

Extraordinary



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A BILL

FOR

AN ACT TO ESTABLISH FEDERAL UNIVERSITY TEACHING HOSPITAL
LOKOJA, KOGI STATE AND FOR RELATED MATTERS

Sponsored by Hon Abdullahi Ibrahim Ali Halims

[] Commencement

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

- | | |
|--|---|
| <p>1 1. There is hereby ungraded the Federal Medical Centre Lokoja to</p> <p>2 be known as the Federal University Teaching Hospital, for the purpose of</p> <p>3 training of medical and other health professionals, providing tertiary health</p> <p>4 care services, conducting health related researches, and others related</p> <p>5 matters.</p> | <p>Establishment
of the Hospital</p> |
| <p>6 2. There shall be established for the management of the hospital, a</p> <p>7 body to be, known as the Federal University Teaching Hospital</p> <p>8 Management Board (In this Bill referred to as "the Board") which shall be a</p> <p>9 body corporate with perpetual succession and a common seal.</p> | <p>Establishment
of the Hospital
and the
Management
Board</p> |
| <p>10 3. The composition, functions and powers of the Board</p> <p>11 established under subsection (2) of Section 2 shall be as provided for in the</p> <p>12 University Teaching Hospitals (Reconstruction of Board, etc.) Act, Cap.</p> <p>13 U15, LFN 2004.</p> | <p>Composition,
functions, etc.,
of the Board</p> |
| <p>14 4. This Bill may be cited as the Federal University Teaching</p> <p>15 Hospital, Lokoja (Establishment) Bill, 2021.</p> | <p>Short title</p> |

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University Teaching Hospital Lokoja and a management Board for the hospital, for the purpose of providing such facilities for the training of medical and other health professionals providing tertiary health care services, conducting health related research.

	1	Agencies or parastatals, two of which shall be a revenue generating Agency;
	2	(v) two other person who has wide knowledge in economy or finance
	3	who shall be persons of unquestionable character appointed on their merit;
	4	(vi) the Executive Secretary.
	5	(3) Members of the Board shall be appointed by the President subject
	6	Commencement to the confirmation of the Senate and shall be persons with
	7	proven integrity and relevant experience.
	8	(4) A member of the board other than ex-officio members shall hold
	9	office for a term of four years and may be reappointed for one further term of
	10	four years and no more.
	11	(5)The supplementary provisions contained in the schedule to this
	12	Act shall have effect with respect to the tenure of office of the board members
	13	and to the proceedings of the Fund.
Removal of Member	14	3.-(1) A member may at any time be removed from office by the
	15	President:
	16	(a) for inability to discharge the functions of his office (whether
	17	arising from infirmity of mind or body or any other cause);
	18	(b) if he is found guilty of serious misconduct in relation to his duties;
	19	(c) he becomes of unsound mind; or
	20	(d) he becomes bankrupt.
	21	(2) A member of the Board may resign his appointment by a notice in
	22	writing under his hand, addressed to the President and the member shall, on
	23	receipt of the notice by the President, cease to be a member.
Payment of allowances to Members	24	4. Members of the Board shall be paid such allowances as the
	25	Revenue Mobilisation, Allocation and Fiscal Commission may from time to
	26	time fix.
	27	PART II - FUNCTIONS AND POWER OF FUND
Function of the Fund	28	5. The Fund shall have the responsibility for:
	29	(a) managing and disbursing the Funds for national interest;
	30	(b) collecting all monies accruing to the Fund and ensuring that such

1 monies are paid into the account of the Fund;

2 (c) the provision of financial assistance by grants, loans or
3 otherwise for the purposes of the above mentioned objects;

4 (d) receiving requests and approving projects after due
5 consideration;

6 (e) ensuring disbursement to the relevant agencies;

7 (f) monitoring and evaluating the execution of the projects of the
8 agencies;

9 (g) investing Funds in appropriate and safe securities;

10 (h) updating the Federal Government on its activities and progress
11 through annual audited reports;

12 (i) receiving progress reports and suggest improvement within the
13 provisions of this Act; and

14 (3) such other things as are necessary or incidental to the objects of
15 the Fund under this Act.

16 **6.-(1)**The Fund shall have power to do anything, which in its Power over the
Fund
17 opinion is calculated to facilitate the carrying on of its activities and in
18 particular may:

19 (a) acquire, hold, manage and dispose of any movable and
20 immovable property;

21 (b) purchase and acquire any asset, business or property considered
22 necessary for the performance of its functions;

23 (c) train managerial, technical or other category of staff for the
24 purpose of running the affairs of the Fund; and

25 (2) The powers conferred on the Fund may be exercised by it or
26 through any of its employees or agents authorized to so act.

27 (3) Subject to this Act, the Minister of Finance charged with
28 matters relating to finance (in this Act referred to as "the Minister") may
29 give to the Fund directives of a general nature or specific directions relating
30 generally to a particular matter with regard to the carrying out of the

	1	functions of the Fund, and it shall be the duty of the Fund to comply with.
	2	PART III - STAFF
Executive Secretary	3	7.-(1) There shall be an Executive Secretary for the Fund who shall be
	4	secretary to the government of the federation
	5	(2) The Executive Secretary shall be the Chief Executive and
	6	Accounting Officer of the Fund and shall be responsible for executing the
	7	policy of the Fund and the daily administration of the Fund.
Tenure of the Executive Secretary	8	8.-(1) The Executive Secretary shall hold office by the pleasure of the
	9	President
Pension reform Act	10	9.-(1) Service in the Fund shall be approved service for the purposes
	11	of the Pensions Reform Act 2004.
	12	(2) Officers and employees of the Fund shall be entitled to pensions,
	13	gratuities and other retirement benefits as are prescribed in the Pension Reform
	14	Act, 2004, so however that nothing in this Act shall prevent the appointment of
	15	a person to any office on terms which preclude the grant of a pension, gratuities
	16	and other retirement benefits as are prescribed under the Pensions Reform Act.
	17	PART IV - FINANCIAL PROVISION
	18	10. There shall be paid and credited to the fund:
	19	(a) Federal government receipt, revenue and income from ministry;
	20	agencies or parastatals which shall be collected into this single account;
	21	(b) federal government' cash resources, both budgetary and extra-
	22	budgetary,
	23	(c) loans and grants in aid from national, bilateral and multilateral
	24	agencies;
	25	(d) rents, proceeds from services rendered 'by the Fund and other
	26	internally generated revenues; and
	27	(e) all other sums accruing to the Fund, from time to time.
Power to accept gift	28	11.-(1) The Fund may accept gifts of land, money or other property on
	29	such terms and conditions, if any, as may be prescribed by the person or of
	30	Executive Secretary the Fund.

1	(2) The Fund shall not accept any gifts if the conditions attached	
2	are inconsistent with the objectives of the Fund.	
3	12. The Fund may subject to the Land Use Act, acquire any land	Application of
4	for the purpose of discharging its functions.	Land Use Act
5	13.. The Fund shall prepare and submit to the National Assembly	Report to National
6	through the Minister not later than 30th September of each year, an estimate	Assembly
7	of its expenditure and income during the next succeeding year.	
8	14. The Fund shall:	Annual Reports
9	(a) cause to be kept proper accounts and records of the transactions	
10	of the Fund;	
11	(b) maintain effective control over its assets and liabilities incurred	
12	in the discharge of its functions; and	
13	(c) prepare in respect of each financial year a statement of account	
14	in such form as the Auditor-General may direct.	
15	15.-(1) The Fund shall cause the accounts to be audited not later	Accounts Audit
16	than six months after the end of each year by the Auditor-General of the	
17	Federation.	
18	(2) The Auditor-General or any officer authorized by him is	
19	entitled at all reasonable times to full and free access to all accounts, records,	
20	documents and paper of the Fund relating directly or indirectly to the receipt	
21	or payment of money by the Fund or to the acquisition, receipt, custody or	
22	disposal of assets by the Fund.	
23	16. The Fund shall submit to the President through the Minister	Suit against the
24	not later than 30th June of each financial year, a report of its activities during	Fund
25	the proceedings year and it shall include in such report a copy of the audited	
26	accounts of the Fund for that year and a copy of the Auditor's report on it.	
27	PART V - MISCELLANEOUS	
28	17.-(1) The provisions of the Public Officers Protection Act shall	Service of
29	apply in respect of any suit instituted against any officer or employee of the	document
30	Fund.	

	1	(2) No suit shall be instituted against any member of the Board, the
	2	Executive Secretary, officer or employee of the Fund before the expiration of a
	3	period of one month after written notice of intention to commence the suit shall
	4	have been served upon the Fund by the intending plaintiff or his agent.
	5	(3) The notice referred to in subsection (2) of this section, shall state
	6	the cause of action, the particulars of claim, the name and place of abode of the
	7	intending plaintiff and the relief sought by him.
Service to Executive Secretary	8	18. A notice, summons or other documents required or authorized to
	9	be served upon the Fund under the provisions of this Act, or any other law or
	10	enactment maybe served by delivering it to the Executive Secretary at the
	11	principal office of the Fund.
Consent of Attorney General	12	19.-(1) In any action or suit, no execution or attachment of process
	13	shall be issued against the Fund without the consent of the Attorney General of
	14	the Federation.
	15	(2) Any sum of money which may by judgment of any court be
	16	awarded against the Fund shall, subject to any direction given by the court
	17	where notice of appeal of the said judgment has been given, be paid from the
	18	general reserve of the Fund.
Indemnity of Members	19	20. A member of the Board, the Executive Secretary, any officer or
	20	employee of the Fund shall be indemnified out of the assets of the Fund against
	21	any proceeding whether civil or criminal, in which judgment is given in his
	22	favour or in which he is acquitted, if any such proceedings is brought against
	23	him in his capacity as a member of the Board, the Executive Secretary, officer
	24	or employees of the Fund.
Assistance	25	21. The Fund may with the approval of the Management Board
	26	engage the service of persons with knowledge or experience in matters relevant
	27	to the function of the Fund to assist otherwise than on the basis of full time
	28	employment.
Regulation	29	22. The Fund may, with the approval of the Minister, make

1 regulations for the purpose of carrying out or giving full effect to the
2 provisions of this Act.

3 **23.** In this Act unless the context otherwise requires: Interpretation
4 "Minister" means the Minister charged with matters relating to finance;
5 "President" means the President of the Federal Republic of Nigeria.

6 **24.** This bill may be cited as Treasury Single Account Fund Citation
7 (Establishment) Bill, 2021

8 SCHEDULE

9 *Section 3 (5)*

10 SUPPLEMENTARY PROVISIONS RELATING TO THE MANAGEMENT OF
11 BOARD

12 *Proceedings of the Management Board*

13 1.-(1) Subject to this Act and section 27 of the Interpretation Act,
14 the Board may make standing orders regulating its proceeding or those of
15 any of its

16 *Committees*

17 (2) The quorum of the Board shall be five members and the quorum
18 of any Committee of the Board of shall be determined by the Board,

19 2.-(1) The Board shall meet not less than four times in each year
20 and subject thereto, the Board shall meet whenever it is summoned by the
21 Chairman; and if the Chairman is required to do so by notice given to him by
22 not less than three other members, he shall summon a meeting of the Board
23 to be held within fourteen days from the day date on which the notice is
24 given.

