three years or to both;

7 (b) the case of a principal, teacher, an invigilator, a supervisor, an
8 examiner, an agent or employee of the examination body concerned with the
9 conduct of an examination, to imprisonment for a term of four years without an
10 option of fine; and

11 (c) any other case, to imprisonment for a term of three years without
12 the option of a fine.

13 (3) Where a person accused of the offence under subsection (1) is an
14 employee of an examination body concerned with the conduct of
15 examinations, a head teacher, teacher or a person entrusted with the safety and
16 security of question papers, he shall be proceeded against and punished as
17 provided in this section, even if the question paper is proved not to be live,
18 genuine or does not relate to the examination concerned.

Stealing of
question papers

19 **2.-(1)** A candidate who, at any examination, by any fraudulent trick or
20 device or with intent to cheat or secure an unfair advantage for himself or any
21 other person, steals, appropriates or takes a question paper, an answer sheet or a
22 script of any other candidate commits an offence and is liable on conviction to a
23 fine of N500,000 or imprisonment for a term not more than three years or both.

24 (2) A person who assist or cause any candidate to have access and
25 control of any examination materials or papers which are not authorised by the
26 examination body, commits an offence and is liable on conviction to a fine of
27 N500,000 or imprisonment for a term not more three years or both.

Personation

28 **3.-(1)** A person who, at an examination:

29 (a) falsely represents himself to be a candidate sitting for the
30 examination; or

1 (b) writes or attempts to write a paper in the name of some other
2 person whether that name is the name of a person living or dead, commits an
3 offence.

4 (2) Any person who violates subsection (1) is liable on conviction
5 in:

6 (a) the case of a person under the age of 18 years, to a fine of
7 N500,000 or imprisonment for a term not more than three years or both;

8 (b) the case of a principal, teacher, an invigilator, a supervisor, an
9 examiner, or an agent or employee of the examination body concerned with
10 the conduct of an examination, to imprisonment for a term of 4 years without
11 an option of a fine; and

12 (c) any other case, to imprisonment for a term of three years
13 without an option of a fine.

14 (3) A person who alters or in any way tampers with a document
15 which has been issued to a candidate in relation to an examination, so that
16 the person is taken to be the candidate, commits an offence and is liable on
17 conviction in:

18 (a) the case of a person under the age of 18 years, to a fine of
19 N500,000 or imprisonment for a term not more than three years or both;

20 (b) the case of a principal, teacher, an invigilator, a supervisor, an
21 examiner, or an agent or employee of the examination body concerned with
22 the conduct of the examination, to imprisonment for a term of four years
23 without an option of fine; and

24 (c) any other case, to imprisonment for a term of three years
25 without an option of fine.

26 4.-(1) A candidate at an examination who leaves the venue of the
27 examination, and mixes up with any other person with intent to cheat or
28 secure any unfair advantage for himself or any other person in the
29 examination, commits an offence and is liable on conviction to a fine of at
30 least N300,000 or imprisonment for a term not more than three years or both

Orderliness at
examinations

1 and, in addition, the candidate shall not be allowed to re-enter the examination
2 hall or any other place to continue with that examination.

3 (2) A person who:

4 (a) without lawful excuse, with intent to aid a candidate to cheat or
5 secure any unfair advantage for himself or any other person at an examination,
6 communicates or attempts to communicate to the candidate any information
7 relating to any question paper in the examination; or

8 (b) not being involved in the conduct of an examination, is found in or
9 near the examination hall or any other place appointed for the examination with
10 intent to aid a candidate to cheat or secure an unfair advantage for a candidate at
11 the examination, commits an offence.

12 (3) A person who violates subsection (2) is liable on conviction in:

13 (a) the case of a person under the age of 18 years, to a fine of N500,000
14 or imprisonment for a term not more than three years or both;

15 (b) in the case of a principal, teacher, an invigilator, a supervisor, an
16 examiner, an agent or employee of the examination body concerned with the
17 conduct of an examination, to imprisonment for a term of four years without an
18 option of fine; and

19 (c) any other case, to imprisonment for a term of three years without
20 an option of a fine.

Disturbances at
examinations

21 **5.-(1)** A person who, at or near an examination hall or any other place
22 appointed for an examination:

23 (a) has in his possession any offensive weapon or other material or
24 uses any offensive weapon or other material on any other person; or

25 (b) acts or incites any other person to act in a disorderly manner, for
26 the purpose of disrupting the conduct of an examination or harming,
27 intimidating, assaulting or obstructing any person involved in the conduct of
28 the examination, commits an offence.

29 (2) A person who violates subsection (2) is liable on conviction in:

30 (a) the case of a person under the age of 18 years, to a fine of N500,000

1 or imprisonment for a term not more than three years or both;

2 (b) the case of a principal, teacher, an invigilator, a supervisor, an
3 examiner, or an agent or employee of the examination body concerned with
4 the conduct of an examination, to imprisonment for a term of five years
5 without an option of fine; and

6 (c) any other case, to imprisonment for a term of four years without
7 an option of a fine.

8 **6.-(1)** A candidate who:

9 (a) misconducts himself in an examination hall or any other place
10 appointed for an examination; or

11 (b) fails to obey any lawful order of the supervisor, invigilator or
12 agent of the examination body concerned with the conduct of the
13 examination, commits an offence and is liable on conviction to a fine of
14 N100,000 or imprisonment for a term not more than six months or both.

15 (2) A person who contravenes the provisions of subsection (1) may
16 be removed from the examination hall or other place appointed for the
17 examination by a police officer, the supervisor, invigilator or an agent of the
18 examination body concerned with the conduct of the examination.

19 **7.** A person who willfully obstructs a supervisor, an invigilator or
20 agent of the examination body concerned with the conduct of the
21 examination or any other person in the performance of his duty at the
22 examination, commits an offence and is liable on conviction in:

23 (a) the case of a person under the age of 18 years, to a fine of
24 N200,000 or imprisonment for a term not more than one year or both;

25 (b) the case of a principal, teacher, an invigilator, a supervisor, an
26 examiner, or an agent or employee of the examination body concerned with
27 the conduct of an examination, to imprisonment for a term of five years
28 without an option of fine; and

29 (c) any other case, to imprisonment for a term of four years without
30 an option of fine.

Conduct at
examinations

Obstruction of
supervisor

Forgery of result
slip

- 1 **8.-(1)** A person who:
2 (a) forges; or
3 (b) fraudulently or without lawful order, alters or in any other way
4 tampers with, the scores of a candidate as contained on a result slip or
5 certificate duly issued by an examination body, commits an offence.
6 **(2)** A person who violates subsection (1) is liable on conviction in:
7 (a) the case of a person under the age of 18 years, to a fine of N500,000
8 or imprisonment for a term not more than three years or both;
9 (b) the case of a principal, teacher, an invigilator, a supervisor, an
10 examiner, or an agent or employee of the examination body concerned with the
11 conduct of an examination, to imprisonment for a term of five years without an
12 option of fine; and
13 (c) any other case, to imprisonment for a term of four years without
14 the option of a fine.

