

*Extraordinary*



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# A BILL

## FOR

AN ACT TO AMEND THE ORTHOPAEDIC HOSPITALS MANAGEMENT BOARD  
ACT TO ESTABLISH THE NATIONAL HOSPITAL ABUJA, IN THE FEDERAL  
CAPITAL TERRITORY AND FOR RELATED MATTERS

*Sponsored by Hon. Ademorin A. Kuye*

[ ] Commencement

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

- |    |   |                     |
|----|---|---------------------|
| 1  | 1. The Orthopaedic Hospital Management Board Act, Cap O10                     | Amendment of        |
| 2  | LFN 2004 (hereinafter called "the Principal Act") is amended as set out       | the Orthopaedic     |
| 3  | below.  | Hospital            |
| 4  | 2. The Second Schedule of the Principal Act is amended to                     | Management          |
| 5  | establish the National Orthopaedic Hospital Abuja, FCT (in this bill referred | Board Act Cap. O10  |
| 6  | to as "the Orthopaedic Hospital Abuja") and the Orthopaedic Hospital shall    | LFN 2004            |
| 7  | serve subject to the provision of this Bill.                                  | Amendment of        |
| 8  | 3. The Second Schedule to the Principal Act is further amended to             | the Second Schedule |
| 9  | insert the Orthopaedic Hospital Abuja in line four of the Second Schedule     |                     |
| 10 | immediately after Orthopaedic Hospital Kano, under the Control and            |                     |
| 11 | Management of the Board   |                     |
| 12 | 4. The Third Schedule of the Principal Act is amended by inserting            | Amendment of        |
| 13 | the Orthopaedic Hospital Abuja, and The University of Abuja Teaching          | the Third Schedule  |
| 14 | Hospital as an affiliate Teaching Hospital.                                   |                     |
| 15 | 5. This Bill may be cited as the Orthopaedic Hospitals                        | Citation            |
| 16 | Management Board Act (Amendment) Bill, 2021.                                  |                     |

EXPLANATORY NOTES

This Bill seeks to amend the Orthopaedic Hospitals Management Board Act Cap O10 LFN 2004 to establish the National Orthopaedic Hospital Abuja, FCT to be under the control of the Orthopaedic Hospitals Management Board and affiliated with the University of Abuja Teaching Hospital to provide specialized orthopaedic treatment and medical services.

**A BILL****FOR**

AN ACT TO AMEND THE NATIONAL EMERGENCY MANAGEMENT AGENCY  
(ESTABLISHMENT, ETC) ACT CAP. N34 LFN 2004 TO PROVIDE FOR THE  
RECRUITMENT, TRAINING, EQUIPPING OF VOLUNTEERS IN DISASTER  
MANAGEMENT AND FOR RELATED MATTERS

*Sponsored by Hon. Kwamoti Bitrus La'ori*

[ ] Commencement

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

- 1           **1.** The National Emergency Management Agency Amendment of  
2           PART I, Section 2 Sub- Section 2 (d); PART II, Section 6 Sub-Section leg)  
3           and PART III of 2004 (Establishment, Etc.) Act (herein referred to as the  
4           "Principal Act") as set out in this Act. Amendment of  
Part I Section 2  
Sub-section 2 (d);  
Part II Section  
6 Sub-section 1(g)  
and Part II Section  
8 and 9 of 2004
- 5           **2.** Amendment of PART I, Section 2 Sub- Section 2 (d); Principal  
6           Act is amended by inserting immediately before "the Nigerian Red Cross  
7           Society".
- 8           "iii. the Nigeria Security and Civil Defence Corps".
- 9           **3.** Amendment of PART II, Section 6 Sub-Section leg); Principal  
10          Act is amended by inserting immediately "Recruit, train, equip and" before  
11          "co-ordinate the activities of all voluntary organizations engaged in  
12          emergency relief operations in any part of the federation."
- 13          **4.** Principal Act is amended by inserting after PART III, before  
14          PART IV "Establishment of Local Government Area Emergency  
15          Committee, etc."
- 16          **5.** This Bill may be cited as the National Emergency Management Citation  
17          Agency (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

The Bill seeks to:

(i) Include a Representative of the Nigeria Security and Civil Defence Corps to the membership of the Governing Council of National Emergency Management Agency given the statutory role of the Nigeria Security and Civil Defence Corps during emergency and disaster management;

(ii) Provide for recruitment, training and equipping of Volunteers in disaster management in Nigeria towards improving the quantity and quality of service provided by volunteers during emergency and disaster management;

(iii) Provide for the establishment of Local Government Area Emergency Committee towards increased involvement of the Local Government Areas In awareness creation, mitigation and response to disaster whenever it occurs.

FEDERAL COLLEGE OF NURSING AND MIDWIFERY AHIAZU/EZINIHITE  
MBAISE IMO-STATE (ESTABLISHMENT) BILL, 2021

ARRANGEMENT OF CLAUSES

*Clauses:*

PART I - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COLLEGE

1. Establishment
2. Corporate status
3. Objectives
4. Powers of the college
5. Common seal

PART II - THE GOVERNING COUNCIL

6. Governing council and its functions
7. Tenure of members of Governing council
8. Functions of council and academic committee
9. Secretary to the council
10. Role of the secretary of health

PART III - SCHOOLS, DEPARTMENTS UNITS WITHIN THE COLLEGE

11. Schools of the college
12. Establishment of departments
13. Establishment of other units

PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE

14. Provost, principal officers and functions
15. Principal officers of the college
16. Appointment of Provost
17. Appointment of Deans
18. Appointment of Deputy Deans
19. Appointment of Registrar
20. Appointment of Bursar
21. Appointment of Librarian
22. Additional appointments

23. Removal from office

PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES

24. Finance and General Purpose Committee  
25. Composition of committee  
26. Functions of committee  
27. Delegation by committees

PART VI - ACADEMIC BOARD

28. Establishment of Academic Board  
29. Composition of Academic Board  
30. Functions of Academic Board

PART VII - SUPPLEMENTARY PROVISIONS

31. Supplementary provisions  
32. Absence of council

PART VIII - PROPERTY AND FINANCE

33. Transfer of property  
34. Acquisition of property  
35. Expenditure  
36. Revenue of the College  
37. Annual estimate  
38. Statement of account  
39. Interpretation  
40. Citation



# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF NURSING AND  
MIDWIFERY AHIAZU/EZINIHITTE MBAISE, IMO STATE AND FOR RELATED  
MATTERS

*Sponsored by Hon. Emeka Martins Chinedu*

[     ] Commencement

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

### 1     PART I - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COLLEGE

2            1. There is hereby established a Federal College, to be known as     Establishment  
3     the Federal College of Nursing and Midwifery, Ahiazu/Ezinihitte Mbaise.

4            2. The college shall:     Corporate status

5            (a) Have the status of a tertiary institution with rights and  
6     privileges; and

7            (b) Be a body corporate with perpetual succession with powers to  
8     sue and be sued in its corporate name.

9            3. The objectives of the college shall be:     Objectives

10           (a) To provide training in General Nursing, Midwifery and other  
11     specialties of Nursing, leading to the award of certificates, Diplomas and  
12     other post-basic certificates;

13           (b) To provide avenues for continuing education in Nursing,  
14     Midwifery and other specialties of Nursing; and

15           (c) To provide any other services that may be incidental to the  
16     objectives of the college.

17           4.-(1) The College shall be a teaching and examining body and     Powers of the  
18     shall subject to the provisions of this Bill and regulations of the college, have     College  
19     powers to:

20           (a) Provide rules and conditions under which persons may be

1 admitted as students into any particular programme offered by the college;

2 (b) Provide courses of instruction in the academic and professional  
3 programmes, make provision for research and the dissemination of  
4 knowledge;

5 (c) Establish departments and other such units for learning and  
6 research as the objectives of the college may require;

7 (d) Create such offices and posts as the purpose of the college may  
8 require and to appoint and remove persons in such offices and posts as their  
9 conditions of service prescribe;

10 (e) Maintain physical infrastructure of the college;

11 (f) Provide for residence, recreational and welfare of staff and  
12 students of the institution as may be needed;

13 (g) Demand from students and other persons attending the institution,  
14 fees and other payments as the institution may from time to time determine;

15 (h) Prescribe rules for the discipline of students of the college;

16 (i) Conduct examinations and arrange for award of certificates to  
17 persons who pursue courses of study at the college and who satisfy the  
18 conditions that may from time to time be prescribed by the college;

19 (j) Subject to specific limitations imposed by extant government  
20 regulations may invest any fund apportioned to the college by way of  
21 endowment, whether for general or specific purposes and such monies may not  
22 be immediately required for current expenditure in any investment or  
23 securities;

24 (k) Print or publish works or undertake services as may be deemed  
25 consistent with the objectives of the college;

26 (l) Do such other things necessary under this Act, for the attainment of  
27 the objectives of the college, and;

28 (m) Carry out any general or special duties consistent with  
29 government policy as the Minister for Health may give in writing;

30 (2) Without prejudice to the generality of the provisions of section 2

1 of this Bill and subsection (1) of this section, the college may by special  
2 arrangement with the Nursing and Midwifery Council of Nigeria or other  
3 examination bodies prepare its students for award of certificates or other  
4 distinctions.

5 (3) Subject to the provisions of this Bill and any other statute, the  
6 power conferred on the college by subsection (1) of this section shall be  
7 exercised on behalf of the college by the governing council and committees  
8 established for the college or by officers and other staff as may be authorized  
9 under this Bill.

10 5.-(1) The provost shall have custody of the common seal of the  
11 college and shall be responsible for affixing same to documents.

12 (2) The common seal of the college shall not be used, unless upon  
13 the direction of the council and shall be authenticated by the signature of the  
14 provost

15 PART II - THE GOVERNING COUNCIL

16 6.-(1) There shall be established for the college a governing  
17 council, to be known as the governing council of the Federal College of  
18 Nursing and Midwifery, Ahiazu/Ezinihitte Mbaise.