25 (2) At any meeting of the Board, the Chairman shall preside but if
26 he is absent, the members present at the meeting shall appoint one of their
27 members to preside at that meeting.

28 (3) Where the Board desires to obtain the advice of any person on a
29 particular matter, the Board may co-opt such if person for a-such a period as
30 it thinks fit; but a person who is attendance by virtue of this subparagraph

1 shall not be entitled to vote at any meeting of the Board and shall not count
2 towards a quorum.

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

5 (2) A Committee appointed under this paragraph shall consist of such
6 number of persons (not necessarily members of the Board) as may be
7 determined by the Board and shall not hold office on the Committee in
8 accordance with the terms of his appointment.

9 (3) A decision of a Committee of the Board shall be of no effect until it
10 is confirmed by the Board.

11 *Miscellaneous*

12 4.-(1) The fixing of the seal of the Fund shall be authenticated by the
13 nature of the Chairman, the Executive Secretary, or of any other person of
14 authorized generally or specifically to act for that purpose by the Board.

15 (2) Any contract or instrument which, if made or executed by a person
16 not being a body corporate, would not be required to be under seal may be made
17 or executed on behalf of the Fund by the Chairman, Executive Secretary, or any
18 person generally or specially authorized to act for that purpose by the Board.

19 (3) Any document purporting to be a document duly executed under
20 the seal of the Fund, shall be received in evidence and shall, unless and until the
21 contrary is proved, be presumed to be so executed.

22 5. The validity of any proceeding of the Board or of a Committee
23 thereof shall not be adversely affected by any vacancy in the membership of the
24 Board or Committee, or by any defect in the appointment of a member of the
25 Board, or of a Committee, or by reason that a person not entitled to do so took
26 part.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Treasury Single Account Fund and collecting all monies accruing to the Fund and ensuring that such monies are paid into the account of the Fund.

NIGERIAN ARMY SCHOOL OF FINANCE AND
ADMINISTRATION, APAPA, BILL 2021
ARRANGEMENT OF SECTIONS

Section:

PART I - ESTABLISHMENT OF NIGERIAN ARMY SCHOOL OF
FINANCE AND ADMINISTRATION, APAPA

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

PART II - FINANCIAL PROVISIONS

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

PART III - MISCELLANEOUS AND SUPPLEMENTARY

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

A BILL

FOR

AN ACT TO ESTABLISH NIGERIAN ARMY SCHOOL OF FINANCE AND
ADMINISTRATION, APAPA; PROVIDE FOR THE FUNCTIONS AND FOR
RELATED MATTERS

Sponsored by Hon. James Abiodun Faleke

[] Commencement

BE IT ENACTED by national Assembly of the federal republic of
Nigeria follows:

1 PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF NIGERIAN
2 ARMY SCHOOL OF FINANCE AND ADMINISTRATION, APAPA

3 1.-(1) There is hereby established which shall have such powers
4 and exercise such functions as are conferred on them by this Act.

Establishment
of Nigerian Army
School of Finance
and Administrative,
Apapa

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

9 2.-(1) The governance of the School and the management of its
10 affairs shall vest in the Governing Council of the School concerned (in this
11 Act referred to as "the Council").

Governing
Council of the
School

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 day to day and plan of activities of the School;

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

17 (c) the yearly estimates of the School; and

18 (d) the structure and investment plans of the School.

19 (3) The provisions of the Second Schedule to this Act shall have
20 effect with respect to the Council as specified therein.

Membership of the Council of the School	1	3. -(1) The Council of the School, shall consist of a chairman and the
	2	following other members, to be appointed by the President:
	3	(a) a representative of the Federal Ministry of education;
	4	(b) a representative of the alumni association of the School;
	5	(c) three persons appointed on individual merit on a nationwide basis
	6	who should have wide experience in the area of Education
	7	(d) two representatives of the Academic Board of the School;
	8	(e) one representative of the ministry of finance; and
	9	(f) the Provost of the School;
	10	(g) An indigene of Lagos State.
Tenure of office of members of the Council	11	4. -(1) Each member of the Council (other than an ex-officio member)
	12	shall hold office for a term of four years and shall be eligible for re-appointment
	13	for a further period of four years.
	14	(2) The office of a member appointed under sections 3 (1) (d) and 3 (2)
	15	(d) of this Act shall become vacant if:
	16	(a) the member resigns his office by notice in writing under his hand,
	17	addressed to the president through the Minister;
	18	(b) the member is convicted of any offence by any court
	19	(c) the member becomes a person of unsound mind;
	20	(d) The member abuses his office.
Functions of the School	21	5. The functions of the School shall be:
	22	(a) to provide full-time courses in teaching, instruction and training;
	23	(b) (i) economics, finance and business administration; and,
	24	(c) (ii) such other branches of learning as the Board of Governors may
	25	determine with the approval of the Patron given on the recommendation of a
	26	committee constituted by the Education Department;
	27	(d) to provide for research, demonstration and other services, and for
	28	the advancement and dissemination of knowledge;
	29	(e) to arrange conferences, seminars and workshops relative to the
	30	fields of learning specified in paragraph (a) of this section; and

1 (f) to perform such other functions as in the opinion of the Council
2 may serve to promote the objectives of the School;

3 (g) to encourage the advancement of learning and to hold out to all
4 persons without distinction of race, creed, sex or political conviction, the
5 opportunity of acquiring a higher education in technology, applied Science,
6 commerce, arts, social Science, humanities and management;

7 (h) to establish appropriate relationships with other national
8 institutions involved in training, research and development in technology,
9 applied Science, commerce, arts, social Science, humanities and
10 management;

11 (i) to perform such other functions as in the opinion of the Council
12 may serve to promote the objectives of the School.

13 **7.-(1)** For the carrying out of the functions of School ,the Council Powers of the
14 shall have power to: Council

15 (a) undertake examinations and award diplomas, professional
16 certificates and other distinctions to persons' who have pursued a course of
17 study approved and accredited by the National university Commission;

18 (b) collect from any student or any other person attending the
19 School for the purpose of instruction such fees as the Council may, with the
20 prior approval of the Minister, from time to time determine;

21 (c) hold public lectures and undertake printing, publishing and
22 bookselling;

23 (d) make gifts for any charitable purpose;

24 (e) hold examinations for student or teachers;

25 (f) provide amenities for and make such other provision for the
26 welfare of the staff of the School;

27 (g) invest the funds of the School in securities specified by law or in
28 such other securities in Nigeria as may be approved by the Minister;

29 (h) borrow money within Nigeria in such manner and upon such
30 security as the Minister may from time to time authorise;

	1	(i) enter into such contracts as may be necessary or expedient for
	2	carrying into effect the objectives of the School;
	3	(j) recruit staff of the right calibre and determine the career structure
	4	of such staff;
	5	(k) establish and maintain such schools and other teaching units
	6	within the School ;or extramural departments as the Council may, from time to
	7	time, decide;
	8	(l) School and award fellowships, medals, prizes and other titles;
Visitation	9	8.-(1) The Minister of Education shall be the Visitor of the School.
	10	(2) The Visitor shall, not less than once in every five years, conduct a
	11	visitation of the School; or appoint a visitation panel consisting of not less than
	12	five experts to conduct the visitation:
	13	(a) for the purpose of evaluating the academic and administrative
	14	performance of the School; or
	15	(b) for such other purpose or in respect of any other affairs of the
	16	School; as the Visitor may deem fit
The Academic Board and its functions	17	9.-(1) The School Shall have a board to be known as the Academic
	18	Board which shall consist of the following members:
	19	(a) the Provost of the School who shall be the chairman;
	20	(b) all heads of departments;
	21	(c) the School Librarian; and
	22	(d) not more than two members of the academic staff other than heads
	23	of departments to be appointed by the Council.
	24	(2) The Academic Board shall be responsible for:
	25	(a) overseeing the management of academic matters of the School and
	26	among others the regulation of admission of students, the award of certificates,
	27	scholarships, prizes and other academic distinctions;
	28	(b) providing reports from time to time on such academic matters to
	29	the Council as the Council may from time to time direct;

1 (c) carrying out any other functions which the Council may assign
2 or delegate to it.

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

6 **11.-(1)** There shall be a Provost of the School (in this Act referred to
7 as "the Provost") who shall be appointed by the President, in accordance
8 with the provisions of this section. The Provost of
the School

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

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

13 (i) the qualities of the person who may apply for the post;
14 (ii) the terms and conditions of service applicable to the post; and
15 thereafter draw up a short list of suitable candidates for consideration;

16 (b) constitute a search team consisting of:

17 (i) a member of the Council not being a member of the Academic
18 Board, as chairman;

19 (ii) two members of the academic Board not below the rank of chief
20 lecturer;

21 (iii) two members of the academic community of the School not
22 below the rank of chief lecturer to be selected by the Council, to identify and
23 draw up a short list of suitable persons who are not likely to apply for the post
24 for any reason whatsoever.

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

26 (a) the chairman of the Council;

27 (b) two members of the Council not being members of the
28 Academic Board;

29 (c) two members of the Academic Board not below the rank of
30 chief lecturer, who were not members of the search team, shall consider the

1 candidates and persons on the short lists drawn up under subsection (2) of this
 2 section through an examination of their curriculum vitae and interaction with
 3 them and recommend through the Council to the President, three candidates for
 4 his consideration.

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

7 (5) Subject to this Act and the general control of the Council, the
 8 Provost shall be the chief executive of the School; and shall be charged with
 9 general responsibility for matters relating to the day-to-day management
 10 operations of the School;

11 (6) The Provost:

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

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

Deputy Provosts

17 **12.-(1)** There shall be for the School a Deputy Provost.

18 (2) The Council shall appoint the Deputy Provost from among the
 19 chief lecturers in the School in one of the following ways, that is:

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

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

24 (c) on the nomination of the Provost.

25 (3) The Selection Board referred to in subsection (2) of this section
 26 shall (a) consist of:

27 (i) the chairman of the Council;

28 (ii) the Provost;

29 (iii) two members of the Council not being members of the Academic
 30 Board;

1 (iv) two members of the Academic Board; and
2 (b) make such inquiries as it deems fit before making the
3 recommendation required under that subsection.

4 (4) The Deputy Provost shall:

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

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

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

11 (5) The Deputy Provost:

12 (a) shall hold office for a period of two 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 reappointed for one further period of two years and no
16 more.

17 13.-(1) The Council of the School shall appoint a Registrar to the
18 School (hereinafter referred to as the "Registrar") who shall keep the records
19 and conduct the correspondence of the Council and shall perform such other
20 duties as the Council and subject thereto as the Provost may from time to
21 time direct.

The Registrar
and other staff
of the School

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

27 (3) A Registrar:

28 (a) shall hold office for a period of five years beginning from the
29 effective date of his appointment and on such terms and conditions as may
30 be specified In his letter of appointment; and

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

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

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

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

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

Other principal
officers of the
School

13 **14.**-(1) There shall be for the School the following principal officers
14 in addition to the Registrar, that is:

15 (a) the Bursar; and

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

18 (2) The Bursar shall be the chief financial officer of the School; and be
19 responsible to the Provost for the day-to-day administration and control of the
20 financial affairs of the School.

21 (3) The School Librarian shall be responsible to the Provost for the
22 administration of the School Library and the coordination of the library
23 services in the teaching units of the School.