Breach of duty

- 15 **9.-(1)** A person who is under a duty to discharge any function with
16 respect to the conduct of an examination, without reasonable cause, before,
17 during or at an examination or at any time thereafter:
18 (a) fails to discharge that duty; or
19 (b) discharge that duty fraudulently, negligently, perversely or
20 recklessly; or
21 (c) commits an act or omission in breach of that duty, commits an
22 offence and is liable on conviction to a fine of N500,000 or imprisonment for a
23 term not more than three years or both.
24 **(2)** A person:
25 (a) employed to mark examination papers, who, without lawful
26 excuse, alters or tampers or attempts to alter or tamper with the scores of a
27 candidate as recorded by another person; or
28 (b) employed by an examination body, who before, during or after an
29 examination, fraudulently or without lawful authority, alters or otherwise
30 tampers with the scores of a candidate or aids or abets any candidate to cheat at

1 an examination, commits an offence and is liable on conviction to a fine of
2 N400,000 or imprisonment for a term of four years both.

3 (3) A person, employed to print or charged with the responsibility
4 of printing live question papers, who, without lawful authority,
5 communicates to any person any information contained in any of the
6 question papers, commits an offence and is liable on conviction to a fine of
7 N500,000 or imprisonment for a term of five years or both.

8 (4) A supervisor or invigilator responsible for question paper or
9 examination materials who negligently lost or misuse question papers or
10 examination materials, commits an offence and is liable on conviction to a
11 fine of N500,000 or imprisonment for four years or both.

12 **10.**-(1) A person directly associated or involved in any examination Non-disclosure
13 as an official or candidate writing the examination shall as soon as
14 practicable, before the commencement of his duties in respect of that
15 examination, disclose if he has interest in the examination.

16 (2) A person who violates subsection (1) commits an offence and is
17 liable on conviction to a fine of N200,000 or imprisonment for a term not
18 more than three years or both and in addition, the person shall not be allowed
19 to write or officiate in the examination.

20 **11.** A person who: Conspiracy and
aiding

21 (a) conspires with, aids, abets, assists or counsels any other person
22 to commit an offence;

23 (b) attempts to commit an offence or is an accessory before or after
24 the fact to an act or omission which constitutes an offence; or

25 (c) incites, procures, induces or does an act perceived to facilitate
26 the commission of an offence under this Act, is deemed to have committed
27 the offence and is liable on conviction to the same punishment as is
28 prescribed for that offence under this Act.

29 **12.**-(1) Where a person is charged with an offence created under Conviction for
alternative offence
30 this Act and the evidence establishes an attempt to commit any other offence

	1	under this Act, the person may be convicted of having attempted to commit that
	2	other offence notwithstanding that the attempt is not separately charged, and
	3	that person shall be punished as is prescribed for the offence under this Act.
	4	(2) Where a person is charged with an attempt to commit an offence
	5	under this Act, but the evidence establishes the commission of the full offence,
	6	the offender shall not be entitled to acquittal, but shall be convicted of the
	7	offence and punished as provided under this Act.
Offences by bodies corporate	8	13. Where an offence under this Act which has been committed by a
	9	body corporate is proved to:
	10	(a) have been committed on the instigation or with the connivance of;
	11	(b) be attributable to any neglect on the part of, a director, manager,
	12	secretary or other similar officer of the body corporate, or any person
	13	purporting to act in any such capacity, he, as well as the body corporate, where
	14	practicable, shall be deemed to have committed that offence and shall be liable
	15	to be proceeded against and punished accordingly.
Trial of children an young persons	16	14. Where a person who is a child or a young person, within the
	17	meaning of the Childs Right Act, that is, a person who has not attained the age
	18	of eighteen years, is charged with an offence under this Act, he shall be dealt
	19	with under the provisions of the Childs Right Act.
Jurisdiction	20	15. Subject to section 13 of this Act, the Court shall have:
	21	(a) jurisdiction to try offenders under this Act; and
	22	(b) power, notwithstanding anything to the contrary in any other
	23	enactment, to impose the penalties provided for offences under this Act.
Pending proceedings	24	16. -(1) Any part-heard proceeding, relating to a matter for which the
	25	Court has jurisdiction, which is pending before any court or tribunal on the date
	26	of coming into effect of this Act, shall be continued and completed as if this Act
	27	had not been made.
	28	(2) All new proceedings shall be brought before the Court.
	29	(3) A person who has been tried and convicted or acquitted for an
	30	offence charged under any other enactment, shall not be tried a second time for

1 the same offence, notwithstanding that he could be proceeded against in
2 accordance with the provisions of this Act.

3 **17.-(1)** Notwithstanding the provisions of this Act, an examination
4 body shall have the power to:

Power of the
examination body

5 (a) withhold, suspend or cancel the results of a candidate or ban or
6 blacklist a candidate from taking its examinations if it is satisfied that the
7 candidate has engaged in any form of examination malpractice;

8 (b) withdraw recognition, suspend, ban or blacklist or place on
9 probation a school or an examination centre if it is satisfied that the school or
10 examination centre is involved in any form of examination mal practice;

11 (c) remove the name of, or withhold payment to a supervisor, an
12 invigilator or any other official employed in the conduct of an examination if
13 it is satisfied that the supervisor, invigilator or official has contributed to an
14 examination malpractice.

15 (2) An examination body may, in exercise of its powers under this
16 section, circulate the name of an offending candidate, supervisor,
17 invigilator, official, school or examination centre to other examination
18 bodies which may impose similar punishment.

19 **18.** Notwithstanding the provisions of any other enactment
20 conferring power to search, if the Court is satisfied that there is a reasonable
21 ground to suspect that there may be found in any building or other place, any
22 question paper, examination paper, score sheet or information in any other
23 form which, in its opinion, is or may be material to the subject-matter of any
24 trial under this Act, it may issue a warrant authorising any police officer or
25 any member of the armed forces or of any of the security agencies to:

Power of search

26 (a) enter, if necessary by force, the building or other place and
27 every part of the building or place; and

28 (b) search for, seize and remove any question paper, examination
29 paper, score sheet or information found in the building or place.