Functions of the  
Governing Council

19 (2) The council shall consist of:

20 (a) A chairman, who shall be appointed by on a part time basis by  
21 the Minister for Health on the recommendation of the Secretary of Health;

22 (b) A representative of the Secretary of Health;

23 (c) The Provost of the College;

24 (d) A representative of the Imo State chapter of the National  
25 Association of Nigerian Nurses and Midwives;

26 (e) Two members to represent the interest of the public to be  
27 appointed by the Minister on the recommendation of the Secretary of  
28 Health;

29 (f) A representative of the Imo State treasury;

30 (g) A representative of the Imo State Judiciary;

	1	(h)A representative of the Imo State Ministry of Education;
	2	(i) The Director, Finance and Administration, Imo State Secretariat;
	3	(j)The Director of Nursing, Imo State Hospital Management Board
	4	and;
	5	(k) The Director, Nursing Services, Imo State Secretariat, who shall
	6	act as secretary.
Tenure of members	7	<b>7.-(1)</b> Members of the council other than ex-officio members shall
	8	hold office for a period of four years from their date of first appointment and
	9	shall be eligible for reappointment for only one more term.
	10	(2) Any member of the council other than an ex-officio member, may
	11	by notice to the council resign his appointment.
	12	(3) Any vacancy occurring in the membership of the council shall be
	13	filled by the appointment of a successor, who shall perform the same functions
	14	as the predecessor.
Functions of the Academic Committee	15	<b>8.-(1)</b> Subject to the provisions of this Bill, the council shall:
	16	(a) Be the governing authority of this college;
	17	(b)Be charged with general control and superintendence of the
	18	policies, finances and properties of the college;
	19	(c) Make regulations for the day to day management of the college;
	20	and
	21	(d) Perform any other roles necessary for the attainment of the
	22	objectives of the college.
	23	(2) Without prejudice to the provisions of subsection (1) of this
	24	section, the council shall:
	25	(a) Ensure that the courses and instructions provided by the college
	26	conform to standards laid down from time to time by the Nursing and
	27	Midwifery Council of Nigeria;
	28	(b) Regulate the teaching of courses offered by the college, and also
	29	regulate the conduct of examinations with respect to the college;
	30	(c) Approve contracts for the procurement of equipment, furniture

1 and properties required for the purpose of the college;

2 (d) Approve contracts for the maintenance of premises and other  
3 properties of the college;

4 (e) Formulate policies in all fields of learning provided by the  
5 college;

6 (f) Assess from time to time the courses offered by the college;

7 (g) Perform other such functions as may be necessary; and

8 (h) The council may delegate its functions other than the power to  
9 make regulations, to the chairman, committee or any other person or persons  
10 it may deem fit, but no decision of such committee or person shall take effect  
11 unless ratified by the council.

12 (3) The council may delegate any of its functions other than the  
13 power to make regulations, to the chairman or any other person, board or  
14 committee it deems fit in that regard, but no decision of such person or  
15 committee shall take effect unless ratified by council

16 **9.** The Director Nursing services of the secretariat shall be the Secretary to thr  
17 secretary to the council, and for any particular meeting he or she may be Council  
18 absent, must send a representative to act in that capacity.

19 **10.-(1)** The secretary of health may give to the council, direction as  
20 to the discharge of its functions, with regards to matters of public interest;

21 (2) The council shall avail the secretary of Health, avenues for  
22 obtaining information with regards to the property of the college and the  
23 functions of the council, and shall be furnished with returns, accounts and  
24 facilities for the verification of information in such manner as may be  
25 required.

26 **PART III- SCHOOLS, DEPARTMENTS UNITS WITHIN THE COLLEGE**

27 **11.-(1)** There shall be within the college, a school of Nursing and a  
28 school of Midwifery and such other schools as the council shall with the  
29 permission of the Nursing and Midwifery Council of Nigeria establish.

30 (2) Each school shall provide instruction for courses, conduct

1 research and carry out functions as may be described by the council with the  
2 approval of the secretary of health.

3 (3) The constitution of and other matters relating to each school may  
4 be prescribed by the council with the approval of the secretary of health.

5 **12.** In furtherance of the provisions of section 4(1)(c) of this bill, the  
6 council shall with the approval of the secretary of health establish for each  
7 school such departments as the Nursing and Midwifery Council of Nigeria may  
8 from time to time prescribe.

9 **13.** Subject to the provisions of this bill, the council may with the  
10 approval of the secretary of health establish units for special purposes within  
11 the college, and the name, constitution and function of such units shall be  
12 prescribed by the director of the council.

13 **PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE**

14 **14.** There shall be for the college, a provost and other principal  
15 officers, the designations, qualifications and functions, appointments and  
16 removal of whom shall be spelt out in section 16-23 of this bill.

Principal Officers  
of the College

17 **15.-(1)** The principal officers of the college shall be:

18 (a) Provost;

19 (b) The Deans of Schools in the college;

20 (c) Deputy Deans (Academic administration) of Schools in the  
21 college;

22 (d) The Registrar;

23 (e) The college Librarian; and

24 (f) The Bursar.

25 (2) The principal officers of the college other than the Deans and  
26 deputy Deans of schools in the college shall be appointed by the council,  
27 subject to the approval of the minister through the secretary of health.

28 (3) The Deans and deputy Deans of schools shall be appointed by the  
29 council.

1	<b>16.</b> -(1) The Provost shall be appointed from among the academic	Appointment of Provost
2	staff of the college and shall be the chief executive and administrator of the	
3	college and also answerable to the council for maintaining and promoting	
4	discipline and efficiency in the college	
5	(2) The provost shall hold a Degree in Nursing and shall be a	
6	registered educator in Nursing, Midwifery or other specialties of Nursing	
7	with no less than fifteen years of teaching experience.	
8	<b>17.</b> -(1) The Deans of Schools in the college shall be answerable to	Dean
9	the Provost for the administration of the schools.	
10	(2) The Deans of the schools in the college shall hold a Degree in	
11	Nursing and shall be registered educators in specialties relevant to their	
12	respective schools and with a teaching experience of not less than ten years.	
13	<b>18.</b> The deputy Deans of schools in the college shall be assistants to	Deputy Dean
14	the Deans of their respective schools and shall perform duties assigned to	
15	them by their Deans.	
16	(2) The deputy Deans of the schools in the college shall hold a	
17	Degree in Nursing and shall be registered educators in specialties relevant to	
18	their respective schools and with a teaching experience of not less than	
19	seven years.	
20	<b>19.</b> -(1) The Registrar of the college shall be the head of	The Registrar of the College
21	administration of the college and shall be answerable to the provost.	
22	(2) The Registrar must be a graduate of humanities with at least	
23	fifteen years' experience in public administration.	
24	(3) The person holding the position of Registrar of the college shall	
25	by virtue of the position be the secretary to the Academic Board and the	
26	finance and General Purpose Committee.	
27	<b>20.</b> -(1) The Bursar shall be the chief financial officer of the college	The Bursar
28	and shall accountable to the Provost for the day to day administration of	
29	financial affairs of the college.	
30	(2) The Bursar shall be a qualified Accountant with not less than 10	

	1	years' post-qualification experience.
The Librarian	2	<b>21.-(1)</b> The Librarian shall be accountable to the Provost for the
	3	coordination of library services in the college.
	4	(2) The Librarian shall have a Degree in Library science and a
	5	minimum of ten years' experience as librarian.
	6	<b>22.</b> The council may appoint such other persons to be staff of the
	7	college for justifiable reasons on such terms and conditions as may be
	8	specified.
Removal from office	9	<b>23.-(1)</b> The principal officers and other senior staff of the college may
	10	be removed from office by the commissioner on the basis of misconduct,
	11	incompetence or any other justifiable reason on the recommendation of the
	12	council.
	13	(2) The council shall have power to remove any junior staff of the
	14	college for justifiable reasons.
	15	PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES
Finance and General Purpose Committee	16	<b>24.</b> The shall be a committee of council known as Finance and General
	17	purpose committee.
Composition of the Committee	18	<b>25.-(1)</b> The finance and General Purpose Committee shall consist of:
	19	(a) The chairman of the governing council, who shall be the chairman;
	20	(b) The representative of the secretary of health;
	21	(c) The Provost;
	22	(d) The Director, Finance and administration at the secretariat;
	23	(e) The Director, Nursing services at the secretariat;
	24	(f) One member of the academic committee to be appointed by the
	25	council; and
	26	(g) The Registrar shall be the secretary of the committee.
Functions of the Committee	27	<b>26.</b> The Finance and General Purpose Committee shall:
	28	(a) Exercise control over property, revenue and expenditure of the
	29	college;
	30	(b) Award contracts for the execution of projects of the college; and



1 (c) Perform such other functions as the council may delegate to it.

2 **27.**-(1) Anybody of persons established by this bill shall, without  
3 prejudice to the generality of powers of that body shall have power to  
4 constitute committees, which need not consist exclusively of members of  
5 that body, and to authorize a committee established by it:

6 (a) To exercise on behalf of it, such of its function as may be  
7 determined by it;

8 (b) To co-opt members, and may direct the coopted members if any,  
9 shall be entitled to vote in that committee.

10 (2) Any two of such bodies may arrange for a joint meeting of such  
11 bodies, or for the appointment of committees consisting of members of such  
12 bodies for the purpose of considering matters within the competence of such  
13 bodies, or any of them, or either of dealing with it, or of reporting on it to  
14 those bodies or any of them.

15 (3) The quorum and procedure of a committee established or  
16 meeting held in pursuance of this section shall be such as may be determined  
17 by the body or bodies which have decided to establish the committee or hold  
18 the meeting.

19 **PART VI - ACADEMIC BOARD**

20 **28.** There shall be for each school of the college and Academic  
21 Board, which shall be responsible for the academic work of the school.

22 **29.** The Academic board of each school of the college shall be  
23 composed of:

24 (a) The Provost of the college as chairman;

25 (b) The Dean of the school as Deputy Chairman;

26 (c) The Deputy Dean of the school;

27 (d) All heads of Departments of the school;

28 (e) One academic staff not below the rank of senior lecturer, to be  
29 selected from each department of the school;

1 (f) A representative of the Director, Nursing Services at the  
2 secretariat;

3 (g) The school librarian; and

4 (h) The Registrar, who shall be the secretary of the board.

5 **30.** Subject to the overall control of the council, the academic board of  
6 each school of the college shall perform the following functions:

7 (1) Regulating and organizing the process of admissions, conduct of  
8 examinations, award of certificates, and all formalities relating to the  
9 registration and licensing of graduates.

10 (2) Making recommendation to the council on appointment of staff of  
11 the school and the organization of departments, libraries and other units of  
12 learning in the school.

13 (3) Making guidelines for the purpose of exercising any of the  
14 functions conferred on it under the provisions of this section.

15 (4) Preparing curricula for the school in line with the guidelines of the  
16 Nursing and Midwifery Council of Nigeria and other regulatory bodies.

17 (5) Performing such other function that may be assigned to it by the  
18 council.

19 **PART VII - SUPPLEMENTARY PROVISIONS**

20 **31.** The supplementary provisions contained in the schedule shall  
21 have effect in relation to the proceedings of the various bodies appointed under  
22 the provisions of this bill.

23 **32.** In the absence of the council and until it is constituted for the  
24 college, the functions and powers of the college under this bill may be  
25 exercised by the secretary of health in consultation with the Director of  
26 Nursing services at the secretariat.

27 **PART VIII - PROPERTY AND FINANCE**

Transfer of  
Property

28 **33.** The Minister for Health may by order transfer any property,  
29 whether movable or immovable, to the college and from the date of such  
30 transfer, any such property so transferred shall belong to the college and shall

1 be used for the purpose of the college.

2 **34.** The council may, subject to the provisions of this bill:

Property of the  
College

3 (a) Acquire and hold such movable or immovable property as may  
4 be expedient in carrying out the provisions of this Bill;

5 (b) Invest the funds of the college in such manner and to such  
6 extent as it may deem necessary or expedient; and

7 (c) Enter into contractual agreement on behalf of the college;

8 **35.**-(1) The council shall have power to approve of expenditure of  
9 over N100,000 but not exceeding N1,000,000 per unit transaction for the  
10 procurement of goods, works or services and shall refer procurements  
11 exceeding the amount to the secretary of health.

Expenditure of  
the College

12 (2) The Provost shall approve procurement of goods and services  
13 not exceeding N100,000.

14 (3) The threshold stipulated in this section may be adjusted in case  
15 of:

16 (a) Subsection (1) by the secretary of health;

17 (b) Subsection (2) by the council.