24 (4) A Bursar or Librarian:

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

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

29 (5) Where, on the commencement of this section, a Bursar or
30 Librarian has held office:

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

3 (b) for more than five but less than ten years, he shall complete the
4 maximum period of ten years and thereafter relinquish his post and be
5 assigned other duties in the School; (c) for ten years or more, the Council
6 may allow him to serve in that capacity for a further period of one year only
7 and thereafter he shall relinquish his post and be assigned other duties in the
8 School

9 **15.** A principal officer may resign his appointment:

Resignation of
appointment of
principal officers

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

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

12 **16.-(1)** The Council may appoint such other persons to be
13 employees of the School as the Council may determine to assist the Provost
14 and the principal officers of the School in the performance of their functions
15 under this Act.

Other employees
of the School

16 (2) Subject to the provisions of this Act, the remuneration, tenure of
17 office and conditions' of service of the employees of the Council shall be
18 determined by the Council in consultation with the Federal Civil Service
19 Commission.

20 **17.-(1)** There shall be, for the School, a selection Board which shall
21 consist of:

Selection Board
for other principal
officers

22 (a) the chairman of the Council;

23 (b) the Provost;

24 (c) four members of the Council not being members of the
25 Academic Board; and

26 (d) two members of the Academic Board.

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

Pensions	1	18. It is hereby declared that service in the School shall be in
	2	accordance with the pension Act
	3	PART II - FINANCIAL PROVISIONS
Establishment of fund of the School	4	19.-(1) The Council shall establish and maintain a fund which shall be
	5	applied towards the promotion of the objectives specified in this Act.
	6	(2) There shall be paid and credited to the fund established under
	7	subsection (1) of this section:
	8	(a) such sums as may be made to the School through Annual budget;
	9	(b) all moneys raised for the purposes of the Council by way of gifts,
	10	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 University
	14	commission not later than three months before the end of each financial year or
	15	at such other time as he may direct, an estimate of its revenue and expenditure
	16	for the next succeeding financial year.
Power to accept gifts	17	20.-(1) The Council may accept gifts
	18	(2) The Council shall not accept any gift if the conditions attached by
	19	the person making the gift are inconsistent with the functions of the Council.
Accounts and audit	20	21. The Council shall keep proper accounts and shall in respect of
	21	each year cause the accounts to be audited.
Annual reports	22	22. The Council shall prepare and submit to the Minister a report of its
	23	activities during the immediately preceding financial year.
	24	PART III - MISCELLANEOUS AND SUPPLEMENT
Offices and premises	25	23.-(1) For the purpose of providing offices and premises necessary
	26	for the performance of its functions, the Council may:
	27	(a) purchase any interest in or take on lease any land; and
	28	(b) build, equip and maintain offices and premises.
	29	(2) The Council may, with the approval of the Minister, sell any
	30	interest in or lease any land, offices or premises held by it and no longer

1 required for the performance of its functions.

2 **24.-(1)** The Council may make rules providing for the Provost to Discipline of
 3 conduct enquiries into alleged breaches of discipline (including lack of students
 4 diligence) by students and such rules may make different provisions for
 5 different circumstances.

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

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

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

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

18 (c) that the student be expelled from the School

19 (4) Where there is temporarily no Provost or where the Provost
 20 refuses to apply any disciplinary measures, the Council may, either directly
 21 or through some other staff, apply such disciplinary actions as are specified
 22 in subsection (3) of this section to any student of the School who is guilty of
 23 misconduct.

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

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

4 (7) The Provost may delegate his powers under this section to a
5 disciplinary committee consisting of such members of the School as he may
6 nominate.

7 (8) Nothing in this section shall be construed as preventing the
8 restriction or termination of a student's activities at the School otherwise, than
9 on the ground of misconduct.

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

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

Interpretation

15 **25.** In this Act, unless the context otherwise requires:
16 chairman" means the chairman of the Council;
17 "Council" means the Governing Council of the School established by or
18 pursuant to section 2 of this Act;
19 "Provost" means the Provost of an School appointed under section 9 of this Act;
20 "functions" includes powers and duties;
21 "Minister" means the Minister of Defense;
22 "member" means a member of the Council including the chairman.

Citation

23 **25.** This Bill may be cited as the Nigerian Army School of Finance
24 and Administration, Apapa, Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Nigerian Army School of Finance and Administration, Apapa; and to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in technology, applied Science, commerce, arts, social Science, humanities and management.

A BILL

FOR

AN ACT TO ESTABLISH BOARD FOR TECHNOLOGY BUSINESS INCUBATOR
CENTRE AND FOR RELATED MATTERS

Sponsored by Hon. James Abiodun Faleke

[] Commencement

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

Establishment, Seal and Functions of the Board

1 1.-(1) There is established a Board to be known as Board for
2 Technology Business Incubator Centre. Establishment and seal of the Board

3 (2) The Board shall have perpetual succession and a common seal
4 and may sue or be sued in its corporate name, and may, in connection with
5 the purposes of this Act, purchase, hold, manage and dispose of any
6 property, and enter into such contracts, as may be necessary or expedient.

7 (3) The headquarters of the Board shall be at Abuja with centers in
8 any other geopolitical zones or states as the board may direct.

9 (4) The board shall apply to those named in the first schedule to this
10 Act.

11 2. Function of the Board shall be: Functions of the Board

12 (1) to nurture and grow new and small businesses, products,
13 innovations and entrepreneurs by supporting them through the early stages
14 of development.

15 (2) give an integrated government support programme to
16 government establishments such as academic institutions, research centres
17 and private sector, either individually or in partnership with the intention of
18 creating and nurturing of budding value-added and technology-based
19 enterprise.

20 (3) to pursue the commercialization of technologies and technical

1 innovations using Technology Incubation, social, and economic
2 competitiveness of the country aimed at improving livelihood of the citizenry.

3 (4) Promote the industrial base of the country, through
4 commercialisation of Research and Development (R&D) results,
5 establishment' and management of Incubators, Science and Technology Parks
6 and Cluster development etc.

7 (5) Promote the industrial base of the country, through
8 commercialisation of Research and Development (R&D) results,
9 establishment and management of Incubators, Science and Technology Parks
10 and Cluster development etc.

11 (6) Upgrade and enhance the application of indigenous technologies.

12 (7) Promote Nigeria's indigenous potentials for economic
13 development through value- added and technology related activities.

14 (8). Closely monitor the development of prototypes of machines,
15 equipment and tools which could be passed on to the manufacturing units for
16 commercial production.

17 (9) Provide common facilities in such areas as testing, machine,
18 castings, electroplating, and quality control laboratories.

19 (10) Practically demonstrate Research & Development results in
20 critical areas such as waste utilisation, energy saving, etc.

21 (11). Help in solving specific process problems for Tenant
22 entrepreneurs by continuously injecting innovation in their processes.

23 (12) Encourage the production of machines and equipment, partly or
24 fully as per market acceptability; and

25 (13) Liaise with Research Institutions and Centres in the design,
26 development and production of improved tools for use by rural production
27 process and artisans for increasing their productivity and earning capacity; and

28 (14) do such other things as are necessary or incidental to the effective
29 performance of the foregoing functions of the Board.

- 1 **3.-(1)** There is hereby established for the Board a governing board Establishment
2 which shall consist of the following members to be appointed by the of the Governing
3 President: Board
- 4 (a) The Chairman who shall be a person with wide knowledge and
5 distinction in one or more fields of sciences and Technology;
6 (b) the Vice-Chancellor of one of the Universities, of sciences and
7 Technology on rotation for 2 years at a time;
8 (c) the Chairman of the Committee of Deans of the Faculties of
9 sciences and Technology of the Universities in Nigeria;
10 (d) one Eminent Scientist or Technologist;
11 (e) a Director of the Federal Ministry of sciences and Technology;
12 (f) one representative of the Federal Ministry of Finance, not below
13 the rank of Director;
14 (g) . one representative of the Federal Ministry of Water Resources,
15 not below the rank of Director;
16 (h) four persons from the private sector with wide knowledge and
17 experience of sciences and Technology; and
18 (i) the Executive Secretary of the Council who shall be an ex-
19 officio member with no voting right.
- 20 **(4)** Any member of the board may resign his or her office by writing
21 under his or her hand addressed to the Minister, or may be removed from
22 office by the Minister for inability to perform the functions of his or her
23 office or for any other sufficient reason.
- 24 **(5)** Any member of the board ceasing to hold office shall be eligible
25 for reappointment for one more time and tat shall be final.
- 26 **4.-(1)** The board shall meet for the discharge of its functions under Meetings of the
27 this Act at least once every month at such time and place as the chairperson Board
28 may appoint or upon the request in writing of three members of the board.
- 29 **(2)** The chairman shall preside at all meetings of the board, and in
30 his or her absence such member of the board as the members present shall

1 appoint shall preside.

2 (3) The board may invite any number of persons to act as consultants
3 or advisers at any of its meetings as it may think fit.

4 (4) Questions proposed at a meeting of the board shall be determined
5 by a simple majority of the members of the board present and voting; and in the
6 case of an equality of votes, the person presiding at the meeting shall have a
7 second or casting vote.

8 (5) Four members shall form a quorum.

9 (6) Any member of the board who has any personal interest in any
10 transaction of the board or any matter before the board shall disclose the nature
11 of his or her interest to the board and shall be disqualified from taking part in
12 the deliberations of the board with respect to that transaction or matter; and the
13 failure to make any disclosure required by this section may constitute a
14 sufficient reason for the removal of the member from the board.

15 (7) Subject to subsections (1) to (6), the board may regulate its own
16 procedure.

Remuneration
of Board Members,
etc.

17 5. The chairman and the other members of the board and any other
18 person attending any meeting of the board may be paid such remuneration or
19 allowances as the Minister may, after consultation with the Minister
20 responsible for finance, determine.

21 *Staff*

General Manager

22 6.-(1) The Board shall have a secretary and other senior management
23 staff who shall be appointed by the Minister for such period and upon such
24 terms and conditions as the Minister may determine.

25 (2) The general manager shall devote his or her full time to the affairs
26 of the Board.

27 (3) Subject to this Act and to the general control of the board on
28 matters of policy, the general manager shall be responsible for the management
29 of the funds, property and business of the Board and for its administration and
30 organisation and the control of the staff of the Board.

1 7.- (1) The board may, subject to section 7, from time to time, and Staff of the Board
2 on such terms and conditions as it thinks fit, appoint such officers and
3 employees as may be necessary for the proper and efficient discharge of the
4 functions of the Board, and may also delegate to the general manager either
5 alone or together with other persons the power to appoint such class of
6 employees as it may specify.

7 (2) Public officers may be seconded to the Board or otherwise give
8 assistance to it.

(3) The board may grant pension, gratuities or retiring benefits to the officers and other employees of the Board and may require them to contribute to any pension, provident fund or superannuation scheme.

(4) No matter or thing done by any employee of the Board shall, if it is done bona fide for the purposes of executing any provision of this Act, subject any such employee or any person acting by his or her direction to any civil liability.

16 *Financial Provisions*

17	<p>8. The funds of the Board shall consist of:</p>	<p>Funds of the Board</p>
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18 (a) any grant from the Government of a capital nature;

19 (b) any loan raised by the Board for the purposes of its functions
20 under this Act;

(c) any monies that may become payable to the Board in the discharge of its functions under this Act;

23 (d) any fund made to the Board by annual budget.