Repeal of section 3 (16)	1	19. Section 3 (16) of the Miscellaneous Offences Act is hereby
	2	repealed.
Interpretation	3	20. In this Act:
	4	"Court" means the Federal, State and Federal Capital Territory High Courts;
	5	"examination" means an examination conducted by an examination body;
	6	"examination body" means the West African Examinations Council, National
	7	Examination Council, Joint Admissions and Matriculation Board, National
	8	Teachers Institute, National Business and Technical Education Board,
	9	National Board for Educational Measurement and any other body established
	10	by the Government to conduct an examination;
	11	"examination malpractice" means an act which constitutes an offence under
	12	this Act and includes:
	13	(a) sneaking unauthorised materials;
	14	(b) prior knowledge of examination questions;
	15	(c) sitting for examinations for and on behalf of others;
	16	(d) obtaining assistance from invigilator;
	17	(e) exchange of examination papers;
	18	(f) copying from one another;
	19	(h) writing on clothes;
	20	(i) colluding with examination officials;
	21	(j) use of technological devices in examination;
	22	(k) stealing;
	23	(l) personation;
	24	(m) disorderliness;
	25	(n) cheating;
	26	(o) forgery of result sheet;
	27	(p) giraffing;
	28	(q) laptopping;
	29	(r) any form of unethical action for personal gain committed before,
	30	during and after any examination; or

1 (s) any act of wrongdoing which give a candidate undue advantage
2 over others in obtaining success in an examination thereby jeopardising the
3 credibility of the certificate issued;

4 "live question paper" means an authentic question paper related to the
5 particular forthcoming examination;

6 "personation" includes taking examination for and on behalf of another
7 person, registration of examination using false name, certification or
8 signature of another person;

9 "question paper" includes a question paper:

10 (a) produced through a fax or telex machine or any other electronic
11 or electrical device;

12 (b) that is hand-written or in Braille or any other form; and

13 (c) that is transmitted through telephone.

14 "technological device" means any device that can be used for creating,
15 storing and transmitting information in the form of electronic data and
16 include, computers, cell phones, smart phones, digital cameras, digital
17 diaries, video cameras or audio recording devices.

18 **21.** This Bill may be cited as the Examination Malpractices Bill, Citation
19 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Examination Malpractices Act Cap. E15, Laws of the Federation of Nigeria, 2004 and enact the Examination Malpractices Act, 2021 to expand offences relating examination malpractices and prescribe adequate punishment.

A BILL

FOR

AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH THE
FEDERAL MEDICAL CENTRE, SABONGIDA-ORA, AND FOR RELATED
MATTERS

Sponsored by Bon. Julius O. Ihonvbere

[] Commencement

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

- | | | |
|----|---|---|
| 1 | 1.-(1) There is hereby established the Federal Medical Centre | Establishment
of Federal Medical
Centre, Sabongida-
Ora |
| 2 | Sabongida-Ora (in this Act referred to as the Federal Medical Centre") and | |
| 3 | the Medical Centre shall serve as the Medical Centre subject to the provision | |
| 4 | of this Act. | |
| 5 | (2) The Medical Centre: | |
| 6 | (a) shall be a body corporate; | |
| 7 | (b) may sue and be sued in its corporate name; | |
| 8 | (c) shall have perpetual succession and a common seal. | |
| 9 | 2. There is hereby established for the management of the Medical | Establishment
of the Board of
Management of
the Medical Centre |
| 10 | Centre a Board of Management (in this Act referred to as "Board") which | |
| 11 | shall be constituted and have the functions and powers set out in this Act. | |
| 12 | 3.-(1) The Board shall consist of: | Membership of
the Board |
| 13 | (a) a chairman; | |
| 14 | (b) the Chief Medical Director of the Medical Centre; | |
| 15 | (c) the Director of Clinical Services; | |
| 16 | (d) the Director of Administration; | |
| 17 | (e) the Director of Finance; | |
| 18 | (f) the Director of Maintenance; | |
| | (g) a representative of the Presidency; | |
| | (h) the Federal Ministry of Health; | |

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

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

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

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

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

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

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

15 7.-(1) The Board shall:

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

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

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

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

Powers of the
Board

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

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

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

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

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

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

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

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

18 PART III - STAFF OF THE MEDICAL CENTRE

Medical Director
of the Medical
Centre

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

24 (2) The Chief Medical Director shall:

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

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

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

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

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

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

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

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

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

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

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

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

17 (b) a Director of Clinical Services;

18 (c) a Director of Finance;

19 (d) a Director of Maintenance.

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

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

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

Appointment of
Directors and other
staff of the Medical
Centre

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

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

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

Service in the
 Medical Centre
 to be pensionable

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

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

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

Establishment
 of the Medical
 Advisory
 Committee, etc.

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

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

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

26 (c) be appointed by the Board.

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

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

5 PART IV - FINANCIAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Exemptions from
tax

Exemption from
customs duties,
etc.

Discipline of
students

(3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Medical Centre as the Board may nominate.

Removal and
discipline of
clinical,
administrative
and technical
staff

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Discipline of
junior staff

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

19 (a) consider the case; and

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

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

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

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

1 the Board to reconsider his case.

2 PART VI - MISCELLANEOUS

3 **24.-(1)** The Board may, with the approval of the President, make Regulations
4 regulations (a) as to the access of members of the public either generally or
5 of a particular class, to premises under the control of the Board and as to the
6 orderly conduct of members of the public on those premises; and

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

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

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

18 **26.-(1)** On the commencement of this Act, any person employed by Transition and
19 or serving in, the Medical Centre shall be deemed to have been employed or savings Provision
20 serving in the Medical Centre established under this Act.

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

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

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

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

27 "chairman" means the Chairman of the Board;

28 "functions" include powers and duties;

29 "Federal Medical Centre" means the Medical Centre Sabongida Ora;

30 "junior staff" means staff of such grade as may be determined, from time to

1 time, by the Board;

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

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

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

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

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

Short title

10 **28.** This Bill may be cited as the Federal Medical Centre Sabongida
11 Ora (Establishment) Bill, 2021.

1 SCHEDULE

2 [Section 3 (3).]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

4 *Proceedings of the Board*

5 1.-(1) Subject to this Act and section 27 of the Interpretation Act,
6 the Board may make standing orders regulating its proceedings or those of
7 any of its committees.

8 (2) The quorum of the Board shall be the chairman or the person
9 presiding at the meeting and 5 other members of the Board, 2 of whom shall
10 be ex-officio members, and the quorum of any Committee of the Board shall
11 be as determined by the Board.

12 2.-(1) The Board shall meet whenever it is summoned by the
13 chairman and if the chairman is required to do so by notice given to him by
14 not less than 8 other members, he shall summon a meeting of the Board to be
15 held within 14 days from the date on which the notice is given.

16 (2) At any meeting of the Board, the Chairman shall preside but if
17 he is absent, the members present at the meeting shall appoint one of their
18 numbers to preside at the meeting.