18 **36.** The revenue of the college shall include:

Revenue of the  
College

19 (a) Revenue from time to time accruing from the government by  
20 way of grants, subventions, endowment or other grant -in aid;

21 (b) Fees charged by and payable in respect of students;

22 (c) Any other charges or dues recoverable by the college;

23 (d) Receipts for publications or services;

24 (e) Interests on investments;

25 (f) Donations and legacies.

26 **37.** Before the end of each financial year or such other time as may

Annual estimate

27 be required by the council, the director Finance and Administration or the  
28 Provost shall present to the council estimate of revenue and expenditure for  
29 the ensuing financial year and the accepted estimates shall be presented to  
30 the Secretary, Health and Human Services who shall cause same to be

	1	presented before the commissioner for approval.
Statement of account	2	<b>38.</b> -(1) The college shall prepare with respect to each financial year, a
	3	statement of account as may be approved by the secretary of health, and the
	4	said annual statement shall be a fair and accurate statement of the financial
	5	position of the college for the financial year to which it relates;
Account audit	6	(2) The said annual account shall be audited by Auditor general of the
	7	state or such auditor appointed by him;
	8	(3) The said audited statement of accounts, after verification by the
	9	council shall together with the auditor's report be forwarded to the secretary of
	10	Health, who shall tender same before the Minister;
Interpretation	11	<b>39.</b> In this Bill, unless the context otherwise requires, 'Academic
	12	board' means the academic board established under this Bill;
	13	'Chairman' means the chairman of the governing council of the college, or
	14	where the context requires, chairmen of the respective committees established
	15	by the college;
	16	'Council' means the governing council established in section 5( 1) of this bill
	17	for the college;
	18	'Executive committee' means the Imo State Executive committee;
	19	'Commissioner' means the Minister or Imo State Commissioner for Health;
	20	'Junior staff' is a reference to staff on ONHESS 1-5 or salary grade level 1-6;
	21	'Members' means members of the council and includes the chairman of the
	22	council;
	23	'Provost' means provost of the college;
	24	'Regulations' means any regulation formulated for the college by the council;
	25	'Secretariat' means Health and Human Services secretariat of Imo State;
	26	'Secretary' means secretary to the governing council of the college and
	27	otherwise means secretary to any committee established under this Bill;
	28	'Secretary of Health' means the secretary of Health and Human Services of
	29	such other official as may be from time to time designated as the head of the
	30	body responsible for health in Imo State;

- 1 'Senior staff' means staff on CONHESS 6-16 or salary grade level 7-17.
- 2 **40.** This Bill may be cited as the Federal College of Nursing and Citation
- 3 Midwifery Ahiazu/Ezinihitte Mbaise Imo State Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal College of Nursing and Midwifery Ahiazu/Ezinihitte Mbaise, Imo State, to provide training in General Nursing, Midwifery and other specialties of Nursing.



A BILL  
FOR

AN ACT TO ALTER PART 1 OF THE FIRST SCHEDULE TO THE CONSTITUTION  
OF THE FEDERAL REPUBLIC OF NIGERIA 1999(AS AMENDED) TO CHANGE  
THE NAME OF JABA LOCAL GOVERNMENT AREA IN KADUNA STATE TO  
HAM LOCAL GOVERNMENT AREA, AND FOR RELATED MATTERS

*Sponsored by Hon. Amos Gwamna Magaji*

[ ] Commencement

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

- 1

2

3

4

5

6
1. Part 1 of the First Schedule to the Constitution of the Federal Republic of Nigeria (as amended) is amended in Kaduna State, under the Column for Local Government Areas, by deleting the name "Jaba" and inserting the name "Ham".

2. This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2021.
- Amendment of Part 1, First Schedule to the Constitution

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to alter Part 1 of the First Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended) to change the name of the Jaba Local Government Area in Kaduna State to Ham Local Government Area.





# A BILL

## FOR

AN ACT TO AMEND NATIONAL BUSINESS AND TECHNICAL EXAMINATIONS BOARD (ESTABLISHMENT, ETC.) ACT CAP. N12 LAWS OF THE FEDERATION OF NIGERIA, 2004, TO IMPROVE THE SCOPE OF THE BOARD TO UNDERTAKE CONTEMPORARY BUSINESS AND TECHNICAL EXAMINATIONS IN LINE WITH THE NATIONAL POLICY ON EDUCATION; PROVIDE THE GENERAL PURPOSE OF THE RESULTS, CERTIFICATE AND AWARDS ISSUED BY THE BOARD; AND FOR RELATED MATTERS

*Sponsored by Hon. Julius Ihonvbere*

[ ] Commencement

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

- |   |  |
|---|--|
| <p>1           <b>1.</b> The National Business and Technical Examinations Board</p> <p>2           (Establishment, etc.) Act Cap. N12 Laws of the Federation of Nigeria, 2004</p> <p>3           (in this Act referred to as the "Principal Act") is amended, as set out in this</p> <p>4           Bill.</p>   | <p>Amendment of<br/>Cap. N12 LFN,<br/>2004</p> |
| <p>5           <b>2.</b> Section 3(a) of the Principal Act is amended, by substituting for</p> <p>6           Section 3(a) a new Section "3 (a)":</p> <p>7           "(a) Conduct examination leading to the award of the:</p> <p>8           (i) National Technical Certificate (NTC);</p> <p>9           (ii) Advanced National Technical Certificate (NTC);</p> <p>10          (iii) National Business Certificate (NBC);</p> <p>11          (iv) Advanced National Business Certificate (ANBC);</p> <p>12          (v) National General Certificate in Education (NGCE);</p> <p>13          (vi) National Vocational Certificate (NVC);</p> <p>14          (vii) Modular Trades Certificate (MTC); and</p> <p>15          (viii) National Skills Qualification (NSQs)."</p> | <p>Substitution of<br/>Section 3(a)</p>        |

Substitution of Section 3 (b)	1	<b>3.</b> Section 3(b) of the Principal Act is amended, by substituting for
	2	Section 3(b), a new Section "3(b)":
	3	"(b) Take over the conduct of technical and business examinations
	4	hitherto conducted by the Royal Society of Arts of London, City and Guilds of
	5	London and the West African Examination Council; and also conduct of
	6	examinations on General Education."
Substitution of Section 3 (c)	7	<b>4.</b> Section 3(c) of the Principal Act is amended, by substituting for
	8	Section 3 (c), a new Section u3 (c)":
	9	"(c) issue results and certificates and make awards in examinations
	10	conducted by the Board for the purposes of certifying skills for world of
	11	work/employment and admission into Tertiary and allied institutions "
Citation	12	<b>5.</b> This Bill may be cited as the National Business and Technical
	13	Examinations Board (NABTEB) Act (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to improve the scope of the Board to undertake contemporary business and technical examinations in line with the National Policy on Education; as well as provide the general purpose of the results, certificate and awards issued by the board.

A BILL  
FOR

AN ACT TO ALTER THE PROVISION OF THE CONSTITUTION OF THE FEDERAL  
REPUBLIC OF NIGERIA, 1999, TO DELETE PROVISIONS ON STATE  
INDEPENDENT ELECTORAL COMMISSION AND FOR RELATED MATTERS

*Sponsored by Hon. Lynda Chuba Ikpeazu*

[ ] Commencement

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

- |   |   |                    |
|---|---|--------------------|
| 1 | <b>1.</b> The Constitution of the Federal Republic of Nigeria, 1999 (in           | Amendment of       |
| 2 | this bill referred to as "the Principal Act") is altered as set out in this Bill. | the Constitution   |
| 3 | <b>2.</b> Section 197 of the Principal Act is altered in subsection (1) by        | of the Federal     |
| 4 | deleting (b) "State Independent Electoral Commission".                            | Republic of        |
| 5 | <b>3.</b> Part II (B) of the Third Schedule to the Principal Act on "State        | Nigeria, 1999      |
| 6 | Independent Electoral Commission" is hereby deleted.                              | Alteration of      |
| 7 | <b>4.</b> This Bill is cited as the Constitution of the Federal Republic of       | Section 197 of the |
| 8 | Nigeria (Alteration) Bill, 2021.  | Principal Act      |
|   |   | Alteration of      |
|   |   | Third Schedule     |
|   |   | to the Principal   |
|   |   | Act                |
|   |   | Citation           |

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria,  
1999, to delete provisions on State Independent Electoral Commission.



# A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION, ELEBELE, OGBIA, BAYELSA STATE TO PROVIDE FULL-TIME COURSES, TEACHING, INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT; AND TO PROVIDE FOR THE APPOINTMENT OF THE PROVOST AND OTHER OFFICERS OF THE COLLEGE TO CARRY OUT THE ADMINISTRATION AND THE DISCIPLINE OF STUDENTS OF THE COLLEGE AND FOR RELATED MATTERS

*Sponsored by Hon. Fred Obua Azibapu*

[ ] Commencement

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

1	1.- (1) There is established the Federal College of Education	Establishment of the Federal College of Education, Elebele, Ogbia, Bayelsa State
2	Elebele, Ogbia, Bayelsa State (hereinafter referred to as "the college").	
3	(2) The College shall be a body corporate with perpetual	
4	succession and common seal and shall have power to acquire and dispose of	
5	interest in movable and immovable properties.	
6	(3) The College may sue and be sued in its corporate name.	
7	2.- (1) The governance and direction of the college affairs shall rest	Governing Council of the College
8	in the governing council of the college (in the Bill referred to as "the	
9	Council").	
10	(2) The Council shall have the responsibility to consider and	
11	approve:	
12	(a) The Programme of studies to be undertaken in the college;	
13	(b) The annual estimates of the college; and	
14	(c) The investment plan of the college.	
15	(3) The Provision of the schedule to this Bill shall have effect with	
16	respect to the council as mentioned herewith.	

Membership of the Council in the College	1	<b>3.-(1)</b> The council of the college shall consist of:
	2	(a) A chairman and other members to be appointed by the President;
	3	(b) A representative of the Federal Ministry of Education;
	4	(c) A representative of the University of which the College is
	5	affiliated to for the purpose of moderation;
	6	(d) Two representatives of the academic Board of the College;
	7	(e) A representative of the National Commission for the College of
	8	Education; and
	9	(f) The Provost of the College.
Tenure of Members of the College	10	<b>4.-(1)</b> A member of the council (other than the ex-officio members)
	11	shall hold office for a term of four years and subject to the provision of
	12	subsection (2) of this section shall be eligible for re-appointment for a further
	13	period of four years and also move.
	14	(2) The office of a member appointed under section 3 of this Bill shall
	15	become vacant if:
	16	(a) The member resigns from office by notice in writing under his
	17	hand addressed to the Minister;
	18	(b) The Minister is satisfied that it is not in the interest of the college
Functions of the College	19	for the person appointed to continue in office and notifies the member in
	20	writing to that effect.
	21	<b>5.</b> The functions of the college shall be:
	22	(a) To provide full-time courses in teaching instruction and training:
	23	(i) In technology, applied sciences, arts, social science, humanities
	24	and management; and
	25	(ii) In such other fields of applied learning relevant to the needs of
	26	development of Nigeria.
	27	(b) To conduct Courses in Education for qualified teachers;
	28	(c) To arrange conference, seminars and workshops relative to the
	29	functions of the college; and
	30	(d) To perform such other functions as in the opinion of the council

1 may serve to promote the objective of the college.