24 **9.-(1)** The Board may, subject to the approval of the Minister, in Borrowing
25 consultation with the Minister responsible for finance, borrow sums powers
26 required by it for meeting any of its obligations or discharging any of its
27 functions under this Act.

(2) An approval given under subsection (1) may be either general or limited to a particular borrowing or otherwise and may be either unconditional or subject to conditions.

	1	(3) A person lending money to the Board shall not be bound to inquire
	2	whether the borrowing of money is within the power of the Board.
Estimates	3	10. -(1) The Board shall, within such period from the end of each
	4	financial year as the Minister shall determine, make and submit to the Minister
	5	for his or her approval estimates of the income and expenditure of the Board for
	6	the next ensuing year.
	7	(2) No expenditure shall be made out of the funds of the Board unless
	8	the expenditure has been approved by the Minister under the estimates for the
	9	year in which the expenditure is to be made or in any other estimates
	10	supplementary to those estimates.
Board to operate on sound financial principles	11	11. In the discharge of its functions under this Act, the Board shall so
	12	conduct its business that taking one transaction with another and taking one
	13	year with another:
	14	(a) its revenue. is sufficient for meeting all charges including interest
	15	on capital and loans properly chargeable to revenue account;
	16	(b) sufficient provision is made to provide for depreciation of assets;
	17	and
	18	(c) Where any loss or bad debt arises in respect of any transaction,
	19	provision is made in respect of other transactions whether of similar nature or
	20	otherwise, to offset the amount of such loss or debt.
Investments	21	12. The Board may invest any monies under its control in any
	22	investment or project approved by the Minister in consultation with the
	23	Minister responsible for finance.
	24	13. A person lending money to the Board shall not be bound to
	25	inquire whether the borrowing of money is within the power of the Board.
Accounts and audit	26	14. -(1) The Board shall keep proper books of account and proper
	27	records in relation to them.
	28	(2) For the purposes of this section, proper books of account shall be
	29	deemed not to have been kept with respect to the business of the Board if there
	30	are not kept such books as are necessary to give a true and fair view of the state

1 of the affairs of the Board and to explain its transactions.

2 (3) The accounts shall, in respect of every financial year, be subject
3 to audit by the Auditor General or an auditor appointed by him or her.

4 (4) The Auditor General. shall deliver to the Minister a copy of the
5 audited accounts of the Board not later than six months from the end of the
6 financial year to which they relate.

7 (5) The Minister shall lay before Parliament a copy of the audited
8 accounts delivered under subsection (4).

9 In this section, "financial year" means the period of twelve months ending
10 on 31st December, or such other period of twelve months as the Minister, by
11 writing under his or her hand, may authorise the Board to adopt as its
12 financial year.

13 *Miscellaneous Provisions*

14 **15.**-(1) Subject to such terms and conditions regarding periodic
15 payments as may be stipulated by the custodian board, there is transferred to
16 the Board the whole of the shares in each of the specified companies.

Transfer of
property

17 (2) For the avoidance of any doubt, the transfer of shares effected
18 by subsection (1) shall not affect the continuance of any specified company
19 as a separate entity or any liability or obligation owed by the company; and
20 pursuant to section 3(4), each specified company shall maintain- its own
21 separate accounts, subject to the Companies and Allied matters Act and the
22 direction of the Board.

23 (3) The Minister may, in consultation with the custodian board and
24 the Minister responsible for finance, amend the Schedule to this Act.

25 **16.** The Minister may, subject to this Act, give to the Board written
26 directions of a general or specific nature relating to the functions of the
27 Board, and the Board shall be bound to comply.

Minister's power
of direction

28 **17.** The Board shall, not later than six months after the end of each
29 financial year, make and submit to the Minister a report showing the
30 performance of the Board during that financial year, including the extent to

Annual reports

	1	which any direction given by the Minister during that financial year has been
	2	carried out.
Bye laws	3	18. -(1) The board may, with the prior approval of the Minister, make
	4	byelaws not inconsistent with this Act regulating the following matters:
	5	(a) procedure at the meetings of the board;
	6	(b) terms and conditions of service of the officers and employees of
	7	the Board;
	8	(c) Welfare schemes for the employees of the Board;
	9	(d) legal proceedings by or against the Board;
	10	(e) the custody of the seal of the Board; and
	11	(f) generally the conduct of the business of the Board, including the
	12	control of the management and staff of the specified companies.
	13	(2) Notwithstanding the Interpretation Act, it shall not be necessary to
	14	publish in the Gazette the byelaws made by the board under this section, but the
	15	byelaws may be published in such manner as the board, with the approval of the
	16	Minister, may think fit.
Savings	17	19. All appointments made or contracts entered before this enactment
	18	shall not be affected and shall continue to be in existence according to their
	19	tenure or terms.
Regulations	20	20. The Minister may, in consultation with the board, make regulation
	21	generally for better carrying out the provisions and principles of this Act.
Interpretation	22	21. In this Act, unless the context otherwise requires:
	23	"Board" means board for technology business incubator centre established
	24	under section 2 of the Act;
	25	"Minister" means the Minister responsible for science and Technology.
Citation	26	22. This Bill may be cited as Board for Technology Business
	27	Incubator Centre Bill, 2021.

1	FIRST SCHEDULE
2	BOARD FOR TECHNOLOGY BUSINESS INCUBATOR CENTRE
3	Board For Technology Business Incubator Centre - Abuja Technology
4	Incubation Centre, Gombe
5	Technology Incubation Centre, Katsina
6	Technology Incubation Centre, Lafia
7	Technology Incubation Centre, Lokoja
8	Technology Incubation Centre, Makurdi
9	Technology Business Incubator Centre - Agege
10	Technology Business Incubator Centre - Aba
11	Technology Business Incubator Centre - Kano
12	Technology Business Incubator Centre - Nnewi
13	Technology Business Incubator Centre - Calabar
14	Technology Business Incubator Centre - Minna
15	Technology Business Incubator Centre - Warri
16	Technology Business Incubator Centre - Maiduguri
17	Technology Business Incubator Centre - Gusau
18	Technology Business Incubator Centre - Sokoto
19	Technology Business Incubator Centre - Uyo
20	Technology Business Incubator Centre - Bi Kebbi
21	Technology Business Incubator Centre - Igbotako
22	Technology Business Incubator Centre - Bauchi
23	Technology Business Incubator Centre - Ibadan
24	Technology Business Incubator Centre - Benin
25	Technology Business Incubator Centre - Okwe Onuimo
26	Technology Business Incubator Centre - Abeokut A
27	Technology Business Incubator Centre - Yola
28	Technology Business Incubator Centre - Jos

EXPLANATORY MEMORANDUM

This Bill seeks to establish Board for Technology Business Incubator Centre and to give an integrated government support programme to government establishments such as academic institutions, research centres and private sector, either individually or in partnership with the intention of creating and nurturing of budding value-added and technology-based enterprise.

NIGERIAN INSTITUTE FOR OCEANOGRAPHY AND MARINE RESEARCH,
VICTORIA ISLAND BILL, 2021
ARRANGEMENT OF SECTIONS

Section

PART I - ESTABLISHMENT, OBJECTS, FUNCTIONS AND POWERS
OF THE INSTITUTE

1. Establishment of the Institute
2. Objects of the Institute
3. Functions of the Institute
4. Additional powers of the Institute

PART II - COMPOSITION AND TENURE OF OFFICE OF MEMBERS
OF THE INSTITUTE

5. Composition of the Institute
6. Chairman of the Institute
7. Remuneration of Members

PART III - COMMITTEES OF THE INSTITUTE

8. Specialised committees
9. Functions of the specialised committees

PART IV - MANAGEMENT AND STAFF OF THE INSTITUTE

10. Secretariat
11. Secretary General.
12. Functions of the Secretary General
13. Deputy Secretary General
14. Other Employees
15. Experts and: consultants of the Institute

PART V - FINANCE

16. Funds of the Institute
17. Borrowing Power
18. Estimates
19. Financial year of the Institute

- 20. Accounts
- 21. Audit
- 22. Investment of surplus funds of the Institute

PART VI - MISCELLANEOUS

- 23. Protection of members and staff from personal liability for negligence
- 24. Annual Report
- 25. Minister's report to the Parliament
- 26. Regulations
- 27. Application and amendment of the Schedule
- 28. Short title

Schedule

Schedule Seal, documents, tenure of members and meetings of the Institute;
service of documents.

A BILL

FOR

AN ACT TO ESTABLISH NIGERIAN INSTITUTE FOR OCEANOGRAPHY AND MARINE RESEARCH, VICTORIA ISLAND TO PROVIDE A STRUCTURE AND MECHANISM WHICH WILL ENSURE PROPER COORDINATION, MONITORING AND EVALUATION OF ALL POLICIES AND PROGRAMMES RELATING TO THE SURVIVAL OF THE INSTITUTE AND FOR RELATED MATTERS

Sponsored by Hon. James Abiodun Faleke

[] Commencement

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

1 PART I - ESTABLISHMENT, OBJECTS, FUNCTIONS AND POWERS
2 OF THE INSTITUTE

3 **1.-(1)** There is hereby established the Nigerian Institute for Establishment
4 Oceanography and Marine Research, Victoria Island, of the Institute

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

8 , (3) The Institute may, for and in connection with its functions
9 under this ~ct, purchase, hold, manage and dispose of any property, whether
10 movable or immovable, and enter into any contract and other transactions as
11 may be expedient and may do and suffer any other act or thing as in law may
12 be done or suffered by a body corporate.

13	2. The objects of the Institute are:	Objects of the Institute
----	--------------------------------------	--------------------------

15 Science;

(b) To key into the national development goals of food security, poverty reduction, marine environment cleanliness and sustainability.

Functions of
the Institute

- 1 3. .Functions of the Institute shall be to:
- 2 (1) conduct research into the resources and physical characteristics of
- 3 the Nigerian territorial waters and the high seas beyond.
- 4 (2) Specific Mandate shall be on:
- 5 (1) Abundance, distribution, biological and other characteristics of
- 6 species of fish and other marine forms of life and management measures for
- 7 their rational exploitation and conservation;
- 8 (2) Improvement of brackish / marine waters aquaculture;
- 9 (3) Genetic characterization of marine and brackish water culturable
- 10 fish species including' the development of improved strains of fish species
- 11 culture;
- 12 (4) Effective and sustainable management of fisheries resources
- 13 through improved post-harvest preservation, utilization and storage using
- 14 profitable technological processes;
- 15 (5) Physical characteristics of the Nigerian territorial waters, the high
- 16 seas beyond, topography of the sea beds and deposits on / or under the sea beds
- 17 (6) Effect of pollution on the health of Nigerian coastal waters and its
- 18 prevention;
- 19 (7) The socio-economic challenges of exploitation of the resources of
- 20 the sea and brackish water;
- 21 (8) Global climate change and sea level rise;
- 22 (9) The improvement of coastal and brackish water fishing and fish
- 23 culture through the design and fabrication of ecosystem friendly fishing gear
- 24 types and fisheries implements;
- 25 (10) The nature of the coastal and marine environment including
- 26 coastal erosion, monitoring marine hazards, forecasting/prediction and the
- 27 topography of the sea beds and deposits on or under it;
- 28 (11) Extension research and liaison services; and
- 29 (12) Provision of technical training in areas of man
- 30 (3) And such other duty or function related to this area.