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

24 *Committees*

25 3.-(1) The Board may appoint one or more committees to carry out,
26 on behalf of the Board, such functions as the Board may determine.

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

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

3 *Miscellaneous*

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

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

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

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

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

19 (b) a defect in the appointment of a member of the Board or
20 committee; or

21 (c) reason that a person not entitled to do so took part in the
22 proceedings of the Board or committee.

EXPLANATORY NOTE

This Bill seeks to provide for the Legal Framework to establish the Federal
Medical Centre, Sabongida Ora.

A BILL

FOR

AN ACT TO REPEAL THE NIGERIA SOVEREIGN INVESTMENT AUTHORITY
(ESTABLISHMENT ETC) ACT, 2011 AND FOR RELATED MATTERS

Sponsored by Hon. Oluwale Oke

[] Commencement

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

- 1

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10
1. The Nigeria Sovereign Investment Authority (Establishment

Etc) Act, 2011 (in this Act referred to as "the Principal Act") is hereby

repealed.

2. All funds currently in the custody of the Nigeria Sovereign

Investment Authority (hereinafter referred to as the Authority) shall be

transferred to the Federation Account and all investments made by the

Authority shall be managed by the Ministry of Finance Incorporated

established pursuant to the Ministry of Finance Incorporated Act.

3. This Bill may be cited as the Nigeria Sovereign Investment

Authority (Repeal Etc) Bill, 2021.
- Repeal of the
Principal Act

Insertion of a
New Section 21(4)

Short title

EXPLANATORY NOTE

*(This note does not form part of the above Act but, it is intended
to explain its purport)*

This Bill seeks to repeal the Nigeria Sovereign Investment Authority and
transfer the assets and liabilities to the Ministry of Finance Incorporated.

FEDERAL COLLEGE OF AGRICULTURAL TECHNOLOGY

OTUN EKITI BILL, 2022

ARRANGEMENT OF SECTIONS

Section:

PART I - ESTABLISHMENT OF FEDERAL POLYTECHNICS

1. Establishment of Federal Polytechnics
2. Functions of each Polytechnic
3. Establishment and constitution of each Council, etc.
4. Visitation
5. Registrar of each Polytechnic
6. Tenure of office of the Registrar
7. General Functions of each Council

PART II - STAFF

8. The Rector of each Polytechnic
9. Deputy Rectors
10. Other principal officers of each polytechnic
11. Resignation of appointment of principal officers
12. Selection Board for other principal officers
13. Other employees of the polytechnic
14. Application of the Pensions Act

PART III - ESTABLISHMENT OF THE ACADEMIC BOARD

15. The Academic Board

PART IV - TENURE OF OFFICE

16. Removal from office of members of the Council and the Rector
17. Removal and discipline of academic, administrative and technical staff

PART V - DISCIPLINE

18. Discipline of students
19. Discipline of junior staff

PART VI - FINANCIAL PROVISIONS

- 20. Audit of accounts
- 21. Funds of each Council
- 22. Donations for particular purposes.
- 23. Payment into bank
- 24. Annual report

PART VII - MISCELLANEOUS AND SUPPLEMENTAL

- 25. Power to make bye-laws.
- 26. Exclusion of discrimination on account of race, religion, etc.
- 27. Quorum and Procedure of bodies established under this Act
- 28. Repeal of 1969 No. 23
- 29. Vesting of the assets and liabilities of the dissolved Yaba College of Technology
- 30. Vesting of property of Kaduna Polytechnic
- 31. Interpretation
- 32. Citation

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AGRICULTURAL
TECHNOLOGY OTUN EKITI TO PROVIDE FULL-TIME COURSES IN
AGRICULTURAL TECHNOLOGY, APPLIED SCIENCE MANAGEMENT AND OTHER
FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL
ADMINISTRATION OF THE COLLEGE; AND FOR RELATED MATTERS

Sponsored by Hon. Olarewaju Kunle

[] Commencement

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

1 **1.-(1)** There is established the Federal College of Agricultural
2 Technology (in this Bill referred to as "the College").

Establishment
of Federal College
of Agricultural
Technology, Otun
Ekiti

3 (2) The College-

4 (a) shall be a body corporate with perpetual succession and a
5 common seal; and

6 (b) may sue or be sued in its corporate name.

7 **2. The College shall-**

Functions of the College

8 (a) provide full-time courses of instruction in industrial and
9 agricultural production;

(b) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in agricultural technology and applied science;

(c) develop and offer academic and professional programmes leading to the award of ordinary national diplomas (OND) and higher national diplomas (HND) researchin the development and adaptation of techniques as the Council may determine;

18 (d) arrange conferences, seminars and study groups relative to the

1 fields of learning specified in this section and higher diplomas which
2 emphasise planning, adaptive, technical, maintenance, developmental and
3 productive skills in agriculture, agricultural technology and allied disciplines
4 with the aim of producing socially mature persons with capacity to improve on
5 those disciplines and develop new ones and contribute to the scientific
6 transformation of agricultural technology in Nigeria;

7 (e) act as agent and catalyst through post HND training, research and
8 innovation for the effective and economic utilisation, exploitation and
9 conservation of Nigeria's natural, agricultural, economic and human resources;

10 (f) offer to the general population, as a form of public service, the
11 results of training and research in agricultural technology and allied disciplines
12 and to foster the practical application of those results;

13 (g) establish appropriate relationships with other national institutions
14 involved in training, research and development of agricultural technology;

15 (h) identify the agricultural technological problems and needs of
16 Nigeria and to find solutions to them within the context of overall national
17 development;

18 (i) provide and promote sound basic scientific training as a foundation
19 for the development of agricultural technology and allied disciplines, taking
20 into account indigenous culture, the need to enhance national unity, the need to
21 vastly increase the practical content of student training, and adequate
22 preparation of graduates for self-employment in agricultural technology and
23 allied disciplines; and

24 (j) perform other functions as the Council may direct to promote the
25 objects of the College.

Establishment
and Constitution
of the Council,
etc.

26 **3. -(1)** There is established a Council for the College (in this Bill
27 referred to as "the Council").

28 (2) The Council shall consist of a Chairman and-

29 (a) one person to represent the universities;

30 (b) one person to represent the Manufacturers' Association of Nigeria;

1 (c) one person to represent professional bodies whose disciplines
2 are taught at the College;

3 (d) one person of standing in the community where the College is
4 situate;

5 (f) the Rector of the College;

6 (g) one representative of the Minister charged with responsibility
7 for matters relating to College;

8 (h) one representative of the Permanent Secretary of the Ministry
9 charged with responsibility for matters relating to industries;

10 (i) one representative of the academic board of the College;

11 (j) one representative of the State Commissioner of Education; and

12 (k) five other persons, at least one of whom shall be a woman, to be
13 selected each on his personal merit based on his contribution to either the
14 development of agriculture, agricultural technology, technology or
15 commerce or special interest in industry.