2 **6.** The council of the college shall have power to:

Powers of the  
Council

3 (a) Hold examinations and grant NCE, Diplomas, Professional  
4 Council Certificates and other distinctions to persons who have pursued  
5 course of study approved and accredited by the National Commission for  
6 Colleges of Education;

7 (b) Hold examinations in Education for qualified teachers;

8 (c) Recruit staff and determine structure of such staff;

9 (d) Demand and receive from any student or any other person  
10 attending the college, for the purpose of construction, such fees as the  
11 council may with the prior approval of the Minister, from time to time  
12 determine;

13 (e) Hold public lectures and undertake printing, publishing and  
14 bookselling;

15 (f) Award fellowship, medals, prizes and other titles;

16 (g) Establish and maintain such schools and other teaching units  
17 with the college or extra moral departments as the councils may from time to  
18 time determine;

19 (h) Erect, provide, equip and maintain such educational  
20 recreational and residential facilities as the college may require;

21 (i) Create lectureships and other academic post and offices and to  
22 make appointment thereof Receive and make gifts;

23 (j) Enter into such contracts as may be necessary or expedient for  
24 carrying into effect the objective of the college;

25 (k) Provide amenities for and make such other provisions for the  
26 welfare of the staff and students of the college;

27 (l) Encourage and make provision for research in the college;

28 (m) Do such acts and things whether or not incidental to the  
29 foregoing as may advance the objects of the College.

The Visitor	1	<b>7.-(1)</b> The minister responsible for education shall be the visitor of the college.
	3	(2) The visitor shall, not less than once in every five years, conduct a visitation to the college or appoint a visitation panel to consist of not less than five experts to conduct the visitation:
	6	(a) For the purpose of evaluating the academic and administrative performance of the college; or
	8	(b) For such other purpose as the visitor may deem fit.
The Academic Board and its functions	9	<b>8.-(1)</b> There shall be established for the college a board to be known as the Academic Board which shall consist of the following members:
	11	(a) The Provost of the college as the chairman;
	12	(b) All heads of departments;
	13	(c) The college bursar;
	14	(d) The college Librarian; and
	15	(e) Not more than three members of the Academic staff other than the heads of departments to be appointed by the council.
	17	(2) The Academic Board shall be responsible for:
	18	(a) The direction and management of academic matters of the college including the regulation of admission of students, the award of certificates, scholarships, prizes and other academic distinction;
	21	(b) Discharging any other functions which the council may from time to time delegate to it.
Power of Member	23	<b>9.</b> The minister may give to the council directions of general character or relating generally to matters with regard to the exercise by the council of its functions and it shall be the duty of the council to comply with such directions.
The Provost of the College	26	<b>10.-( 1)</b> There shall be a Provost for the college (hereinafter referred to as "the Provost") who shall be appointed by the president on the recommendation of the minister.
	29	(2) Where a vacancy occurs in the post of the provost, the council shall:
	30	



1 (a) Advertise the vacancy in reputable widely read newspaper in  
2 Nigeria specifying:

3 (i) The qualities of the person who may apply for the post;

4 (ii) The terms and condition of service applicable to the post and  
5 thereafter draw up a short list of suitable candidates for consideration of the  
6 minister.

7 (3) The President shall appoint as provost one of the candidates  
8 recommended by the minister.

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

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

16 **11.-(1)** There shall be for the college two deputy provosts namely: Deputy Provost  
17 Deputy Provost (Academic) and the Deputy Provost (Administration).

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

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

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

24 (c) On the nomination of the provost;

25 (3) The selection Board referred to in Sub section2 (b) of this  
26 section shall:

27 (a) Consist of:

28 (i) The Chairman of the council;

29 (i i) The Provost of the college;

30 (iii) Two members of the Academic board; and

1 (iv) Two members of the council not being members of the Academic  
2 Board.

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

4 (i) Assist the provost in the performance of his function in Academic  
5 matters of the College;

6 (ii) Act as the provost when the post of the provost is vacant or if the  
7 provost is for any reason, absent or unable to perform his function.

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

9 (i) Assist the provost in administrative matters of the college; and

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

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

The Registrar  
and other Staff  
of the College

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

16 (2) The registrar shall keep the records and conduct the  
17 correspondence of the Council;

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

19 (a) The Council;

20 (b) The Academic Board; and

21 (c) Any Committee of the council.

22 (4) The registrar may perform any duty as may be assigned to him by  
23 the councillor or the Provost.

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

Other Principal  
Officers of the  
College

26 **13.**-(1) There shall be for the college in addition to the registrar

27 (a) The Bursar; and

28 (b) The College Librarian who shall be appointed by the council.

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

1 financial affairs of the college.

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

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

7 **14.** A principal officer of the college may resign his appointment: Resignation of  
appointment of  
Principal Officer  
8 (a) In case of the provost by notice to the visitor; and  
9 (b) In any other case by notice to the council.

10 **15.**-(1) The council may appoint other persons to be employees of Other employees  
of the College  
11 the college as the council may deem fit to assist the Provost and the Principal  
12 Officers in the performance of their functions.

13 (2) The remuneration, tenure of office and condition of service of  
14 the employees of the college shall be determined by the council in  
15 consultation with the Federal Civil Service Commission.

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

21 **17.**-(1) There shall be a Selection Board for: Selection Board  
for other Principal  
Officers  
22 The college which shall consist of:

23 (a) The Chairman of the council;  
24 (b) The Provost;  
25 (c) Four members of the council not being members of the  
26 Academics Board; and

27 (d) Two members of the Academic Board.

28 (2) The functions, procedure and other matters relating to the  
29 selection Board constituted under subsection (1) of this section shall be  
30 determined from time to time by the council.

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

1 State established under section (1) of this Bill;  
2 "Council" means the Governing Council of the college established under  
3 section 2 of this Bill;"  
4 "Function" includes power and duties;  
5 "Minister" means the minister charged with responsibility of education;  
6 "Member" means a member of the council including the chairman;  
7 "Provost" means the provost of the college established under section 10 of  
8 this Bill.

9 **23.** This Bill may be cited as the Federal College of Education, Citation  
10 Elebele, Ogbia, Bayelsa State (Establishment) Bill, 2021.

11 SCHEDULE

12 [Section 2(3).]

13 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

14 *Terms of service:*

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

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

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

25 *Proceedings*

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

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

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

5 (5) The Quorum of the Council shall be one half of the total members  
6 of the Council, at least one of whom shall be a member appointed by the  
7 President.

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

10 *Miscellaneous*

11           5.-(1) The fixing of the seal of the college shall be authenticated by the  
12   signature of the chairman, Provost and of some other members of the Council  
13   authorized generally or specially by the Council to act for that purpose.

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

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

## EXPLANATION NOTE

This Bill seeks to establish the Federal College of Education, Elebele, Ogbia, Bayelsa State as institute to offer full-time courses leading to the awards of National Certificates of Education, Diplomas etc.

FEDERAL COLLEGE OF EDUCATION (SPECIAL), PATANI,  
(ESTABLISHMENT) BILL, 2021

ARRANGEMENT OF SECTIONS

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

*Financial provisions*

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

*Miscellaneous and supplementary*

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

SCHEDULE

Supplementary provisions relating to the Council, etc.





# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF EDUCATION (SPECIAL), PATANI, DELTA STATE TO PROVIDE FULL-TIME COURSES OF STUDY IN TECHNOLOGY, APPLIED SCIENCES, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE COLLEGE AND FOR RELATED MATTERS

*Sponsored by Hon. Mutu Nicholas Ebomo*

[ ] Commencement

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

- 1                   **1.**-(1) There is hereby established the Federal College of Education  
2                   (Special), Patani in Patani Local Government Area of Delta State, Nigeria  
3                   (herein referred to as 'the College'), which shall have such powers and  
4                   exercise such functions as conferred by this Bill.  
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 movable and immovable property and may sue and be sued in  
8                   its corporate name.
- 9                   **2.**-(1) The governance of the College and the direction of its affairs  
10                  shall vest in a Governing Council of the College (in this Bill referred to as  
11                  "the Council").  
12                  (2) Without prejudice to the generality of subsection (1) of this  
13                  section, it shall be the responsibility of the Council to consider and approve:  
14                  (a) the plan of activities of the College  
15                  (b) the programme of studies, courses, and research to be  
16                  undertaken by the College;  
17                  (c) the annual estimates of the College; and  
18                  (d) the investment plans of the College.

Establishment  
of Federal College  
of Education  
(Special), Patani,  
Delta State

Governing Council  
of the College

	1	(3) The provisions of the Schedule to this Bill shall have effect with
	2	respect to the Council as specified therein.
Membership of the Council	3	<b>3.-(1)</b> The Council shall consist of a Chairman and the following other
	4	members, to be appointed by the President:
	5	(a) a representative of the Federal Ministry of Education;
	6	(b) a representative a representative of the Nigerian Society of
	7	Engineers;
	8	(c) a representative of the University of Technology to which the
	9	College is affiliated for the purpose of moderation of degree awarding
	10	programmes;
	11	(d) three persons of note in the areas of science and of technical
	12	education, one of whom shall be a woman appointed by the President;
	13	(e) a representative of the National Commission for Women;
	14	(f) a representative of the alumni association of the College;
	15	(g) two representatives of the Academic Board of the College;
	16	(h) a representative of the National Commission for Colleges of
	17	Education; and
	18	(i) the Provost of the College.
Tenure of office of members of the Council	19	<b>4.-(1)</b> A member of the Council (other than ex-officio member) shall
	20	hold office for a term of three years and subject to the provisions of subsection
	21	(2) of this section, shall be eligible for re-appointment for a further
	22	period of three years.
	23	(3) The office of a member appointed under section 3(1)(d) of this Bill
	24	shall become vacant if:
	25	(a) the member resigns his office by notice in writing under his hand,
	26	addressed to the Minister; or
	27	(b) the Minister is satisfied that it is not in the interest of the College
	28	for the person appointed to continue in office and notifies the member in
	29	writing to that effect.