1	4. The Institute may, for the purpose of carrying out its functions	Additional powers of the Institute
2	under this Act-	
3	(1) solicit for and acquire money and other resources from the	
4	Government, donors and well-wishers for use in the performance of its	
5	functions;	
6	(2) sponsor, promote and encourage activities undertaken by	
7	institutions, organisations and individuals for the promotion and	
8	development of programmes and projects designed to improve the situation	
9	of children;	
10	(3) establish specialised committees and ad hoc committees and	
11	co-opt such number of members as may be required to carry out technical or	
12	specialised functions for the Institute;	
13	(4) carryout or commission surveys and investigations on issues	
14	relating to children;	
15	(5) sponsor or support conferences, seminars, exhibitions,	
16	workshops or other meetings relating to children;	
17	(6) establish and maintain relationships with national, regional and	
18	international organisations and agencies concerned with the situation of	
19	children.	
20	PART II - COMPOSITION AND TENURE OF OFFICE OF	
21	MEMBERS OF THE INSTITUTE	
22	5.-(1) The Institute shall consist of members appointed by the	Composition of the Institute
23	president for a period of three years as follows:	
24	(a) a senior officer not below the rank of secretary from each of the	
25	following Ministries:	
26	(i) the Ministry responsible for finance;	
27	(ii) the Ministry responsible for Science and Technology;	
28	(iii) the Ministry responsible for education;	
29	(iv) the Ministry responsible for Water resources;	
30	(v) the Ministry responsible for women Affairs;	

1 (vi) the Ministry responsible for Industry;
 2 (vii) the Ministry responsible for justice;
 3 (viii) the Ministry responsible for internal affairs;
 4 (ix) the Ministry responsible for labour;
 5 (x) the Ministry responsible for information and broadcasting;
 6 (xi) six persons, each representing a geographical zone;
 7 (2) The Minister may revoke the appointment of a member on the
 8 recommendation of the Institute or for conduct incompatible with the objects
 9 of the Institute.

Chairman of
the Institute

10 **6.-(1)** The Minister shall designate as Chairman of the Institute one of
 11 the members appointed by him or her under section 6.

12 (2) The Chairman shall hold office for three years and shall be eligible
 13 for reappointment.

14 (3) The Chairman may resign his or her office as chairman by notice
 15 in writing addressed to the Minister.

16 (4) The Minister may, in writing, remove the chairman from office is
 17 Chairman if requested to do so by a resolution of the Institute supported by not
 18 less than two-thirds of the members of the Institute.

19 (5) The Minister may remove the chairman from office for:

20 (a) misbehaviour; or inability to perform the functions of his or her
 21 office by reason of infirmity of body or mind or for any other sufficient cause .

Remuneration
of Members

22 **7.** The Institute shall pay to members and to persons co-opted to any
 23 meeting of the Institute such sitting, subsistence, travel and other allowances
 24 and at such rates as the Minister may determine.

25 PART III - COMMITTEES OF THE INSTITUTE

Specialised
Committees

26 **8.-(1)** The Institute shall set up the following specialised committees
 27 for the efficient performance of its functions under this Act:

28 (a) a specialised committee on capacity building;

29 (b) a specialised committee on policy, research, planning and data
 30 management;

1 (c) a specialised committee on communication; and

2 (d) a specialised committee on finance.

3 (2) The Institute may also set up such other specialised committees
4 as it may consider necessary for the efficient performance of its functions
5 under this Act.

6 (3) Every specialised committee set up under this section shall
7 consist of five members of the Institute including a chairman.

8 (4) The Institute may prescribe the procedure of a specialised
9 committee.

10 **9.**-(1) The functions of each specialised committee are to
11 recommend and report to and advise the Institute on all policy matters
12 relating to the committee's specific sector of child survival, development
13 and protection.

Functions of
the Specialised
Committees

14 (2) The Institute may also delegate any of its functions to a
15 specialised committee, subject to any limitations imposed by the Institute.

16 **PART IV - MANAGEMENT AND STAFF OF THE INSTITUTE**

17 **10.** The Institute shall have a secretariat to assist it in carrying out
18 its objects and functions under this Act.

Secretariat

19 **11.**-(1) The Institute shall have an officer to be designated the
20 Secretary General.

Secretary General

21 (2) The Secretary General shall be appointed by the Minister in
22 consultation with the Institute and shall hold office upon such terms and
23 conditions as may be specified in the instrument of appointment.

24 (3) The Secretary General shall be a person who has substantial
25 experience in and knowledge of matters relating to children.

26 (4) The Minister, in consultation with the Institute, may remove the
27 Secretary General from office:

28 (a) inability to perform the functions of his or her office by reason
29 of infirmity of body or mind or any other sufficient cause; or misbehavior;

30 (5) Where the Secretary General is temporarily incapacitated by

	1	illness or other cause from the performance of his or her functions or where the
	2	office of the secretary general is vacant:
	3	(a) the deputy Secretary General shall act as secretary general for the
	4	duration of the incapacity or until the vacancy is filled;
	5	(b) where it is not possible for the deputy Secretary General to act as
	6	secretary general, the Minister may, on the recommendation of the Institute,
	7	appoint an officer of the Institute qualified in terms of subsection
	8	(6) to perform the functions of the Secretary General for the duration
	9	of the secretary general's incapacity or until the vacancy in the office of the
	10	secretary general is filled.
Functions of the Secretary General	11	12. -(1) The Secretary General shall be the chief executive officer of
	12	the Institute and head of the secretariat.
	13	(2) The Secretary General shall act as the Secretary of the Institute.
	14	(3) The Secretary General shall, subject to the control of the Institute,
	15	be responsible for:
	16	(a) the day-to-day administration of the affairs of the Institute and of
	17	the secretariat;
	18	(2) the funds and properties of the Institute;
	19	(3) the organisation, discipline and control of the employees of the
	20	Institute and of persons engaged by the Institute.
	21	(4) The secretary general shall, unless the Institute in any particular
	22	case otherwise directs on grounds stated by it in writing, be entitled to attend all
	23	meetings of the Institute but shall not have the right to vote on any matter to be
	24	decided by the Institute at any meetings.
Deputy Secretary General	25	13. -(1) The Institute shall also have an officer to be designated the
	26	deputy Secretary General.
	27	(2) The Deputy Secretary General shall be appointed by the Minister
	28	in consultation with the Institute and shall hold office upon such terms and
	29	conditions as may be specified in the instrument of appointment.
	30	(3) The Deputy Secretary General shall be a person who has

1 substantial experience in and knowledge of matters relating to children.

2 (4) The Minister, in consultation with the Institute, may remove the
3 deputy secretary general from office for:

4 (5) inability to perform the functions of his or her office by reason
5 of infirmity of body or mind or for any other sufficient cause; or behaviour.

6 (6) the deputy secretary general shall assist the secretary general in
7 carrying out his or her functions under this Act and shall carry out such
8 specific functions as the secretary general or the Institute may direct.

9 **14.-(1)** The Institute may appoint such other employees as may be
10 necessary for the proper and efficient discharge of the functions of the
11 Institute and the secretariat under this Act.

Other employees
of the Institute

12 (2) The employees of the Institute appointed under this section
13 shall hold office upon such terms and conditions as the Institute may
14 determine.

15 (3) Without prejudice to the general effect of subsection (2), the,
16 Institute may under that subsection, provide for the payment to its
17 employees of salaries, allowances, pension or other terminal benefits and
18 may require them to make contribution to any pension, provident fund or
19 superannuation scheme.

20 (4) The Institute may, subject to conditions and restrictions
21 imposed by it, delegate to the chairman or the secretary general any of its
22 powers to appoint or remove any employee under this section.

23 Public officers may be seconded to the service of the Institute on such terms
24 and conditions as may be agreed between the Institute and the employers of
25 those public officers.

26 **15.-(1)** The Institute may, acting on the advice of the secretary
27 general, engage the services of experts and consultants in respect of any of
28 the functions of the Institute in connection with which they are considered to
29 have special competence.

Experts and
Consultants

30 (2) Experts and consultants engaged under this section may be paid

1 such fees and allowances and may be afforded such facilities as the Institute
2 may determine.

3 PART V - FINANCE

Funds of the
Institute

4 **16.**-(1) The funds of the Institute shall consist of:

5 (a) grants from the Government;

6 (b) loans from the Government or from any person or organisation
7 within or outside Nigeria;

8 (c) grants, gifts and donations that may be received by the Institute
9 from any source within or outside Nigeria; and

10 (d) any 'sums' that may become payable to the Institute in the
11 discharge of its functions under this Act.

12 (2) All income and monies of the Institute shall be deposited to the
13 credit of the Institute in a bank approved by the Minister and shall not be
14 withdrawn except with the approval of, and in the manner determined by, the
15 Institute.

Borrowing
Powers

16 **17.**-(1) The Institute may, with the prior approval of the Minister,
17 obtain loans and other credit facilities required for meeting its obligations and
18 for carrying out its functions under this Act.

19 (2) The Institute may, with the prior approval of the Minister, borrow
20 by way of overdraft or otherwise, such sums as may be required for meeting the
21 current obligations of the Institute or for discharging its functions.

22 (3) A loan or credit facility obtained by the Institute under this section
23 shall be guaranteed by Parliament, and when so guaranteed, the principal sum
24 and interest of that loan shall be a charge on the Consolidated Fund.

Estimates

25 **18.**-(1) The Institute shall, not later than three months before the end
26 of each financial year, cause to be prepared and submitted to the Minister for
27 his or her approval, estimates of the income and expenditure of the Institute for
28 the next following financial year.

29 (2) No expenditure shall be made out of the funds of the Institute
30 unless the expenditure has been approved by the Minister under subsection (1).

- 1 **19.** The financial year of the Institute shall be in respect of any Financial year
2 accounting period the period of twelve months ending on the 30th June. of the Institute
- 3 **20.** The Institute shall keep proper books of account of all its Accounts
4 income and expenditure and proper records in relation to them.
5 Subject to any directions given by the Minister, the Institute shall cause to be
6 prepared in respect of each financial year, and not later than three months
7 after the close of the financial year, a statement which shall include a report
8 on the performance of the Institute during that financial year, and the
9 statement shall comprise:
10 (a) a balance sheet and a statement of income and expenditure of
11 the Institute in respect of that financial year; and
12 (b) any other information in respect of the financial affairs of the
13 Institute as the Minister may, in writing, require.
14 **21.**-(1)The accounts of the Institute shall, in respect of each Audit
15 financial year, be audited by the Auditor General or by an auditor appointed
16 by the Auditor General.
17 (2) The Institute shall ensure that within four months after the close
18 of each financial year the statement of account described in section 22 is
19 submitted for auditing.
20 (3) The Auditor General and any auditor appointed by him or her
21 shall have access to all books of account, vouchers and other financial
22 records of the Institute and be entitled to have any information and
23 explanation required by him or her in relation to them as he or she may think
24 fit.
25 (4) The auditor shall, within two months after receipt of the
26 statement of account under subsection (2), audit the accounts and deliver to
27 the Institute a copy of the audited accounts together with his or her report on
28 them stating any matter which in his or her opinion should be brought to the
29 attention of the Minister.
30 (5) The auditor shall deliver to the Minister a copy of the audited

	1	accounts together with his or her report on them.
Investment of surplus funds of the Institute	2	22. Any funds of the Institute not immediately required for any
	3	purpose under this Act shall be invested in such manner as the Institute may,
	4	with the approval of the Minister, determine.
	5	PART VI - MISCELLANEOUS
Protection of members and staff from personal liability for negligence	6	23. A member of the Institute shall not be personally liable for an act
	7	done by him or her in good faith and without negligence for the purpose of
	8	carrying into effect the provisions of this Act.
	9	An employee or other authorised person acting on behalf of the Institute shall
	10	not be personally liable for any act done by him or her in good faith and without
	11	negligence for the purpose of carrying into effect the provision of this Act.
Annual report	12	24. The Institute shall, within three months after the end of each
	13	financial year, submit to the Minister a report of the activities of the Institute in
	14	respect of that financial year, and the report shall include a record of the
	15	performance of the Institute during that financial year and its future plans.
Minister's report to Parliament	16	25.-(1) The Minister shall submit to Parliament as soon as possible
	17	after receiving them:
	18	(a) the audited accounts of the Institute submitted to him or her by the
	19	auditor under section 23; and
	20	(b) the annual report of the Institute submitted to him or her under
	21	section 26.
Regulations	22	26. The Minister may, by statutory instrument, make regulations
	23	generally for better carrying out the provisions of this Act.
Application and amendment of the Schedule	24	27. -(1) The provisions of the Schedule to this Act shall apply in
	25	relation to the seal of the Institute, meetings of the Institute and to any other
	26	matters set out in that Schedule.
	27	(2) The Minister may, by statutory instrument, amend the Schedule.
Short title	28	28. This Bill may be cited as Nigerian Institute for Oceanography and
	29	Marine Research, Victoria Island Bill, 2021.