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

18 (4) The provisions set out in the First Schedule to this Act shall
19 apply in relation to the constitution of the Council and the other matters
20 specified in the First Schedule.

21 **4.-(1)** The Minister of Education shall be the Visitor to the College. Visitation

22 (2) The Visitor shall, not less than once in every five years, conduct
23 a visitation of the college or appoint a Visitation Panel, consisting of not less
24 than five experts to conduct the visitation for-

25 (a) the purpose of evaluating the academic and administrative
26 performance of the College; and

27 (b) other purpose or in respect of other affairs of the College as the
28 Visitor may deem fit.

29 **5. -(1)** There shall be a Registrar for the College who shall be Registrar of the
30 responsible to the Rector for the day- to-day administration of the College College

	1	and shall discharge other duties as the Council or the Rector may require him to
	2	discharge.
	3	(2) The Registrar is the secretary to the Council, the Academic Board
	4	and any committee of the Council and shall attend all the meetings of those
	5	bodies unless excused for good reason by the Chairman of the Council.
	6	(3) In the absence of the Registrar, the Chairman of the Council may,
	7	after consultation with the Rector, appoint a suitable person to act as secretary
	8	for any particular meeting of the Council.
	9	(4) The secretary to the Council or a person appointed to act under sub
	10	clause (3) shall not vote on any question before the Council or count towards a
	11	quorum unless he is entitled as a member of the Council.
Tenure of office of the Registrar	12	6.-(1) The Registrar-
	13	(a) shall hold office for a period of five years beginning from the
	14	effective date of his appointment and on the terms and conditions as may be
	15	specified in the letter of his appointment; and
	16	(b) may be re-appointed for a further period of five years and no more.
	17	(2) Where, on the commencement of this section, a Registrar has held
	18	office for-
	19	(a) five years or less, he shall be deemed to be serving his first term of
	20	office and may be re-appointed for a further term of five years;
	21	(b) more than five years but less than 10 years, he shall complete the
	22	maximum period of 10 years and thereafter relinquish his post and be assigned
	23	other duties in the College; and
	24	(c) ten years or more, the Council may allow him to serve as Registrar
	25	for a further period of one year only and thereafter he shall relinquish his post
	26	and be assigned other duties in the College.
General functions of each Council	27	7.-(1) The Council shall be the governing body of the College and
	28	shall have-
	29	(a) the general management of the affairs of the College, and in
	30	particular, the control of the property and finances of the College; and

(b) power to do anything which, in its opinion, is calculated to facilitate the carrying out the activities of the College and promote its best interests.

(2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Bill, and for the same purpose may sell, lease, and mortgage or otherwise alienate or dispose of any property so acquired.

(3) The Council may enter into contracts as may be necessary or expedient for carrying into effect the provisions of this Bill.

(4) The Minister may give to the Council directions of a general character or relating generally to particular matters (but not any individual person or case) with regard to the exercise by the Council of its functions and the Council shall comply with the directions.

PART II - STAFF

8.-(1) There is a Rector of the College (in this Bill referred to as "the Rector") who shall be appointed by the President in accordance with the provisions of this clause.

The Rector of
the College

(2) Where a vacancy occurs in the post of Rector, the Council shall-

(a) advertise the vacancy in a reputable journal or widely read newspaper in Nigeria, specifying the-

(i) qualities of the person who may apply for the post, and

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

(b) constitute a Search Team consisting of-

(i) a member of the Council, not being a member of the Academic Board, as Chairman;

(ii) two members of the Academic Board, not below the rank of Chief Lecturer;

(iii) two members of the Academic Community of the college not below the rank of Chief Lecturer, to be selected by Council, to identify and

1 draw up a short list of persons who are not likely to apply on their own volition
2 because they feel that it is not proper to do so.

3 (3) A Joint Council and Academic Board Selection Board consisting
4 of-

5 (a) the Chairman of the Council;

6 (b) two members of the Council not being members of the Academic
7 Board;

8 (c) two members of the Academic Board not below the rank of Chief
9 Lecturer, who were not members of the Search Team, shall consider the
10 candidates on the short list drawn up under sub clause (2) through an
11 examination of their curriculum vitae and interaction
12 with them and recommend, through the Council, to the President, three
13 candidates for his consideration.

14 (4) The President shall appoint, as Rector, one of the candidates
15 recommended to him under the provisions of sub clause (3).

16 (5) Subject to this Bill and the general control of the Council, the
17 Rector shall be the Chief Executive of the College and shall be charged with
18 responsibility for matters relating to the day-to-day management operations of
19 the College.

20 (6) The Rector-

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

24 (b) may be re-appointed for a further period of four years and no more.

Deputy Rector

25 9.-(1) There is for the College, a Deputy Rector.

26 (2) The Council shall appoint the Deputy Rector from among the
27 chief lecturers in the College-

28 (a) from a list of three candidates, in order of preference, submitted by
29 the Rector;

30 (b) on the recommendation of a Selection Board constituted under

1 this clause for that purpose; or to identify and draw up a short list of persons
2 who are not likely to apply on their own volition because they feel that it is
3 not proper to do so.

4 (3) A Joint Council and Academic Board Selection Board
5 consisting of-

6 (a) the Chairman of the Council;

7 (b) two members of the Council not being members of the
8 Academic Board;

9 (c) two members of the Academic Board not below the rank of
10 Chief Lecturer, who were not members of the Search Team, shall consider
11 the candidates on the short list drawn up under sub clause (2) through an
12 examination of their curriculum vitae and interaction
13 with them and recommend, through the Council, to the President, three
14 candidates for his consideration.

15 (4) The President shall appoint, as Rector, one of the candidates
16 recommended to him under the provisions of sub clause (3).

17 (5) Subject to this Bill and the general control of the Council, the
18 Rector shall be the Chief Executive of the College and shall be charged with
19 responsibility for matters relating to the day-to-day management operations
20 of the College.

21 (6) The Rector-

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

25 (b) may be re-appointed for a further period of four years and no
26 more.

27 **10.-(1)** There shall be for the College following other principal
28 officers in addition to the Registrar the-

Other principal
officers of the
College

29 (a) Bursar; and

30 (b) College Librarian,

1 who shall be appointed by the Council on the recommendation of the Selection
2 Board.

3 (2) The Bursar shall be the Chief Financial Officer of the College and
4 is responsible to the Rector for the day- to- day administration and control of
5 the financial affairs of the College.