1	<b>5.</b> The functions of each College shall be to:	Functions of the College
2	(a) provide full-time and part-time courses in teaching, instruction	
3	and training in:	
4	(i) technology, applied science, commerce, arts, social science,	
5	humanities and management; and	
6	(ii) such other fields of applied learning relevant to the needs of the	
7	development of Nigeria in the areas of industrial and agricultural production	
8	and distribution and for research in the development and adaptation of	
9	techniques as the Council may from time to time determine;	
10	(b) conduct courses in education for qualified teachers;	
11	(c) arrange conferences, seminars and workshops relative to the	
12	fields of learning specified in paragraph (a) of this section; and	
13	(d) perform such other functions as in the opinion of the Council	
14	may serve to promote the objectives of the College.	
15	<b>6.-(1)</b> For the carrying out of the functions of each College, the	Power of the Council
16	Council shall have power to:	
17	(a) hold examinations and grant diplomas, professional certificates	
18	and other distinctions to persons who have pursued a course of study	
19	approved and accredited by the National Commission for Colleges of	
20	Education;	
21	(b) demand and receive from any student or any other person	
22	attending the College for the purpose of instruction such fees as the Council	
23	may, with the prior approval of the Minister, from time to time determine;	
24	(c) hold public lectures and undertake printing, publishing and	
25	bookselling;	
26	(d) make gifts for any charitable purpose;	
27	(e) hold examinations in education for qualified teachers;	
28	(f) provide amenities for and make such other provision for the	
29	welfare of the staff;	
30	(g) invest the funds of the College in securities specified by law or	

- 1 in such other securities in Nigeria as may be approved by the Minister;
- 2 (h) borrow money within Nigeria in such manner and upon such
- 3 security as the Minister may from time to time authorise;
- 4 (i) enter into such contracts as may be necessary or expedient for
- 5 carrying into effect the objectives of the College;
- 6 (j) recruit staff of the right calibre and determine the career structure
- 7 of such staff;
- 8 (k) establish and maintain such schools and other teaching units
- 9 within the College or extramural departments as the Council may, from time to
- 10 time, decide; (l) institute and award fellowships, medals, prizes and other titles;
- 11 (m) mount exhibitions and displays designed to foster an appreciation
- 12 of trends in and the scope and requirements of education;
- 13 (n) erect, provide, equip and maintain such educational, recreational
- 14 and residential facilities as the College may require;
- 15 (o) create lectureships and other academic posts and offices and to
- 16 make appointments thereto;
- 17 (p) encourage and make provision for research in the College; and
- 18 (q) do such acts and things whether or not incidental to the foregoing
- 19 powers as may advance the objects of the College.
- 20 (2) The power of the Council to establish further schools within the
- 21 College shall be exercisable by order and not otherwise.
- 22 7.-(1) The Minister of Education shall be the Visitor to the College.
- 23 (2) The Visitor shall, not less than once in every five years, conduct a
- 24 visitation to the College or appoint a Visitation Panel, consisting of not less
- 25 than five experts to conduct the visitation for:
- 26 (a) the purpose of evaluating the academic and administrative
- 27 performance of the College;
- 28 (b) such other purpose or in respect of any other affairs of the College
- 29 as the Visitor may deem fit.

Visitation

1                   **8.-(1)** There shall be established for the College a board to be                   The Academic  
2                   known as the Academic Board which shall consist of the following                   Board and its  
3                   members:                   functions

(a) the Provost of the College as the Chairman;

(b) all heads of departments;

(c) the College Librarian, and

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

9 (2) The Academic Board shall be responsible for:

(a) the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes, and other academic distinctions;

14 (b) making periodic reports on such academic matters to the  
15 Council as the Council may from time to time direct, and

16 (c) discharging any other functions which the Council may  
17 delegate to it.

18                   **9.** Subject to the provisions of this Bill, the Minister may give to  
19           the Council directions of a general character or relating generally to matters  
20           of policy with regard to the exercise by the Council of its functions under  
21           this Bill and it shall be the duty of the Council to comply with such  
22           directions.

Power of Minister  
to give directions  
to the Council

23 **10.-(1)** There shall be a Provost for the College (in this Bill referred  
24 to as 'the Provost') who shall be appointed by the President in accordance  
25 with the provisions of this section.

26 (2) Where a vacancy occurs in the post of Provost, the Council  
27 shall:

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

30 (i) qualifications of the person who may apply for the post; and

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

3 (b) constitute a search team consisting of:

4 (i) a member of the Council, not being a member of the Academic  
5 Board, as Chairman; (ii) two members of the Academic Board, not below the  
6 rank of chief lecturer;

7 (iii) two members of the academic community of the College not  
8 below the rank of chief lecturer to be selected by Council, to identify and draw  
9 up a short-list of persons who are not likely to apply for the post for any reason  
10 whatsoever.

11 (3) A Joint Council and Academic Board Selection Board consisting  
12 of:

13 (a) the Chairman of the Council;

14 (b) two members of the Council not being members of the Academic  
15 Board;

16 (c) two members of the Academic Board not below the rank of chief  
17 lecturer, who were not members of the search team, shall consider the  
18 candidates and persons on the short-list drawn up under subsection (2) of this  
19 section through an examination of their curriculum vitae and interaction with  
20 them and recommend through the Council to the President, three candidates for  
21 his consideration.

22 (4) The President shall appoint, as Provost, one of the candidates  
23 recommended to him under the provisions of subsection (3) of this section.

24 (5) Subject to this Bill and the general control of the Council, the  
25 Provost shall be the chief executive of the College and shall be charged with  
26 general responsibility for matters relating to the day-to-day management  
27 operations of the College.

28 (6) The Provost shall:

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

1 in his letter of appointment; and

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

4 **11.**-(1) There shall be for the College a Deputy Provost.

Deputy Provosts

5 (2) The Council shall appoint the Deputy Provost from among the  
6 chief lecturers in the College in one of the following ways:

7 (a) from a list of three candidates, in order of preference, submitted  
8 by the provost; or

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

11 (c) on the nomination of the Provost.

12 (3) The Selection Board referred to in subsection (2)(b) of this  
13 section shall consist of:

14 (a) the chairman of the Council;

15 (b) the Provost;

16 (c) two members of the Council not being members of the  
17 Academic Board;

18 (d) two members of the Academic Board; and make such inquiries  
19 as it deems fit before making the recommendation required under that  
20 subsection.

21 (4) The Deputy Provost shall:

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

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

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

28 (5) A deputy provost shall:

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

The Registrar  
and other staff  
of the College

1 be specified in his letter of appointment; and

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

4 **12.-(1)** The Council shall appoint a Registrar of the College (in this  
5 Bill referred to as "the Registrar"), who shall keep the records and conduct the  
6 correspondence of the Council and shall perform such other duties as the  
7 Council and subject thereto as the Provost may from time to time direct.

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

13 (3) The Registrar shall:

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

17 (b) may be re-appointed for one further period of five years and no  
18 more.

19 (4) Where on the commencement of this section, a Registrar  
20 appointed before the commencement of this section has held office for:

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

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

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

Other principal  
officers of the  
College

29 **13.-(1)** There shall be for the College the following other principal  
30 officers in addition to the Registrar, namely:



1 (a) the Bursar, and  
2 (b) the College Librarian, who shall be appointed by the Council on  
3 the recommendation of the Selection Board constituted under section 11(3)  
4 of this Bill.

5 (2) The Bursar shall be the chief financial officer of the College and  
6 be responsible to the Provost for the day-to-day administration and control  
7 of the financial affairs of the College.

8 (3) The College Librarian shall be responsible to the Provost for the  
9 administration of the College library and the co-ordination of library  
10 services in the teaching units of the College.

11 (4) The Bursar or Librarian shall:

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

15 (b) may be re-appointed for a further period of five (4) years and no  
16 more.

17 (5) Where on the commencement of this section, a Bursar or  
18 Librarian has held office for:

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

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

24 (c) ten years or more, the Council may allow him to serve as  
25 Registrar for a further period of one year only and thereafter he shall  
26 relinquish his post and be assigned other duties in the College.

27 **14.-(1)** A principal officer may resign his appointment:

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

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

Resignation of  
appointment of  
principal officers

Other employees  
of the College

1                   **15.**-(1) The Council may appoint such other persons to be employees  
2                   of the College as the Council may determine to assist the Provost and the  
3                   principal officers of the College in the performance of their functions under this  
4                   Bill.

5                   (2) Subject to the provisions of this Bill, the remuneration, tenure of  
6                   office and conditions of service of the employees of the College shall be  
7                   determined by the Council in consultation with the Federal Civil Service  
8                   Commission.

Selection Board  
for other principal  
officers

9                   **16.**-(1) There shall be a Selection Board for the College, which shall  
10                  consist of:

11                  (a) the chairman of the Council;

12                  (b) the Provost;

13                  (c) four members of the Council not being members of the Academic  
14                  Board, and

15                  (d) two members of the Academic Board.

16                  (2) The functions, procedure and other matters relating to the  
17                  Selection Board constituted under subsection (1) of this section shall be as the  
18                  Council may, from time to time, determine.

Pensions

19                  **17.**-(1) It is hereby declared that service in the College shall be  
20                  approved service for the purposes of the Pensions Act and, accordingly,  
21                  officers and other persons employed in the College shall in respect of their  
22                  service in the College be entitled to pensions, gratuities and other retirement  
23                  benefits as are prescribed thereunder, so however that nothing in this Act shall  
24                  prevent the appointment of a person to any office on terms which preclude the  
25                  grant of a pension and gratuity in respect of that office.

26                  (2) For the purposes of the application of the provisions of the  
27                  Pensions Act, any power exercisable thereunder by a Minister or other  
28                  authority of the Government of the Federation (other than the power to make  
29                  regulations under section 23 thereof) shall be exercisable by the College and  
30                  not by any other person or authority.

1 *Financial Provisions*

2 **18.**-(1) The Council shall establish and maintain a fund which shall Establishment  
3 be applied towards the promotion of the objectives of this Bill. of funds of the  
College

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

6 (a) sums as may from time to time be granted to the Council by the  
7 Federal Government through the National Commission for Colleges of  
8 Education;

9 (b) all moneys raised for the purposes of the Council by way of  
10 gifts, grants-in-aid or testamentary disposition; and

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

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

17 **19.**-(1) The Council may accept gifts of land, money or other Power to accept  
18 property upon such terms and conditions if any, as may be specified by the gifts  
19 person making the gift.

20 (2) The Council shall not accept any gift if the conditions attached  
21 by the person making the gift are inconsistent with the functions of the  
22 Council.

23 **20.** The Council shall keep proper accounts of its receipts, Accounts and  
24 payments, assets and liabilities and shall in respect of each year cause the audit  
25 accounts to be audited.

26 **21.** The Council shall as soon as may be after the expiration of each Annual reports  
27 financial year, prepare and submit to the Minister a report of its activities  
28 during the immediately preceding financial year and shall include in the  
29 report a copy of the audited accounts of the College for that year and of the  
30 auditor's report on the accounts.

*Miscellaneous and Supplement*Offices and  
premises

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Discipline of  
students

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

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

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

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

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

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

(3) Subject to the provisions of subsection (1) of this section, where it is proved during the enquiry that any student of the College has been guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Act or any regulations made thereunder, direct that:

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

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

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

(d) the student be expelled from the College.

(4) Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in

1 subsection (3) of this section to any student of the College who is guilty of  
2 misconduct.

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

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

13 (7) The Provost may delegate his powers under this section to a  
14 disciplinary committee consisting of such members of the College as he may  
15 nominate.

16 (8) Nothing in this section shall be construed as preventing the  
17 restriction or termination of a student's activities at the College otherwise  
18 than on the ground of misconduct.

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

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

24 **24.** In this Bill, unless the context otherwise requires:

Interpretation

25 "Academic Board" means the board established under section 8 of this Bill;

26 "Appointments and Promotions Committee" means a body by that name  
27 established under paragraph 3(2)(a) of the Schedule to this Bill;

28 "Chairman" means the Chairman of the Governing Council

29 "College" means the Federal College of Education (Special), Patani  
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 "Function" includes power and duties;

4 "Junior Staff Appointments and Promotion Committee" means a body by that  
5 name set up under paragraph 3(2)(b) of the Schedule to this Bill;

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

7 "Minister" means the Minister for Education;

8 "Provost" means the Provost of a College appointed under section 10 of this  
9 Act;

10 "The Registrar" means the Registrar of the College appointed under section 12  
11 of this Bill.

Short title

12 **25.** This Bill may be cited as the Federal College of Education  
13 (Special), Patani (Establishment) Bill, 2021.