1 SCHEDULE

2 [S. 29]

3 *Seal, documents, tenure of members and meetings of the*
4 *Institute; service of documents*

5 1. Common seal of the Institute and executors of contracts, etc.

6 (a) The common seal of the Institute shall be such a device as the
7 Institute may determine and shall be kept in the custody of the Secretary
8 General;9 (b) The common seal of the Institute shall not be fixed on any
10 document except in accordance with a resolution of the Institute and shall be
11 authenticated by the signatures of the chairman, the Secretary General and
12 other member of the Institute;13 (c) In the absence of the chairman, two other members shall be
14 designated by the Institute to authenticate the common seal in place of the
15 chairman;16 (d) and in the absence of the Secretary General, the person for the
17 time being performing the functions of the secretary general shall
18 authenticate in place of the secretary general;19 (d) The signatures of the chairman, the Secretary General or the
20 other members of the Institute under this paragraph shall be independent of
21 the signing by any other person as witness;22 (e) A contract or instrument which if entered into or executed by a
23 person not being a body corporate would not be required to be under seal
24 may be entered into or executed without seal on behalf of the Institute by the
25 secretary general or any other person authorised in that behalf by the
26 Institute.

27 (2) Every document purporting to be:

28 (a) an instrument issued by the Institute and sealed with the
29 common seal of the Institute, authenticated in the manner prescribed in this
30 paragraph; or

1 (b) a contract or instrument entered into or executed under sub
2 paragraph (5) of this paragraph, shall be received-in evidence without further
3 proof as such an instrument duly issued or a contract or instrument duly entered
4 into or executed, as the case may be, unless the contrary is proved.

5 *Tenure of office*

6 2.-(1) A member of the Institute shall hold office as a member for three
7 years.

8 (2) A person shall cease to be a member:

9 (a) in the case of a person representing a Ministry, institution or
10 department, upon his or her ceasing to hold office in the Ministry, institution or
11 department in respect of which he or she was appointed to be a member;

12 (b) if he or she is removed by the Minister on the recommendation of
13 the chairman on the ground that he or she:

14 (i) has absented himself or herself from three consecutive;

15 (ii) has been out of Uganda for a continuous period of twelve;

16 (iii) is unable to perform the functions of his or her office by;

17 (iv) is otherwise unable or unfit to perform the functions of his or her
18 office.

19 (c) meetings of the Institute without permission;

20 (d) months or more;

21 (e) reason of infirmity of body or mind; or

22 (3) Where a person is removed by the Minister under subparagraph
23 (2) of this paragraph, the Minister may appoint another person to be a member
24 In his or her place.

25 *Meetings of the Institute*

26 3.-(1) The Institute shall ordinarily meet for the discharge of business
27 at least twice in a year at such times and places as the chairman may determine.

28 (2) The chairman shall also summon a special meeting of the Institute
29 upon a request made in writing by not less than ten members of the Institute.

30 (3) The secretary general shall, where the chairman is absent,

1 summon a meeting of the Institute, if not less than one-third of the members
2 of the institute request him or her to do so.

3 (4) Eleven members of the Institute shall form a quorum at any
4 meeting of the Institute.

5 (5) The chairman shall preside at all meetings of the Institute, and
6 in his or her absence a member elected by the members present from among
7 their number shall preside.

8 (6) A question proposed at any meeting of the Institute shall be
9 determined by a simple majority of the members present and voting; and
10 where there is an equality of votes, the person presiding at the meeting shall
11 have a second or casting vote.

12 (7) The Institute may co-opt any person who is not a member to
13 attend any of its meetings as an adviser, and that person may speak at the
14 meeting on any matter in relation to which his or her advice is sought but
15 shall not have the right to vote on any matter coming for decision before the
16 meeting.

17 Except as otherwise expressly stated in this Act, the Institute may regulate
18 its own procedure.

19 *Validity of proceedings not affected by vacancy*

20 4. The validity of any proceedings of the Institute shall not be
21 affected by any vacancy among its members or by any defect in the
22 appointment of any of them.

23 *Minutes of the Institute meetings*

24 5.-(1) The secretary general shall keep or cause to be kept the
25 minutes of every meeting of the Institute.

26 (2) The minutes recorded under this paragraph shall be submitted
27 to the Institute for confirmation at its next meeting following that to which
28 the minutes relate and when so confirmed shall be signed by the chairman
29 and the secretary general in the presence of the other members.

1 *Service of documents*

2 6. Without prejudice to any other law relating to the service of
3 documents, a document required to be served on the In Institute may be served
4 by leaving it at the office of the secretary general.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Nigerian Institute for Oceanography and Marine Research, Victoria Island to provide a structure and mechanism which will ensure proper coordination, monitoring and evaluation of all policies and programmes relating to the survival of the Institute.

FEDERAL COLLEGE OF ORTHOPAEDIC TECHNOLOGY, IGBOBI, BILL 2021

ARRANGEMENT OF SECTIONS

Section

Part I - Establishment Of The Federal College Of Orthopaedic
Technology, Igbobi

1. Establishment Technology, Igbobi of the Federal College of Orthopaedic
2. Governing Council of the college
3. Membership of the Council of the college
4. Tenure of office of members of the college
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 college
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

PART II - FINANCIAL PROVISIONS

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

PART III - MISCELLANEOUS AND SUPPLEMENTARY

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

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF ORTHOPAEDIC
TECHNOLOGY, IGBOBI, LAGOS STATE AND FOR RELATED MATTERS

Sponsored by Hon. James Abiodun Faleke

[] Commencement

BE IT ENACTED by national Assembly of the federal republic of
Nigeria as follows:

1 PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF FEDERAL

2 COLLEGE OF ORTHOPAEDIC TECHNOLOGY, IGBOBI

3 1.-(1) The Federal College of Orthopaedic Technology Igbobi,
4 Lagos State, as it exist is hereby established by this Act and shall have such
5 powers and exercise such functions as are conferred on them by this Act.

Establishment
of Federal College
of Orthopaedic
Technology,
Igbobi. Lagos
State

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

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

Governing
Council of the
College

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

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

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

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

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

20 3.-(1) The Council of the college shall consist of a chairman and the
21 following other members, to be appointed by the President:

Membership of
the Council of
the College

	1	(a) a representative of the Federal Ministry of Health;
	2	(b) a representative of the alumni association of the college;
	3	(c) three persons appointed on individual merit on a nationwide basis
	4	who should have wide experience in the area of livestock or crop production
	5	(d) two representatives of the Academic Board of the college;
	6	(e) one representative of the ministry of Health;
	7	(f) an Indigene of Lagos state; and
	8	(g) the Provost of the college.
Tenure of office of members of the Council	9	4.-(1) Each member of the Council (other than an ex-officio member)
	10	shall hold office for a term of four years and shall be eligible for re-appointment
	11	for a further period of four years.
	12	(2) The office of a member appointed under sections 3 (1) (d) and 3 (2)
	13	(d) of this Act shall become vacant if:
	14	(a) the member resigns his office by notice in writing under his hand,
	15	addressed to the president through the Minister;
	16	(b) the member is convicted of any offence by any court;
	17	(c) the member becomes a person of unsound mind;
	18	(d) The member abuses his office.
Functions of the College	19	5. The functions of the college shall be:
	20	(a) to encourage the advancement of learning and to hold out to all
	21	persons without distinction of race, creed, sex or political conviction, the
	22	opportunity of acquiring a higher education Health;
	23	(b) to develop and offer academic programmes leading to the award of
	24	diplomas and certificates which emphasise planning, adaptive, technical,
	25	maintenance, developmental and productive skills in health, orthopaedic
	26	engineering and allied professional disciplines with the aim of producing
	27	socially mature persons with capacity to improve on those disciplines and
	28	develop new ones, but also to contribute to the scientific transformation of
	29	Health in Nigeria;
	30	(c) to act as agents and catalysts, through training, research and

1 innovation for the effective and economic utilisation, exploitation and
2 conservation of Nigeria's health, economic and human resources;

3 (d) to offer to the general population, as a form of public service,
4 the results of training and research in Health and allied disciplines and to
5 foster the practical application of those results;

6 (e) to establish appropriate relationships with other national
7 institutions involved in training, research and development of Health;

8 (f) to identify the agricultural problems and needs of Nigeria and to
9 find solutions to them within the context of overall national development;

10 (g) to provide and promote sound basic scientific training as a
11 foundation for the development of, Health and allied disciplines, taking into
12 account indigenous culture, the need to enhance national unity, the need, to
13 vastly' increase the practical content of student training, and adequate
14 preparation of graduates for self-employment in Health and allied
15 professions;

16 (h) to promote and emphasise teaching, research and extension of
17 agricultural knowledge, including Health extension services and outreach
18 programmes, in-service training, continuing Health, and on-farm adaptive
19 research;

20 (i) to offer academic programmes in relation to the training of
21 manpower for Health in Nigeria;

22 (j) to organise research relevant to training of Health with emphasis
23 on small- scale farming;

24 (k) to organise extension services and out-reach programmes for
25 technology transfer;

26 (l) to establish institutional linkages in order to foster collaboration
27 and integration of training, research, and extension activities;

28 (m) to undertake any other activities appropriate for college of
29 Health and

30 (n) to perform such other functions as in the opinion of the Council

Powers of the Council

1 may serve to promote the objectives of the College.