6 (3) The College Librarian shall be responsible to the Rector for the
7 administration of the College library and the co-ordination of the library
8 services in the teaching units of the College.

9 (4) The Bursar or Librarian-

10 (a) shall hold office for a period of five years in the first instance and
11 on such terms and conditions as may be specified in his letter of appointment;

12 (b) may be re-appointed for a further period of five years and no more.

13 (5) Where on the commencement of this section, a Bursar or Librarian
14 has held office for-

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

17 (b) more than five years but less than 10 years, he shall complete the
18 maximum period of 10 years and thereafter relinquish his post and be assigned
19 other duties in the College; and

20 (c) ten years or more, the Council may allow him to serve as Registrar
21 for a further period of one year only and thereafter he shall relinquish his post
22 and be assigned other duties in the College.

Resignation of
appointment of
principal officers

23 11. A principal officer may resign his appointment-

24 (a) in the case of the Rector, by notice to the Visitor; and

25 (b) in any other case, by notice to the Council.

Selection Board
for other principal
officers

26 12.-(1) There shall be, for the College, a Selection Board for other
27 principal officers which shall consist of-

28 (a) the Chairman of the Council;

29 (b) the Rector;

1 (c) four members of the Council not being members of the
2 Academic Board; and

3 (d) two members of the Academic Board.

4 (2) The functions, procedure and other matters relating to the
5 Selection Board constituted under sub clause (1) shall be as the Council may
6 determine.

7 **13.**-(1) The Council may appoint such other persons to be Other employees
8 employees of the College as the Council may determine to assist the Rector of the College
9 and the principal officers of the College in the performance of their
10 functions under this Bill.

11 (2) The power to appoint all other employees of the College shall
12 be exercised, in the case of-

13 (a) senior employees, by the Council on the recommendation of the
14 Appointment and Promotions Committee set up under the provisions of
15 paragraph 3 (2) (a) of the Second Schedule; and

16 (b) junior employees, by the Rector on the recommendation of the
17 Junior Staff Appointments and Promotions Committee constituted under
18 paragraph 3 (2) (b) of the Second schedule.

19 (3) Subject to the provisions of this Bill, the remuneration, tenure
20 of office and conditions of service of the employees of the Council shall be
21 determined by the Council in consultation with the Federal Civil Service
22 Commission.

23 **14.**-(1) The Federal Civil Service Commission may by order Application of
24 published in the Federal Gazette declare the office of the Rector or any other the Pensions Act
25 person employed by the Council to be a pensionable office for the purposes
26 of the Pensions Act.

27 (2) Nothing in the provisions of sub clause (1) shall prevent the
28 appointment of any person to any office on terms which preclude the grant
29 of a pension or gratuity in respect of service in that office.

	1	PART III - ESTABLISHMENT OF THE ACADEMIC BOARD
The Academic Board	2	15. -(1) There is established for the College aboard (in this Bill
	3	referred to as "the Academic Board") which shall consist of-
	4	(a) the Rector of the College, as the Chairman;
	5	(b) the Deputy-Rector of the College;
	6	(c) all Heads of Departments;
	7	(d) the College Librarian; and
	8	(e) not more than two members of the academic staff, other than heads
	9	of departments, who may be appointed by the Academic Board.
	10	(2) The Academic Board shall be responsible for the-
	11	(a) direction and management of academic matters of the College
	12	including the regulation of admission of students, the award of certificates and
	13	diplomas, scholarships, prizes and other academic distinctions;
	14	(b) making of periodic reports on academic matters to the Council as
	15	the Academic Board may deem fit or as the Council may direct; and
	16	(c) performance of any other functions which the Council may
	17	delegate to it.
	18	PART IV - TENURE OF OFFICE
Removal from office of members of the Council and the Rector	19	16. -(1) If it appears to the Council that a member of the Council (other
	20	than an ex-officio member) or the Rector should be removed from office on the
	21	ground of misconduct or inability to perform the functions of his office, the
	22	Council shall make a recommendation to that effect to the President, and if the
	23	President, after making such inquiries as he considers necessary, approves the
	24	recommendation, the President, shall, in writing, declare the office of the
	25	member vacant.
	26	(2) The President may remove any member of the Council if he is
	27	satisfied that it is not in the public interest or in the interest of the College that
	28	the member should continue as a member of the Council.
Removal and discipline of academic, administrative and technical staff	29	17. -(1) If it appears to the Council that there are reasons for believing
	30	that any person employed as a member of the academic, administrative or

1 technical staff of the College, other than the Rector, should be removed from
2 office on the ground of misconduct or inability to perform the functions of
3 his office, the Council shall-

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

5 (b) afford him an opportunity of making representations in person
6 on the matter to the Council; and

7 (c) if he or any three members of the Council so request within the
8 period of one month beginning with the date of the notice, make
9 arrangements-

10 (i) if he is an academic staff, for a joint committee of the Council
11 and the Academic Board to investigate the matter and report on it to the
12 Council,

13 (ii) for a committee of the Council to investigate the matter, where
14 it relates to any other member of the staff of the College and report on it to the
15 Council; or

16 (iii) for the person in question to be afforded an opportunity of
17 appearing before and being heard by the investigating committee with
18 respect to the matter, and if the Council, after considering the report of the
19 investigating committee, is satisfied that the person in question should be
20 removed as aforesaid, the Council may remove him by an instrument in
21 writing signed on the directions of the Council.

22 (2) The Rector may, in a case of misconduct by a member of the
23 staff which, in the opinion of the Rector, is prejudicial to the interests of the
24 College, suspend the member and the suspension shall immediately be
25 reported to the Council.

26 (3) For good cause, any member of staff may be suspended from
27 office or his appointment may be terminated by the Council, and for the
28 purpose of this sub clause, "good cause" means-

29 (a) any physical or mental incapacity which the Council, after
30 obtaining medical advice, considers to be such as to render the person

1 concerned unfit for the performance of the functions of his office;

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

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

8 (d) conduct which the Council considers to be such as to constitute
9 failure or inability of the person concerned to perform the functions of his
10 office or to comply with the terms and conditions of his service.

11 (4) Any person suspended under sub clause (2) or (3), shall be placed
12 on half pay and the Council shall before the expiration of the period of three
13 months after the date of the suspension, consider the case against that person
14 and come to a decision whether to-

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

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

19 (c) terminate the appointment of the person in question, in which case
20 the person, will not be entitled to the proportion of his emoluments withheld
21 during the period of suspension; or

22 (d) take a lesser disciplinary action against the person (including the
23 restoration of the proportion of his emoluments that might have been withheld)
24 as the Council may determine, and in any case where the Council, pursuant to
25 this clause, decides to continue a person's suspension or decides to take further
26 disciplinary action against a person, the Council shall, before the expiration of
27 a period of three months from the decision, come to a final determination in
28 respect of the case concerning any the person.