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SCHEDULE

[Section 2(3)]

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

*Terms of service*

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

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

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

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

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

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

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

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

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

3 *Miscellaneous*

4 5.-(1) The fixing of the seal of the College shall be authenticated by  
5 the signature of the chairman, Provost and of some other members of the  
6 Council authorised generally or specially by the Council to act for that purpose.

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

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

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Education (Special), Patani, Delta State to provide full-time and part-time courses of study and skills training in Technology, Applied Sciences, Arts, Social Sciences, Humanities and Management, and other fields of studies and to make provisions for the general administration of the College.



# A BILL

## FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO STRENGTHEN THE OFFICE OF THE AUDITOR-GENERAL OF THE FEDERATION AND THE AUDITOR- GENERAL OF A STATE, AND FOR RELATED MATTERS

*Sponsored by Hon Mutu Nicholas Ebomo*

[ ] Commencement

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

- 1           **1.** The Constitution of the Federal Republic of Nigeria, 1999 (in      Alteration of the
- 2      this Bill referred to as "the Principal Act") is altered as set out in this Bill.      Constitution
- 3           **2.** Section 81 of the Principal Act is altered in sub-section (3) by      Alteration of
- 4      inserting immediately after sub-paragraph (c), a new sub-paragraph "(d)"-      Section 81
- 5           “(d) The Office of the Auditor-General of the Federation.”
- 6           **3.** Section 85 of the Principal Act is altered by:      Alteration of
- 7           (a) Substituting for subsection (2) a new subsection "(2)"-      Section 85
- 8           “(2) The public accounts of the Federation and of all offices, courts
- 9      of the Federation, government statutory corporations, commissions,
- 10     authorities, agencies, including all entities established by an Act of the
- 11     National Assembly shall be audited and reported on by the Auditor-General
- 12     who shall submit his reports to the National Assembly; and for that purpose,
- 13     the Auditor-General or any person authorised by him in that behalf shall
- 14     have access to all the books, records, returns and other documents relating to
- 15     those accounts”.
- 16           (b) Deleting sub-sections (3) and (4); and
- 17           (c) Inserting after the existing sub-subsection (S), and new sub-
- 18     section (5A)-
- 19           “(5A) The Reports of the Committees responsible for Public

	1	Accounts shall be made public and where they reveal/disclose corrupt
	2	practises, the National Assembly shall refer the particulars of such corrupt
	3	practises to the relevant law enforcement agency for necessary action."
Alteration of Section 121	4	<b>4.</b> Section 121 of the Principal Act is altered in sub-section (3) by
	5	inserting immediately after sub-paragraph (b), a new sub-paragraph "(c)"-
	6	"(c) The Auditor-General of a State."
Alteration of Section 125	7	<b>5.</b> Section 125 of the Principal Act is altered by:
	8	(a) Substituting for subsection (2) a new subsection "(2)"-
	9	"(2) The public accounts of a State and of all offices, courts of the
	10	State, State government statutory corporations, commissions, authorities,
	11	agencies, including all bodies established by a law of a State House of
	12	Assembly shall be audited and reported on by the Auditor-General Of the State
	13	who shall submit his reports to the House of Assembly of the State concerned;
	14	and for that purpose, the Auditor-General or any person authorised by him in
	15	that behalf shall have access to all the books, records, returns and other
	16	documents relating to those accounts".
	17	(b) Deleting sub-sections (3) and (4); and
	18	(c) Inserting after the existing sub-subsection (5), and new sub-
	19	section (5A)-
	20	"(5A) where the Report of the Committee responsible for Public
	21	Accounts reveals corrupt practises, the House of Assembly of the State shall
	22	refer the particulars of such corrupt practises to the relevant law enforcement
	23	agency for necessary action."
Citation	24	<b>6.</b> This Bill may be cited as the Constitution of the Federal Republic of
	25	Nigeria, 1999 (Fifth Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to enhance accountability, good governance, and the fight against corruption by strengthening the office of the Auditor General.

FEDERAL POLYTECHNIC, AKUGBENE, DELTA STATE

(ESTABLISHMENT) BILL, 2021

ARRANGEMENT OF SECTIONS

1. Establishment of Federal Polytechnic, Akugbene
2. Functions of the Polytechnic
3. Establishment and constitution of Governing Council
4. Visitation
5. Registrar of the Polytechnic
6. Tenure of office of the Registrar
7. General Functions of the Council
- Staff of the Polytechnic*
8. The Rector of the Polytechnic
9. Deputy Rectors
10. Other principal officers of the 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
- Establishment of the Academic Board*
15. The Academic Board
- 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
- Discipline*
18. Discipline of students
19. Discipline of junior staff
- Financial Provisions*
20. Audit of accounts
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SCHEDULE

Supplementary Provisions relating to the Council

# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC AKUGBENE, DELTA STATE TO PROVIDE FULL- TIME COURSES OF STUDY IN TECHNOLOGY, APPLIED SCIENCES, MANAGEMENT AND OTHER FIELDS OF STUDY AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE POLYTECHNIC AND FOR RELATED MATTERS

*Sponsored by Hon. Mutu Nicholas Ebomo*

[ ] Commencement

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

- 1           **1.** There is hereby established the Federal Polytechnic Akugbene  
2           in Bomadi Local Government Area of Delta State, Nigeria (in this Bill  
3           referred to as 'the Polytechnic'), which shall have such powers and exercise  
4           such functions as are specified in this Bill. Establishment  
of Federal  
Polytechnic  
Akugbene,  
Delta State
- 5           **2.-(1)** The functions of the Polytechnic shall be: Functions of  
the Polytechnic  
6           (a) to provide full-time or part-time courses of instruction and  
7           training:  
8           (i) in technology, applied science, commerce and management;  
9           and  
10           (ii) in such other fields of applied learning relevant to the needs of  
11           the development of Nigeria in the area of industrial and agricultural  
12           production and distribution and for research in the development and  
13           adaptation of techniques as the Council may from time to time determine;  
14           (b) to arrange conferences, seminars, and study groups relative to  
15           the fields of learning specified in paragraph (a) of this subsection (1).  
16           (c) to perform such other functions as in the opinion of the Council  
17           may serve to promote the objectives of the Polytechnic.  
18           **(2)** Nothing in this section shall preclude the government of a State

Establishment  
and Constitution  
of the Governing  
Council, etc.

1 or any of its agencies from setting up a polytechnic similar to the Polytechnic  
2 established under this Bill.

3 **3.-(1)** There shall be established for the Polytechnic a Governing  
4 Council (in this Bill referred to as 'the Council') which shall be a body corporate  
5 with perpetual succession and a common seal and may sue and be sued in its  
6 corporate name.

7 (2) The Council shall consist of a Chairman and the following other  
8 members:

9 (a) one person to represent the Universities;

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

11 (c) one person to represent professional bodies whose disciplines are  
12 taught at the Polytechnic;

13 (d) one person selected from a Federal or State public utility statutory  
14 corporation;

15 (e) one person of standing in the community where the Polytechnic is  
16 situate;

17 (f) the Rector of the Polytechnic;

18 (g) one representative of the Minister charged with responsibility for  
19 matters relating to polytechnics;

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

22 (i) two representatives of the academic board of the Polytechnic;

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

24 (k) five other persons, at least one of whom shall be a woman, to be  
25 selected each on his personal merit based on his contribution to either the  
26 development of industry, technology or commerce or special interest in  
27 technical education.

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

30 (4) The provisions set out in the Schedule to this Bill shall apply in on

1 relation to the constitution of the Council and the other matters therein  
2 specified.

3 4.-(1) The Minister of Education shall be the Visitor to the Visitation  
4 Polytechnic.

5 (2) The Visitor shall, not less than once in every five years, conduct  
6 a visitation of the Polytechnic or appoint a Visitation Panel, consisting of not  
7 less than five experts to conduct the visitation for:

8 (a) the purpose of evaluating the academic and administrative  
9 performance of the Polytechnic;

10 (b) such other purpose or in respect of any other affairs of the  
11 Polytechnic as the Visitor may deem fit.

12 5.-(1) There shall be a Registrar of the Polytechnic who shall be Registrar of the  
13 responsible to the Rector for the day-to-day administration of the Polytechnic  
14 Polytechnic and shall perform such other duties as the Councilor, as the case  
15 may be, the Rector may from time to time require him to do.

16 (2) The Registrar shall be the secretary to the Council, the  
17 Academic Board and any committee of the Council; and shall attend all the  
18 meetings of those bodies unless excused for good reason by the chairman of  
19 the Council.

20 (3) Where the Registrar is absent, the chairman of the Council may,  
21 after consultation with the Rector, appoint a suitable person to act as  
22 secretary for any particular meeting of the Council.

23 (4) The secretary to the Council or a person appointed to act under  
24 subsection (3) of this section shall not vote on any question before the  
25 Councilor count towards a quorum unless he is so entitled as a member of  
26 the Council.

27 6.-(1) The Registrar shall: (a) hold office for a period of five years Tenure of Office  
28 beginning from the effective date of his appointment and on such terms and of the Registrar  
29 conditions as may be specified in the letter of his appointment; and

1 (b) may be re-appointed for one further period of five years and no  
2 more.

3 (2) Where on the commencement of this section a Registrar has held  
4 office for:

5 (a) five years or less, he shall be deemed to be serving his first term of  
6 office and may be re-appointed for a further term of five years;

7 (b) more than five years but less than ten years, he shall complete the  
8 maximum period of ten years and thereafter relinquish his post and be assigned  
9 other duties in the Polytechnic;

10 (c) ten years or more, the Council may allow him to serve as Registrar  
11 for a further period of one year only and thereafter he shall relinquish his post  
12 and be assigned other duties in the Polytechnic.

General functions  
of the Council

13 7.-(1) Subject to provisions of this Bill, the Council shall be the  
14 governing body of the Polytechnic and shall have the general management of  
15 the affairs of the Polytechnic, and in particular, the control of the property and  
16 finances of the Polytechnic; and shall also have power to do anything which in  
17 its opinion is calculated to facilitate the carrying out of the activities of the  
18 Polytechnic and promote its best interests.

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

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

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

The Rector of  
the Polytechnic

29 STAFF OF THE POLYTECHNIC

30 8.-(1) There shall be a Rector of the Polytechnic (in this Bill referred



1 to as 'the Rector') who shall be appointed by the President in accordance with  
2 the provisions of this section.

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

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

6 (i) the qualifications of the person who may apply for the post; and

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

9 (b) constitute a Search Team consisting of:

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

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

14 (iii) two members of the Academic Community of the Polytechnic  
15 not below the rank of Chief Lecturer, to be selected by Council, to identify  
16 and draw up a short-list of persons who are not likely to apply on their own  
17 volition because they feel that it is not proper to do so.

18 (3) A Joint Council and Academic Board Selection Board  
19 consisting of:

20 (a) the Chairman of the Council;

21 (b) two members of the Council not being members of the  
22 Academic Board;

23 (c) two members of the Academic Board not below the rank of  
24 Chief Lecturer, who were not members of the Search Team, shall consider  
25 the candidates on the short-list drawn up under subsection (2) of this section  
26 through an examination of their curriculum vitae and interaction with them  
27 and recommend, through the Council, to the President, three candidates for  
28 his consideration.