2 **7.-(1)** For the carrying out of the functions of college ,the Council
3 shall have power to:

4 (a) undertake examinations and award diplomas, professional
5 certificates and other distinctions to persons who have pursued a course of
6 study approved and accredited by the National university Commission;

7 (b) collect from any student or any other person attending the
8 Academy for the purpose of instruction such fees as the Council may, with the
9 prior approval of the Minister, from time to time determine;

10 (c) hold public lectures and undertake printing, publishing and
11 bookselling;

12 (d) make gifts for any charitable purpose;

13 (e) hold examinations for student or teachers;

14 (f) provide amenities for and make such other provision for the
15 welfare of the staff of the college;

16 (g) invest the funds of the academy in securities specified by law or in
17 such other securities in Nigeria as may be approved by the Minister;

18 (h) borrow money within Nigeria in such manner and upon such
19 security as the Minister may from time to time authorise;

20 (i) enter into such contracts as may be necessary or expedient for
21 carrying into effect the objectives of the college;

22 (j) recruit staff of the right calibre and determine the career structure
23 of such staff;

24 (k) establish and maintain such schools and other teaching units
25 within the college; or extramural departments as the Council may, from time to
26 time, decide;

27 (l) institute and award fellowships, medals, prizes and other titles;

Visitation

28 **8. -(1)** The Minister of Health shall be the Visitor of the college.

29 (2) The Visitor shall, not less than once in every five years, conduct a
30 visitation of the Academy; or appoint a visitation panel consisting of not less

1 than five experts to conduct the visitation:

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

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

6 **9.-(1)** The college Shall have a board to be known as the Academic
7 Board which shall consist of the following members:

The Academic
Board and its
functions

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

9 (b) all heads of departments;

10 (c) the college Librarian; and

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

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

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

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

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

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

Power of Minister
to give directions
to the Council

24 **11.-(1)** There shall be a Provost of the college (in this Act referred
25 to as "the Provost") who shall be appointed by the President, in accordance
26 with the provisions of this section.

The Provost of
the College

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

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

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

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

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

5 **12.-(1)** There shall be for the college a Deputy Provost. Deputy Provosts

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

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

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

12 (c) on the nomination of the Provost.

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

15 (a) consist of-

16 (i) the chairman of the Council;

17 (ii) the Provost;

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

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

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

23 (4) The Deputy Provost shall-

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

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

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

30 (5) The Deputy Provost-

The Registrar
and other staff
of the College

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

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

6 **13.-(1)** The Council of the College shall appoint a Registrar to the
7 college (hereinafter referred to as the Registrar") who shall keep the records
8 and conduct the correspondence of the Council and shall perform such other
9 duties as the Council and subject thereto as the Provost may from time to time
10 direct.

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

16 (3) A Registrar-

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

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

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

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

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

29 (c) for ten years or more, the Council may allow him to serve as
30 Registrar for a further period of one year only and thereafter he shall relinquish

1 his post and be assigned other duties in the College.

2 **14.**-(1) There shall be for the college the following principal
3 officers in addition to the Registrar, that is-

Other principal
officers of the
College

4 (a) the Bursar; and

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

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

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

13 (4) A Bursar or Librarian-

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

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

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

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

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

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

29 **15.** A principal officer may resign his appointment-

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

Resignation of
appointment of
principal officers

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

1 Council and all other sums that may accrue to the Council from any source.

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

6 **20.**-(1) The Council may accept gifts.

Power to accept
gifts

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

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

Accounts and
audit

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

Annual reports

14 PART III - MISCELLANEOUS AND SUPPLEMENT

15 **23.**-(1) For the purpose of providing offices and premises
16 necessary for the performance of its functions, the Council may-

Offices and
premises

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

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

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

22 **24.**-(1) The Council may make rules providing for the Provost to
23 conduct enquiries into alleged breaches of discipline (including lack of
24 diligence) by students and such rules may make different provisions for
25 different circumstances.

Discipline of
students

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

28 (3) Subject to the provisions of subsection (1) of this section, where
29 it is proved during the enquiry that any student of the Academy has been
30 guilty of misconduct, the Provost may, without prejudice to any other

1 disciplinary powers conferred on him by this Act or any regulations made
2 thereunder, direct-

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

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

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

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

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

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

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

27 (8) Nothing in this section shall be construed as preventing the
28 restriction or termination of a student's activities at the college otherwise than
29 on the ground of misconduct.

30 (9) It is hereby declared that the direction under subsection (3) (a) of

1 this section may be combined with a direction under subsection (3) (b) of
2 this section.

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

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

Interpretation

6 "college " means the Federal College of Orthopaedic Technology, Igbobi
7 established under section 1 of this Act;

8 "chairman" means the chairman of the Council;

9 "Council" means the Governing Council of the college established by or
10 pursuant to section 2 of this Act;

11 "Provost" means the Provost of an college appointed under section 9 of this
12 Act;

13 "functions" includes powers and duties;

14 "Minister" means the Minister of Health;

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

16 **26.** This Bill may be cited as the Federal College of Orthopaedic
17 Technology, Igbobi, Bill, 2021.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal College Of Orthopaedic Technology, Igbobi, Lagos State and to develop and offer academic programmes leading to the award of diplomas and certificates which emphasise planning, adaptive, technical, maintenance, developmental and productive skills in health, orthopaedic engineering and allied professional disciplines with the aim of producing socially mature persons with capacity to improve on those disciplines and develop new ones, but also to contribute to the scientific transformation of Health in Nigeria.

NIGERIAN CENTRE FOR VACCINE RESEARCH AND DEVELOPMENT
(ESTABLISHMENT) BILL, 2021

ARRANGEMENT OF CLAUSES

PART I - ESTABLISHMENT OF THE NIGERIAN CENTRE FOR VACCINE
RESEARCH AND DEVELOPMENT

1. Establishment of the Centre
2. Objectives of the Centre
3. Establishment of the Centre Management Board
4. Membership of the Board
5. Tenure of office of members
6. Proceedings of the Board

PART II - POWERS OF THE BOARD

7. Powers of the Board
8. Power to use of land
9. Delegation of power
10. Power to co-opt members.

PART III - DIRECTOR AND OTHER STAFF OF THE NIGERIAN CENTRE
FOR VACCINE RESEARCH AND DEVELOPMENT

11. Appointment, etc., of the Director
12. Appointment of Deputy Director and the Secretary
13. Appointment of other staff
14. Pensions

PART IV - FINANCIAL PROVISIONS

15. Fund of the Board
16. Accounts and audit
17. Annual estimates
18. Annual report

PART V - MISCELLANEOUS

19. Power of Minister to give directives to the Board
20. Regulations
21. Interpretation
22. Short title

A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN CENTRE FOR VACCINE RESEARCH
AND DEVELOPMENT AND FOR RELATED MATTERS

Sponsored by Hon. Kasimu Bello Maigari

[] Commencement

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

1 **1.** There is hereby established the Nigerian Centre for Vaccine
2 Research and Development (in this Bill referred to as "the Centre").

Establishment
of the Nigerian
Centre for Vaccine
Research and
Development

3 **2.-(1)** The Centre shall have the general objective of carrying on
4 research in the discovery and development of vaccines for treatment of
5 diseases.

Objectives of
the Centre

6 (2) For the purposes of subsection (1) of this section, the Centre
7 shall:

8 (a) encourage and engage in research for discovery of vaccines;

9 (b) encourage and engage in research for development of vaccines;

10 (c) facilitate research in improving human health through rigorous
11 pursuit of effective vaccines for human diseases;

12 (d) provide training facilities designed to ensure sufficient
13 knowledge and skill in vaccine research and development;

14 (e) conduct research focused on the development of diagnostics,
15 therapeutics and vaccines for infectious agents that pose a public health risk;

16 (e) promote understanding and co-operation with other vaccine
17 research centres outside Nigeria.

18 (3) The Centre may carry out such other activities as are necessary
19 or expedient for the full discharge of any of the functions and objectives of
20 the Centre under this Act.

Establishment of the Nigerian Centre for Vaccine Research and Development Management Board	1	3.-(1) There is hereby established a Board to be known as the Nigerian
	2	Centre for Vaccine Research and Development Management Board (in this Act
	3	referred to as "the Board") which, subject to the provisions of this Act, shall be
	4	charged with the general management and control of the Centre.
	5	(2) The Board shall be a body corporate with perpetual succession and
	6	a common seal and may be sued in its corporate name.
Membership of the Board	7	4. The Board shall consist of:
	8	(a) a Chairman to be appointed by the President;
	9	(b) a Director, Federal Ministry of Health;
	10	(c) one Representative from a Federal University appointed, on
	11	rotation;
	12	(d) a Representative each of:
	13	(i) the Federal Ministry of Health;
	14	(ii) the Pharmaceutical Society of Nigeria;
	15	(iii) the Nigerian Centre for Disease Control
	16	(iv) National Agency for Food and Drug Administration and Control
Tenure of office of Members	17	(NAFDAC); and
	18	(e) the Director of the Centre.
	19	5.-(1) Subject to the provisions of this section, a member of the Board
	20	shall hold office for four years and shall be eligible for re-appointment for a
	21	further period of four years and no more.
	22	(2) Notwithstanding the provisions of subsection (1) of this section,
	23	the President may at any time remove a member from the Board.
	24	(3) Any member may, in writing under his hand addressed to the
	25	Minister at any time, resign his appointment.
	26	(4) The office of a member of the Board shall become vacant if:
	27	(a) the period of his appointment has expired;
	28	(b) he absents himself without leave of the Board from three
	29	consecutive meetings of the Board and without reasonable excuse for so doing;
	30	(c) he is guilty of misconduct in his office as a member and a

1 resolution of the Board approves the termination of his membership;

2 (d) he dies, resigns or is removed from office.

3 (5) Soon after the office of a member of the Board becomes vacant,
4 the authority by whom he was appointed shall appoint another person in his
5 place in accordance with the provisions of this Act.

6 (6) Members of the Board, other than ex-officio members, shall be
7 paid, out of the moneys at the disposal of the Board, such remunerations and
8 allowances as the Minister may, with the approval of the President,
9 determine.

10 **6.** The provisions contained in the Schedule to this Act shall have
11 effect with respect to the proceedings of the Board and the other matters
12 contained therein. Proceedings of
the Board

13 **7.** The Board shall have power to: Powers of the
Board

14 (a) establish research facilities focused on the development of
15 diagnostics, therapeutics and vaccines for infectious agents that pose a
16 public health risk;

17 (b) equip and maintain facilities as are necessarily suitable for the
18 attainment of the objects of the Centre;

19 (c) encourage and provide for research in vaccine development at
20 the Centre;

21 (d) accept gifts, legacies and donations that are consistent with the
22 objects of the Centre;

23 (e) enter into contracts;

24 (f) acquire and hold movable and immovable property;

25 (g) with the approval in writing of the Minister:

26 (i) subject to the Land Use Act, sell, mortgage, transfer or
27 otherwise deal with immovable property;

28 (ii) sell, mortgage, transfer or otherwise deal with movable
29 property;

30 (h) with the approval of the Minister, borrow at interest on the

	1	security of land or movable property of the Board such moneys as the Board
	2	may, from time to time, require for the purposes of this Act;
	3	(i) with the approval of the Minister, invest the funds of the Board as it
	4	thinks fit; and
	5	(j) do anything which, in its opinion, may advance the objects of the
	6	Centre.
Power to use land	7	8.-(1) In furtherance of the objects of the Centre, the Board or any
	8	person authorised by the Board may, upon giving such notice as is specified in
	9	subsection(2) of this section, use any land to do such things as are necessary or
	10	incidental to the promotion of the objectives of the Centre.
	11	(2) In the exercise of its powers under subsection (1) of this section,
	12	the Board or the Director on behalf of the Board, as the case may be, shall give
	13	notice to the occupier of any land of the Board's intention to use the said land
	14	for a specific period.
	15	(3) The Board shall pay reasonable compensation for any damage
	16	attributable to the exercise of its powers under subsection (1) of this section.
Delegation of power	17	9. The Board may appoint Committees from among its members to:
	18	(a) inquire into and report to the Board on matters affecting the
	19	Centre;
	20	(b) deal with matters of an urgent or local nature where directed or
	21	approved by the Board, subject to such conditions as the Board may, in writing,
	22	specify;
	23	(c) appoint staff for the Centre and exercise disciplinary control over
	24	such staff.
Power to co-opt members	25	10.-(1) The Board may, from time to time, co-opt any person or
	26	persons not exceeding two in number to assist the Board in carrying out the
	27	objects of the Centre under this Act.
	28	(2) Any person co-opted under subsection (1) of this section may take
	29	part in the deliberations of the Board but shall not be deemed a member of the
	30	Board for the purpose of voting at a meeting or forming a quorum.