29 (5) The person by whom an instrument of removal is signed under sub
30 clause (1) shall use his best endeavours to cause a copy of the instrument to be

1 served as soon as reasonably practicable on the person to whom it relates.

2 (6) Nothing in the provisions of this clause shall prevent the
3 Council from making regulations for the discipline of other categories of
4 staff and workers of the College as it may deem fit.

5 PART V - DISCIPLINE

6 **18.-(1)** Subject to the provisions of this clause, where it appears to Discipline of
7 the Rector that any student of the College has been guilty of misconduct, the students
8 Rector may, without prejudice to any other disciplinary powers conferred on
9 him by this Bill or regulations made under this clause direct that the-

10 (a) student shall not, during the period as may be specified in the
11 direction, participate in activities of the College, or make use of facilities of
12 the College, as he may specify;

13 (b) activities of the student shall, during the period as may be
14 specified in the directions, be restricted in any manner as may be specified;

15 (c) student be suspended for a period as may be specified in the
16 directions; or

17 (d) student be expelled from the College.

18 (2) Where there is temporarily no Rector or where the Rector
19 refuses to apply any disciplinary measures, the Council, either directly or
20 through some other staff, may apply the disciplinary actions as are specified
21 in sub clause (1) to any student of the College who is guilty of misconduct.

22 (3) Where a direction is given under sub clause (1) (c) or (d) in
23 respect of any student, the student may, within a period of 21 days from the
24 date of the letter communicating the decision to him, appeal from the
25 direction to the Council and where such an appeal is brought, the Council
26 shall, after causing an inquiry to be made in the matter as the Council
27 considers just, either confirm or set aside the direction or modify it in a
28 manner as the Council may deem fit.

29 (4) The fact that an appeal from a direction is brought under sub

1 clause (3) shall not affect the operation of the direction while the appeal is
2 pending.

3 (5) The Rector may delegate his power under this clause to a
4 disciplinary committee consisting of members of the College as he may
5 nominate.

6 (6) Nothing in this clause shall be construed as preventing the
7 restriction or termination of a student's activities at the polytechnic otherwise
8 than on the ground of misconduct.

9 (7) A direction under sub clause (1) (a) may be combined with a
10 direction under sub clause (1) (b).

11 (8) In all cases under this clause, the decision of the Council shall be
12 final.

Discipline of
junior staff

13 **19.-(1)** If any junior staff is accused of misconduct or inefficiency, the
14 Rector may suspend him for not more than three months and shall immediately
15 direct the Junior Staff Appointments and Promotions Committee to-

16 (a) consider the case; and

17 (b) make recommendations as to the appropriate action to be taken by
18 the Rector.

19 (2) In all cases under this clause, the officer shall be-

20 (a) informed of the charge against him; and

21 (b) given reasonable opportunity to defend himself.

22 (3) The Rector may, after considering the recommendation made
23 under to sub clause (1) (b) dismiss, terminate, retire or down-grade the officer
24 concerned.

25 (4) Any person aggrieved by the Rector's decision under sub clause
26 (3) may within a period of 21 days from the date of the letter communicating
27 the decision to him, address a petition to the Council to reconsider his case and
28 the Council's decision on the case shall be final.

29 (5) In any case of gross misconduct on the part of a junior staff, the
30 Rector shall forthwith suspend him and thereafter refer the matter to the Junior

1 Staff Appointments and Promotions Committee to be dealt with according
2 to the foregoing provision of this section.

3 PART V - FINANCIAL PROVISIONS

4 **20.**-(1) The Council shall keep proper accounts and proper records Audits of
5 in relation to the accounts and shall cause to be prepared, not later than 1 accounts
6 October in each financial year, an estimate of its revenue and expenditure for
7 the ensuing financial year and when prepared, the estimate shall be
8 submitted to the National Board for Technical Education for approval.

9 (2) At the end of each financial year but not later than 30 June, the
10 Council shall cause to be prepared a statement of its income and expenditure
11 during the previous financial year.

12 (3) The statement of accounts referred to in sub clause (2) shall,
13 when certified by the Rector, be audited by a firm of auditors appointed from
14 the list and in accordance with the guidelines supplied by the Auditor-
15 General of the Federation and shall be published in the annual report of the
16 College.

17 **21.**-(1) There is established a fund of the College into which shall Establishment
18 be paid funds accruing to College. of Funds of the
College

19 (2) Funds of the College shall include-

20 (a) fees charged by and payable to the College in respect of
21 students;

22 (b) any other amounts due to or recoverable by the College;

23 (c) revenue accruing to the College from the Federal Government
24 by way of subvention, grants-in-aid, endowment or otherwise; and

25 (d) donations and legacies accruing to the College from any source
26 for the special purpose of the College.

27 **22.**-(1) Donations of money to be applied to any particular purpose Donations for
28 shall be placed to the credit of a special reserve account approved by the particular purposes
29 Council until such time as they may be expended in fulfillment of such
30 purpose.

	1	(2) The Council shall not be obliged to accept a donation for a
	2	particular purpose unless it approves of the terms and conditions attached to the
	3	donation.
Payment into bank	4	23. All sums of money received on account of the College shall be
	5	paid into such bank for the credit of the College as may be approved by the
	6	Council.
Annual report	7	24. The Council shall, on or before 31 December in each year, prepare
	8	and submit to the President through the Minister, a report of the activities
	9	during the preceding financial year and shall include in the report, the audited
	10	accounts of the College in respect of that financial year and the auditors'
	11	comments on the account.
	12	PART VI - MISCELLANEOUS AND SUPPLEMENTAL
Power to make bye-laws	13	25. -(1) The Council may make bye-laws relating to any matter within
	14	its competence under this Bill other than matters for which provision is to be
	15	made by standing orders pursuant to paragraph 7 of the Schedule to this Act.
	16	(2) The bye-laws shall be in writing and shall come into force when
	17	sealed with the seal of the College unless some other date for their
	18	commencement is prescribed in the bye-laws.
	19	(3) Nothing in sub clause (2) shall make it obligatory for the Council
	20	to publish any of bye-law in the Federal Government Gazette but the Council
	21	shall bring the bye-laws to the notice of all affected by the bye-laws.
Exclusion of discrimination on account or race, religion, etc.	22	26. No person shall be required to satisfy requirements as to race
	23	(including ethnic grouping), sex, place of birth or of the family origin or
	24	religious or political persuasion or as a condition of becoming or continuing to
	25	be a student at the polytechnic or as a holder of any certificate of the College, or
	26	of any appointment or employment at the College, or a member of any body
	27	established under of this Bill and no person shall be subjected to any
	28	disadvantage or accorded any advantage in relation to the College by reference
	29	to any of those matters:
	30	Provided that, nothing in this section shall be construed as preventing

1 the College from imposing any disability or restriction on any of the persons
 2 mentioned where the person will fully refuses or fails on grounds of
 3 religious belief to undertake any duty generally and uniformly imposed on
 4 all the persons or any group of them which duty, having regard to its nature
 5 and the special circumstances pertaining to it is, in the opinion of the
 6 College, reasonably justifiable in the national interest.