29 (4) The President shall appoint, as Rector, one of the candidates  
30 recommended to him under the provisions of subsection (3) of this section.

1           (5) Subject to this Bill and the general control of the Council, the  
2 Rector shall be the Chief Executive of the Polytechnic and shall be charged  
3 with responsibility for matters relating to the day-to-day management  
4 operations of the Polytechnic.

5           (6) The Rector shall:

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

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

Deputy Rectors

10          9.-(1) There shall be for the Polytechnic a Deputy Rector.

11          (2) The Council shall appoint the Deputy Rector from among the  
12 chief lecturers in the polytechnic in one of the following ways:

13          (a) from a list of three candidates, in order of preference, submitted by  
14 the Rector;

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

17          (c) on the nomination of the Rector.

18          (3) The Selection Board referred to in subsection (2) of this section  
19 shall consist of:

20          (a) the Chairman of the Council,

21          (b) the Rector,

22          (c) two members of the Council not being members of the Academic  
23 Board,

24          (d) two members of the Academic Board; and make such inquiries as  
25 it deems fit before making the recommendation required under that subsection.

26          (4) The Deputy Rector shall:

27          (a) assist the Rector in the performance of his functions;

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

1 (c) perform such other functions as the Rector may, from time to  
2 time, assign to him.

3 (5) The Deputy Rector(s) shall:

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

7 (b) may be re-appointed for one further period of two years and no  
8 more.

9 **10.-(1)** There shall be for the Polytechnic the following other  
10 principal officers in addition to the Registrar, namely: Other principal  
officers of the  
Polytechnic

11 (a) the Bursar, and

12 (b) the Polytechnic Librarian,

13 who shall be appointed by the Council on the recommendation of the  
14 Selection Board constituted under section 9(3) of this Bill.

15 (2) The Bursar shall be the Chief Financial Officer of the  
16 Polytechnic and be responsible to the Rector for the day-to-day  
17 administration and control of the financial affairs of the Polytechnic.

18 (3) The Polytechnic Librarian shall be responsible to the Rector for  
19 the administration of the Polytechnic library and the co-ordination of library  
20 services in the teaching units of the Polytechnic.

21 (4) The Bursar or Librarian shall:

22 (a) hold office for a period of five years in the first instance and on  
23 such terms and conditions as may be specified in his letter of appointment;  
24 and

25 (b) may be re-appointed for a further period of five years and no  
26 more.

27 (5) Where on the commencement of this section, a Bursar or  
28 Librarian has held office for:

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

	1	(b) more than five years but less than ten years, he shall complete the
	2	maximum period of ten years and thereafter relinquish his post and be assigned
	3	other duties in the Polytechnic;
	4	(c) ten years or more, the Council may allow him to serve as Registrar
	5	for a further period of one year only and thereafter he shall relinquish his post
	6	and be assigned other duties in the Polytechnic.
Resignation of appointment of principal officers	7	<b>11.-(1)</b> A principal officer may resign his appointment:
	8	(a) in the case of the Rector, by notice to the Visitor; and
	9	(b) in any other case, by notice to the Council.
Selection Board for other principal officers	10	<b>12.-(1)</b> There shall be a Selection Board which shall consist of:
	11	(a) the chairman of the Council;
	12	(b) the Rector;
	13	(c) four members of the Council not being members of the Academic
	14	Board, and
	15	(d) two members of the Academic Board.
	16	(2) The functions and procedure and other matters relating to the
	17	Selection Board constituted under subsection (1) of this section shall be as the
	18	Council may, from time to time, determine.
Other employees of the Polytechnic	19	<b>13.-(1)</b> The Council may appoint such other persons to be employees
	20	of the Polytechnic as the Council may determine to assist the Rector and the
	21	principal officers of the Polytechnic in the performance of their functions
	22	under this Bill.
	23	(2) The power to appoint all other employees of the Polytechnic shall
	24	be exercised in the case of:
	25	(a) senior employees, by the Council on the recommendation of the
	26	Appointment and Promotions Committee set up under the provisions of
	27	paragraph 3(2)(a) of the Schedule to this Bill;
	28	(b) junior employees, by the Rector on the recommendation of the
	29	Junior Staff Appointments and Promotions Committee constituted under
	30	paragraph 3(2)(b) of the Schedule to this Bill.

1                   (3) Subject to the provisions of this Bill, the remuneration, tenure  
2                   of office and conditions of service of the employees of the Polytechnic shall  
3                   be determined by the Council in consultation with the Federal Civil Service  
4                   Commission.

5                   **14.**-(1) The Federal Civil Service Commission may by order  
6                   published in the Federal Gazette declare the office of the Rector or any other  
7                   person employed by the Council to be a pensionable office for the purposes  
8                   of the Pensions Act.

Application of  
the Pensions Act

9                   (2) Nothing in the provisions of subsection (1) of this section shall  
10                  prevent the appointment of any person to any office on terms which preclude  
11                  the grant of a pension or gratuity in respect of service in that office.

12                   ESTABLISHMENT OF THE ACADEMIC BOARD

13                  **15.**-(1) There shall be established for the Polytechnic a board to be  
14                  known as the Academic Board which shall consist of the following  
15                  members:

The Academic  
Board

16                  (a) the Rector of the Polytechnic as the Chairman;  
17                  (b) the Deputy Rector of the Polytechnic;  
18                  (c) all Heads of Departments;  
19                  (d) the Polytechnic Librarian, and  
20                  (e) not more than two members of the academic staff, other than  
21                  heads of departments, who may be appointed by the Academic Board.

22                  (2) The Academic Board shall be responsible for:

23                  (a) the direction and management of academic matters of the  
24                  Polytechnic including the regulation of admission of students, the award of  
25                  certificates and diplomas, scholarships, prizes, and other academic  
26                  distinctions;

27                  (b) the making to the Council of such periodic reports on such  
28                  academic matter as the Academic Board may think fit or as the Council may  
29                  from time to time direct; and

1 (c) the discharge of any other functions which the Council may  
2 delegate to It.

### 3 TENURE OF OFFICE

Removal from  
office of members  
of the Council  
and Rector

4 **16.**-(1) Where it appears to the Council that a member of the Council  
5 (other than ex-officio member) or the Rector should be removed from office on  
6 ground(s) of misconduct or inability to perform the functions of his office, the  
7 Council shall make a recommendation to that effect to the President; and if the  
8 President, after making such inquiries as he considers necessary, approves the  
9 recommendation, the President, shall in writing declare the office of such  
10 member vacant.

11 (2) The President may remove any member of the Council, if he is  
12 satisfied that it is not in the public interest or in the interest of the Polytechnic  
13 that such member should continue as a member of the Council.

Removal and  
discipline of  
academic,  
administrative  
and technical  
staff

14 **17.**-(1) Where it appears to the Council that there exists reasons for  
15 believing that any person employed as a member of the academic,  
16 administrative, or technical staff of the Polytechnic, other than the Rector,  
17 should be removed from office on ground of misconduct or inability to perform  
18 the functions of his office, the Council shall:

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

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

22 (e) if he or any three members of the Council so request within the  
23 period of one month beginning with the date of the notice, make arrangements:

24 (i) if he is an academic staff, for a joint committee of the Council and  
25 the Academic Board to investigate the matter and report on it to the Council; or

26 (ii) for a committee of the Council to investigate the matter, where it  
27 relates to any other member of the staff of the polytechnic and to report on it to  
28 the Council, and

29 (iii) for the person in question to be afforded an opportunity of  
30 appearing before and being heard by the investigating committee with respect

1 to the matter, and where the Council, after considering the report of the  
2 investigating committee, is satisfied that the person in question should be  
3 removed as aforesaid, the Council may so remove him by an instrument in  
4 writing signed on the directions of the Council.

5 (2) The Rector may, in a case of misconduct by a member of the  
6 staff which in the opinion of the Rector is prejudicial to the interests of the  
7 Polytechnic, suspend such member and any such suspension shall forthwith  
8 be reported to the Council.

9 (3) Any member of staff of the Polytechnic may be suspended from  
10 office or his appointment may be terminated by the Council for good cause,  
11 and for the purpose of this subsection, "good cause" means:

12 (a) any physical or mental incapacity which the Council, after  
13 obtaining medical advice, considers to be such as to render the person  
14 concerned unfit for the discharge of the functions of his office; or

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

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

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

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

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

30 (b) reinstate such person, in which case the Council shall restore

1 his full emoluments to him with effect from the date of suspension;

2 (c) terminate the appointment of the person in question, in which case  
3 such a person, will not be entitled to the proportion of his emoluments withheld  
4 during the period of suspension; or

5 (d) take such lesser disciplinary action against such person (including  
6 the restoration of such proportion of his emoluments that might have been  
7 withheld) as the Council may determine; and in any case, where the Council,  
8 pursuant to this section, decides to continue a person's suspension or decides to  
9 take further disciplinary action against a person, the Council shall before the  
10 expiration of a period of three months from such decision come to a final  
11 determination in respect of the case concerning any such person.

12 (5) It shall be the duty of the person by whom an instrument of  
13 removal is signed in pursuance of subsection (1) of this section, to cause a copy  
14 of the instrument to be served as soon as reasonably practicable on the person in  
15 whom it relates.

16 (6) Nothing in the foregoing provisions of this section shall prevent  
17 the Council from making such regulations for the discipline of other categories  
18 of staff and workers of the Polytechnic as it may think fit.

19 DISCIPLINE

Discipline of  
students

20 **18.-(1)** Subject to the provisions of this section, where it appears to  
21 the Rector that any student of the Polytechnic has been guilty of misconduct,  
22 the Rector may, without prejudice to any other disciplinary powers conferred  
23 on him by this Bill or regulations made hereunder direct that:

24 (a) the student shall not during such period as may be specified in the  
25 direction, participate in activities of the Polytechnic, or make use of such  
26 facilities of the Polytechnic, as he may specify;

27 (b) the activities of the student shall, during such period as may be  
28 specified in the directions, be restricted in such manner as may be so specified;

29 (c) the student be suspended for such period as may be specified in the  
30 directions; or



1 (d) the student be expelled from the Polytechnic.

2 (2) Where there is temporarily no Rector or where the Rector  
3 refuses to apply any disciplinary measures, the Council, either directly or  
4 through some other staff, may apply such disciplinary actions as are  
5 specified in subsection (1) of this section to any student of the Polytechnic  
6 who is guilty of misconduct.

7 (3) Where a direction is given under subsection (1)(c) or (d) of this  
8 section in respect of any student, the student may, within a period of 21 days  
9 from the date of the letter communicating the decision to him, appeal from  
10 the direction to the Council; and where such an appeal is brought, the  
11 Council shall, after causing such inquiry to be made in the matter as the  
12 Council considers just, either confirm or set aside the direction or modify it  
13 in such manner as the Council may think fit.

14 (4) The fact that an appeal from a direction is brought in pursuance  
15 of subsection (3) of this section shall not affect the operation of the direction  
16 while the appeal is pending.

17 (5) The Rector may delegate his power under this section to a  
18 disciplinary committee consisting of such members of the Polytechnic as he  
19 may nominate.

20 (6) Nothing in this section shall be construed as preventing the  
21 restriction or termination of a student's activities in the Polytechnic  
22 otherwise than on the ground of misconduct.