7 **27.** Subject to the provisions of paragraph 6 (2) of the Second
 8 Schedule and any standing orders or bye-law made under this Bill, the
 9 quorum and procedure of any body of persons established by this Bill shall
 10 be determined by that body.

Quorum and
 procedure of bodies
 established under
 this Bill

11 **28.** In this Bill-

Interpretation

12 "Academic Board" means the board establish under section 10 of this Act;

13 "Appointments and Promotions Committee" means a body by that name
 14 established under paragraph 3 (2) (a) of the Schedule to this Bill;

15 " Junior Staff Appointments and Promotion Committee" means the body set
 16 up under paragraph 3 (2) (b) of the Schedule to this Bill;

17 "Minister" means the Minister charged with responsibility for matters
 18 relating to education;

19 "Registrar" means the Registrar of the College appointed under section 5 (1)
 20 of this Bill.

21 **29..** This Bill may be cited as the Federal College of Agricultural
 22 Technology Otun Ekiti Bill, 2022.

Citation

1 SCHEDULE

2 [Section 7.]

3 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

4 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5 *Terms of office of members*

6 1.-(1) A member of the Council other than an ex-officio member shall
7 hold office for a period of three years beginning with the date on which he was
8 appointed and shall be eligible for re-appointment for a further term of three
9 years and thereafter he shall no longer be eligible for re-appointment.

10 (2) Members of the Council holding office as specified in paragraph 1
11 (1) of this Schedule, shall be paid remuneration or allowance in accordance
12 with rates specified from time to time by the National Council of Ministers.

13 (3) A member of the Council holding office as specified in paragraph
14 1 (1) of this Schedule may by notice in writing to the Minister resign his office.

15 2.-(1) Where a vacancy occurs in the membership of the Council, that
16 vacancy shall be filled by the appointment of a successor to hold office for the
17 remainder of the term of office of his predecessor; so however that the
18 successor shall represent the same interest as his predecessor.

19 (2) The Council may act notwithstanding any vacancy in its
20 membership or the absence of any member or that a person not entitled to do so
21 took part in its proceedings.

22 *Committees*

23 3.-(1) The Council may appoint one or more committees to which it
24 may delegate any of its functions.

25 (2) Without prejudice to the generality to sub-paragraph (1) of this
26 Schedule, the Council shall appoint the following committees, that is-

27 (a) the Appointments and Promotions Committee which shall without
28 prejudice to section 7 (4) of this Act-

29 (i) consist of a chairman to be appointed by the Rector from members
30 of the senior staff of the polytechnic and four other members who shall be

1 appointed by the Council;
2 (ii) be charged with the responsibility for making
3 recommendations to the Council on the appointment and promotion of the
4 academic and senior staff of the polytechnic and have a quorum of three
5 members;

6 (b) the Junior Staff Appointments and Promotions Committee
7 which shall consist of a chairman and four other members to be appointed by
8 the Council and shall have the powers set out in sections 7 (5) and 14 of this
9 Act;

10 (c) the Committee on Students' Affairs which shall consist of the
11 following members-

12 (i) a chairman who shall be appointed by the Rector from among
13 the senior employees of the polytechnic;

14 (ii) one member of the Council;

15 (iii) two members of the academic staff of the polytechnic; and

16 (iv) four students of the polytechnic, and the Committee on
17 Students' Affairs shall be charged with the duty of-

18 (i) considering any matter which relates to the welfare of students;

19 (ii) any other matter referred to it by either the Council or students
20 of the polytechnic;

21 (iii) any matter which the students wish to refer to the Council shall
22 be referred to the Committee on Students' Affairs in the first instance.

23 (3) No decision of a committee shall have effect unless it is
24 confirmed by the Council.

25 *Proceedings of the Council*

26 4.-(1) The Council shall meet for the conduct of business at such
27 times as the chairman of the Council may appoint but shall meet not less than
28 twice in a year.

29 (2) The chairman of the Council may at any time and shall at the
30 request in writing of not less than five members of the Council summon a

1 meeting of the Council.

2 (3) Particulars of the business to be transacted shall be circulated to
3 members with the notice of the meeting at least two weeks before the date of the
4 meeting.

5 5. Where the Council desires to obtain the advice of any person on any
6 particular matter, it may eo-opt such person as a member for a meeting whether
7 or not expressly convened for the purpose of considering the particular matter
8 but no eo-opted member shall be entitled to vote or shall count towards
9 quorum.

10 6.-(1) Every question put before the Council at a meeting shall be
11 decided by a simple majority of the members present and voting.

12 (2) Seven members shall form a quorum at any meeting of the
13 Council.

14 (3) The Chairman shall, at any meeting of the Council, have a vote
15 and, in the case of an equality of votes, may exercise a casting vote.

16 7. Subject as aforesaid, the Council may make standing orders with
17 respect to the holding of meetings, the nature of notices to be given, the
18 proceedings thereat, the keeping of minutes of such proceedings and the
19 custody and production for inspection of such minutes.

20 8. If the Chairman of the Council is absent from a meeting of the
21 Council, the members present shall elect one of their number to act as chairman
22 for the purposes of that meeting.

23 *Miscellaneous*

24 9. Any contract or instrument which if entered into by a person not
25 being a body corporate would not be required to be under seal, may in like
26 manner be entered into or executed on behalf of the Council by any person
27 generally or specifically authorised by it for that purpose.

28 10.-(1) The common seal of the Council shall not be used or affixed to
29 any document except in pursuance of a resolution duly passed at a properly

1 constituted meeting of the Council and recorded in the minutes of such
2 meeting.

3 (2) The fixing of the seal of the Council shall be authenticated by
4 the signature of the Chairman of the Council and some other member
5 authorised generally or specifically by the Council to act for that purpose.

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

9 11. Any member of the Council or a committee thereof who has a
10 personal interest in any contract or arrangement entered into or proposed to
11 be considered by the Council or a committee thereof, shall forthwith disclose
12 his interest to the Council and shall not vote on any question
13 relating to such contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Agricultural Technology Otun Ekiti to provide full-time courses in agricultural technology, applied science management and other fields of studies and to make provisions for the general administration of the College.