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

25 (8) In all cases under this section, the decision of the Council shall  
26 be final.

27 **19.-(1)** Where a junior staff is accused of misconduct or  
28 inefficiency, the Rector may suspend him for not more than three months  
29 and forthwith shall direct the Junior Staff Appointments and Promotions  
30 Committee to:

Discipline of  
junior staff

1 (a) consider the case; and

2 (b) make recommendations as to the appropriate action to be taken by  
3 the Rector.

4 (2) In all cases under this section, the junior staff shall be informed of  
5 the charge(s) against him and shall be given reasonable opportunity to defend  
6 himself.

7 (3) The Rector may, after considering the recommendation made  
8 pursuant to subsection (1)(b) of this section, dismiss, terminate, retire or down-  
9 grade the junior staff concerned.

10 (4) A junior staff who is dissatisfied or aggrieved by the Rector's  
11 decision under subsection (3) of this section, may within a period of 21 days  
12 from the date of the letter communicating the decision to him, address a  
13 petition to the Council to reconsider his case and the Council's decision thereon  
14 shall be final.

15 (5) In any case of gross misconduct on the part of a junior staff, the  
16 Rector shall forthwith suspend him and thereafter refer the matter to the Junior  
17 Staff Appointments and Promotions Committee to be dealt with according to  
18 the foregoing provision of this section.

19 FINANCIAL PROVISIONS

Audit of account

20 **20.-(1)** The Council shall keep proper accounts and records in relation  
21 thereto and shall cause to be prepared, not later than 1 October in each financial  
22 year, an estimate of its revenue and expenditure for the ensuing financial year  
23 and when prepared, the estimate shall be submitted to the National Board for  
24 Technical Education for approval.

25 (2) The Council shall at the end of each financial year but not later  
26 than 30 June of each year cause to be prepared a statement of its income and  
27 expenditure during the previous financial year.

28 (3) The statement of accounts referred to in subsection (2) of this  
29 section shall, when certified by the Rector, be audited by a firm of auditors  
30 appointed from the list and in accordance with the guidelines supplied by the

1 Auditor-General of the Federation and shall be published in the annual  
2 report of the Polytechnic.

3 **21.** The funds of the Council shall include:

Funds of the  
Council

4 (a) fees charged by and payable to the Council in respect of  
5 students;

6 (b) any other amounts due to or receivable by the Council;

7 (c) revenue from time to time accruing to the Council from the  
8 Federal Government by way of subvention, grant-in-aid, endowment or  
9 otherwise howsoever;

10 (d) donations and legacies accruing to the Council from any source  
11 for the special purpose of the Council.

12 **22.**-(1) Donations of money to be applied to any particular purpose  
13 shall be placed to the credit of a special reserve account approved by the  
14 Council until such time as they may be expended in fulfilment of such  
15 purpose.

Donations for  
particular purposes

16 (2) The Council shall not be obliged to accept a donation for a  
17 particular purpose unless it approves of the terms and conditions attached to  
18 such donation.

19 **23.** All sums of money received on account of the Council shall be  
20 paid into such bank for the credit of the Council as may be approved by the  
21 Council.

Payments into  
bank

22 **24.** The Council shall on or before 31 December in each year  
23 prepare and submit to the President through the Minister, a report of the  
24 activities during the preceding financial year and shall include in the report,  
25 the audited accounts of the Polytechnic in respect of that financial year and  
26 the auditors' comments on the account.

Annual report

27 MISCELLANEOUS AND SUPPLEMENTAL

28 **25.**-(1) The Council may make bye-laws relating to any matter  
29 within its competence under this Bill other than matters for which provision

Power to make  
bye-laws

1 is to be made by standing orders pursuant to paragraph 7 of the Schedule to this  
2 Bill.

3 (2) All such bye-laws shall be in writing and shall come into force  
4 when sealed with the seal of the Council unless some other date for their  
5 commencement is prescribed therein.

6 (3) Nothing in subsection (2) of this section, shall make it obligatory  
7 for the Council to publish any of the said bye-laws in the Federal Gazette but  
8 the Council shall bring such bye-laws to the notice of all affected thereby.

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

9 **26.** No person shall be required to satisfy requirements as to any of the  
10 following matters, that is to say race (including ethnic grouping), sex, place of  
11 birth or of the family origin or religious or political persuasion or as a condition  
12 of becoming or continuing to be a student of the Polytechnic or as a holder of  
13 any certificate of the Polytechnic, or of any religion, etc. appointment or  
14 employment in the Polytechnic, or a member of anybody established by virtue  
15 of this Bill; and no person shall be subjected to any disadvantage or accorded  
16 any advantage in relation to the Polytechnic by reference to any of those  
17 matters:

18 Provided that, nothing in this section shall be construed as preventing  
19 the Polytechnic from imposing any disability or restriction on any of the  
20 aforementioned persons where such a person wilfully refuses or fails on  
21 grounds of religious belief to undertake any duty generally and uniformly  
22 imposed on all such persons or any group of them which duty, having regard to  
23 its nature and the special circumstances pertaining thereto is, in the opinion of  
24 the Polytechnic, reasonably justifiable in the national interest.

Quorum and  
procedure of  
bodies established  
under this Bill

25 **27.** Subject to the provisions of paragraph 6(2) of the Schedule to this  
26 Bill and any standing orders or bye-law made under this Bill, the quorum and  
27 procedure of any body of persons established by this Bill shall be such as may  
28 be determined by that body.

Interpretation

29 **28.** In this Bill, unless the context otherwise requires:  
30 "Academic Board" means the board establish under section 10 of this Bill;

1 "Appointments and Promotions Committee" means a body by that name  
2 established under paragraph 3 (2) (a) of the Schedule to this Bill;  
3 "Junior Staff Appointments and Promotion Committee" means a body by  
4 that name set up under paragraph 3 (2) (b) of the Schedule to this Bill;  
5 "Minister" means the Minister charged with responsibility for matters  
6 relating to technical education;  
7 "Polytechnic" means the polytechnic set up under section I of this Bill;  
8 "Registrar" means the Registrar of the polytechnic appointed under section  
9 4(1) of this Bill.

10 **29.** This Bill may be cited as the Federal Polytechnic, Akugbene, Short title  
11 Delta State (Establishment) Bill, 2021.

12 SCHEDULE

13 *[Section 3(4)]*

14 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

15 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

16 *Tenure of office of Council members*

17 1.-(1) A member of the Council other than an ex-officio member  
18 shall hold office for a period of three years beginning from the date on which  
19 he was appointed and shall be eligible for re-appointment for a further term  
20 of three years and no more.

21 (2) Members of the Council holding office as specified in  
22 paragraph 1(1) of this Schedule, shall be paid remuneration or allowance in  
23 accordance with rates specified from time to time by the National Council of  
24 Ministers.

25 (3) A member of the Council holding office as specified in  
26 paragraph 1(1) of this Schedule may by notice in writing to the Minister  
27 resign his office.

28 2.-(1) Where a vacancy occurs in the membership of the Council,  
29 that vacancy shall be filled by the appointment of a successor to hold office  
30 for the remainder of the term of office of his predecessor; so however that the

1 successor shall represent the same interest as his predecessor.

2 (2) The Council may act notwithstanding any vacancy in its  
3 membership or the absence of any member or that a person not entitled to do so  
4 took part in its proceedings.

5 *Committees*

6 3.-(1) The Council may appoint one or more committees to which it  
7 may delegate any of its functions.

8 (2) Without prejudice to the generality to sub-paragraph (1) of this  
9 Schedule, the Council shall appoint the following committees, namely:

10 (a) the Appointments and Promotions Committee which shall without  
11 prejudice to the provisions of section 13 of this Bill consist of:

12 (i) a chairman to be appointed by the Rector from members of the  
13 senior staff of the Polytechnic;

14 (ii) four other members who shall be appointed by the Council; and  
15 be charged with the responsibility for making recommendations to the Council  
16 on the appointment and promotion of the academic and senior staff of the  
17 Polytechnic and have a quorum of three members;

18 (b) the Junior Staff Appointments and Promotions Committee which  
19 shall consist of a chairman and four other members to be appointed by the  
20 Council and shall have the powers set out in sections 13(2)(b) and 19 of this  
21 Bill;

22 (e) the Committee on Students' Affairs which shall consist of the  
23 following members:

24 (i) a chairman who shall be appointed by the Rector from among the  
25 senior employees of the Polytechnic;

26 (ii) one member of the Council;

27 (iii) two members of the academic staff of the Polytechnic; and

28 (iv) four students of the Polytechnic; and the Committee on Students'  
29 Affairs shall be charged with the duty of considering any matter:

30 (i) which relates to the welfare of students;

1 (ii) referred to it by either the Councilor students of the  
2 Polytechnic;

3 (iii) the students wish to refer to the Council.

4 (3) No decision of a committee shall have effect unless it is  
5 confirmed by the Council.

6 *Proceedings of the Council*

7 4.-(1) The Council shall meet for the conduct of business at such  
8 times as the chairman of the Council may appoint but shall meet not less than  
9 twice in a year.

10 (2) The chairman of the Council may at any time and shall at the  
11 request in writing of not less than five members of the Council summon a  
12 meeting of the Council.

13 (3) Particulars of the business to be transacted shall be circulated to  
14 members with the notice of the meeting at least two weeks before the date of  
15 the meeting.

16 5. Where the Council desires to obtain the advice of any person on  
17 any particular matter, it may co-opt such person as a member for a meeting  
18 whether or not expressly convened for the purpose of considering the  
19 particular matter but no co-opted member shall be entitled to vote or shall  
20 count towards quorum.

21 6.-(1) Every question put before the Council at a meeting shall be  
22 decided by a simple majority of the members present and voting.

23 (2) Seven members shall form a quorum at any meeting of the  
24 Council,

25 (3) The Chairman shall, at any meeting of the Council, have a vote  
26 and, in the case of an equality of votes, may exercise a casting vote.

27 7. Subject as aforesaid, the Council may make standing orders  
28 with respect to the holding of meetings, the nature of notices to be given, the  
29 proceedings thereat, the keeping of minutes of such proceedings and the  
30 custody and production for inspection of such minutes.

1                    8. If the Chairman of the Council is absent from a meeting of the  
2     Council, the members present shall elect one of their number to act as chairman  
3     for the purposes of that meeting.

4 *Miscellaneous*

5           9. Any contract or instrument which if entered into by a person not  
6   being a body corporate would not be required to be under seal, may in like  
7   manner be entered into or executed on behalf of the Council by any person  
8   generally or specifically authorized by it for that purpose.

9                   10.-(1) The common seal of the Council shall not be used or affixed to  
10   any document except in pursuance of a resolution duly passed at a properly  
11   constituted meeting of the Council and recorded in the minutes of such  
12   meeting.

(2) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman of the Council and some other member authorized generally or specifically by the Council to act for that purpose.

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

19                    11. Any member of the Council or a committee thereof who has a  
20    personal interest in any contract or arrangement entered into or proposed to be  
21    considered by the Council or a committee thereof, shall forthwith disclose his  
22    interest to the Council and shall not vote on any question relating to such  
23    contract or arrangement.

## EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic, Akugbeme, Delta State to provide full-time and part-time courses of study and skills training in Technology, Applied Sciences, Management, and other fields of studies and to make provisions for the general administration of the Polytechnic.