- 1 **11.**-(1) There shall be a Director of the Centre who shall be Appointment,
2 appointed by the President, on the recommendation of the Minister. etc., of the Director
- 3 (2) A person shall not be qualified to be appointed as a Director,
4 unless he is the holder of a degree in pharmacy or pharmacology or any other
5 suitably related field with at least ten years' research and administrative
6 experience in a reputable establishment.
- 7 (3) The Board shall not exercise any disciplinary control over the
8 Director, without the approval of the Minister.
- 9 (4) Subject to the provisions of this Act and the control of
10 the Board over matters affecting the finance of the Centre, the Director shall
11 be the Chief Executive Officer of the Centre and shall be charged with the
12 general responsibility of the management and administration of the affairs
13 of the Centre and in particular shall:
- 14 (a) direct and regulate the programme of work at the Centre;
15 (b) promote research within and outside of the Centre;
16 (c) keep safe custody of all the records of the Centre;
17 (d) prepare and present to the Board annual and other reports on the
18 progress of work at the Centre and on the expenditure or liabilities incurred
19 by the Centre;
- 20 (e) be responsible for the day-to-day running and management of
21 the Centre; and
- 22 (f) exercise such powers and perform such duties as may, from time
23 to time, be required of him by the Board.
- 24 (5) The Director shall hold office on such terms and conditions as
25 may be specified in his letter of appointment and on such other terms as may
26 be determined, from time to time, by the President.
- 27 **12.**-(1) There shall be appointed as Deputy Director, a pharmacist Appointment of
28 or pharmacologist from the serving members of staff of the Centre, not Deputy Director
29 below the rank of Principal Research Fellow. and the Secretary
- 30 (2) The Deputy Director shall act in the place of the Director when

1 the office of the Director is vacant or the Director is for any reason (including
2 absence from the precincts of the Centre) unable to perform his functions as the
3 Director.

4 (3) There shall be for the Centre an Administrative Secretary who
5 shall be appointed by the Board to perform such duties as may be assigned to
6 him by the Board.

Appointment
of other staff

7 **13.**-(1) Subject to section 11 of this Act, the Board may appoint such
8 other staff for the Centre as it may determine and pay to its staff such
9 remuneration and allowances as are payable to persons on equivalent grades in
10 the civil service of the Federation.

11 (2) The power of the Board under subsection (1) of this section shall
12 include the power to-

13 (a) promote and control the staff of the Centre as the Board may deem
14 fit or expedient;

15 (b) dismiss, terminate, consider the resignation or withdrawal of
16 appointment and exercise disciplinary control over the staff of the Centre, other
17 than the director.

18 (3) The Board may delegate to the Director, generally or specifically,
19 the power to appoint such categories of staff of the Centre as the Board may,
20 from time to time, specify.

Pensions

21 **14.**-(1) Service in the Centre shall be approved service for the
22 purposes of the Pensions Act.

23 (2) Officers and other employees in the Centre shall be entitled to
24 pensions, gratuities and other retirement benefits as are prescribed in the
25 Pensions Act, so however that nothing in this Act shall prevent the appointment
26 of a person to any office on terms which preclude the grant of a pension,
27 gratuity or other retirement benefit in respect of that office.

28 (3) For the purposes of the application of the provisions of the
29 Pensions Act, any power exercisable thereunder by a Minister or other
30 authority of the Government of the Federation (not being the power to make

1 regulations under section 23 thereof) shall be vested in the Board and shall
2 not be exercisable by any other person or authority.

3 **15.**-(1) The Board shall establish and maintain a fund from which Fund of the
4 shall be defrayed, with the general or specific approval of the Minister, all Board
5 expenditure incurred by the Board.

6 (2) There shall be paid and credited to the Centre such sums as may
7 from time to time, be granted to the Centre by the Federal Government of
8 Nigeria.

9 **16.**-(1) The Board shall keep proper accounts in respect of each Accounts and
10 year and proper records in relation to those accounts and shall cause to be audit
11 prepared in each year-

12 (a) a statement showing the income and expenditure of the Centre
13 for the immediately preceding year; and

14 (b) a statement of the assets and liabilities of the Centre as at the last
15 day of the immediately preceding year.

16 (2) The Board shall cause every statement prepared under this
17 section to be audited within six months after the end of the year to which the
18 statement relates by auditors appointed from the list and in accordance with
19 the guidelines supplied by the Auditor-General for the Federation.

20 **17.** The Board shall cause to be prepared not later than 1st June in Annual estimates
21 each year an estimate of the expenditure necessary to carry out the
22 programme approved by the Board for the next succeeding year and shall,
23 not later than so" September in each year, submit to the Minister the estimate
24 of expenditure and that of its income during the next succeeding year.

25 **18.**-(1) The Board shall prepare and submit to the Minister once Annual report
26 every year a report, in such form as the Minister may direct, on the activities
27 of the Centre during the immediately preceding year, and shall include in the
28 report a copy of the audited accounts of the Centre for that year and the
29 auditor's report thereon.

30 (2) The Minister shall cause a copy of each report made to him

	1	under this section to be submitted to the President.
Power of the Minister to give directives to the Board	2	19. The Minister may give to the Board directives of a general nature
	3	with regard to the carrying out of the objects of the Centre under this Act and it
	4	shall be the duty of the Board to comply with such directives.
Regulations	5	20.-(1) The Board may, with the approval of the Minister, make
	6	regulations for prescribing fees to be charged for services rendered by the
	7	Centre and generally for carrying into effect the provisions of this Act and the
	8	due administration of the Centre.
	9	(2) Any regulations made under subsection (1) of this section shall be
	10	published in the Gazette.
Interpretation	11	21. In this Bill, unless the context otherwise requires:
	12	"Board" means the Nigerian Centre for Vaccine Research and Development
	13	Management Board established by section 3 of this Act;
	14	"Centre" means the Nigerian Centre for Vaccine Research and Development
	15	established by section 1 of this Act;
	16	"Chairman" means the Chairman of the Board;
	17	"Director" means the Director of the Centre appointed under section 11 of this
	18	Act;
	19	"Member" means a Member of the Board and includes the Chairman;
	20	"Minister" means the Minister charged with responsibility for matters relating
	21	to Health;
	22	"Powers" include duties and functions.
Short title	23	22. This Bill may be cited as the Nigerian Centre for Vaccine
	24	Research and Development (Establishment) Bill, 2021.

1 SCHEDULE

2 [Section 6.]

3 PROCEEDINGS OF THE BOARD, ETC.

4 1. Subject to this Act and section 27 of the Interpretation Act, the
5 Board may make standing orders to regulate the proceedings of the Board or
6 any committee thereof.

7 2.-(1) The Board shall meet not less than two times in every year
8 for the exercise of its functions under this Act and at such times and places as
9 the Chairman may, from time to time, appoint.

10 (2) The Chairman shall, if required to do so by notice in writing by
11 not less than five other members, call a special meeting of the Board to be
12 held within 28 days from the date on which the notice is given.

13 (3) Any notice given under sub-paragraph (2) of this paragraph
14 shall state the matters to be discussed at the special meeting and any matter
15 not so stated shall not be discussed at the meeting.

16 (4) At every meeting of the Board, the Chairman shall preside and
17 in his absence the members present shall appoint one of their number to
18 preside at that meeting.

19 3. The quorum of the Board shall be four and the quorum of any
20 committee of the Board shall be determined by the Board.

21 4. Minutes of every meeting of the Board shall be regularly
22 entered in a book to be kept for the purpose and shall, after approval by
23 members, be signed by the Chairman at the next ensuing meeting.

24 5. The Board may act notwithstanding any vacancy in its
25 membership or any defect in the appointment of a member or the fact that
26 any person not entitled to do so took part in the proceedings.

27 6.-(1) The seal of the Board shall not be used or affixed to any
28 document, except in pursuance of a resolution duly passed at a properly
29 constituted meeting of the Board.

30 (2) The fixing of the seal of the Board shall be authenticated by the

1 signature of the Chairman or the Director or of some other member authorised
2 generally or specifically to act for that purpose by the Board.

3 (3) Any contract or instrument which, if made or executed by a person
4 not being a body corporate, would not be required to be under seal, may be
5 made or executed on behalf of the Board by any person generally or specially
6 authorised to act for that purpose by the Board.

7 (4) Any document purporting to be a document duly executed under
8 the seal of the Board shall be received in evidence and shall, unless the contrary
9 is proved, be presumed to be so executed.

10 7. Members of the Board who are not public officers shall be paid out
11 of the money at the disposal of the Board such travelling and other allowances
12 in accordance with such scales as may be approved, from time to time, by the
13 Minister.

14 8. Any member of the Board or a committee thereof who has a
15 personal interest in any contract or arrangement entered into or proposed to be
16 considered by the Board or a committee thereof shall forthwith disclose his
17 interest to the Board or committee and shall not vote on any question relating to
18 such contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian Centre for Vaccine Research and Development, to promote research in the discovery and development of vaccines for the treatment and cure of diseases and to make provision for the general administration of the Centre

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL INSTITUTE OF ARID AND CLIMATE STUDIES, MAFA, BORNO STATE AND FOR RELATED MATTERS, 2021

Sponsored by Hon. Ibrahim Mohammed Bukar

[] Commencement

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

1 PART I - ESTABLISHMENT, OBJECTIVES AND FUNCTIONS OF THE

2 INSTITUTE OF ARID AND CLIMATE STUDIES, MAFA, BORNO STATE

3 1.-(1) There is hereby established the Federal Institute of Arid and
4 Climate Studies, Mafa, Borno State (in this Act referred to as "the Institute").

Establishment
of the Federal
Institute of arid
and Climate studies,
Mafa, Borno State

5 (2) The Institute:

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

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

9 (c) may acquire, hold and dispose of any property for the purpose
10 of carrying out its functions under this Act.

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

Objectives of
the Institute

12 (a) serve essentially as a Institute devoted to research in arid and
13 climates studies;

14 (b) encourage the advancement of learning and to hold out to all
15 persons without distinction of race, creed, sex or political conviction the
16 opportunity of acquiring higher and liberal education;

17 (c) provide courses of instruction and other facilities for the pursuit
18 of learning in Diplomas, Certificates, Short Courses, Summer School and to
19 make those facilities available on proper terms to such persons as are
20 equipped to benefit from them;

21 (d) encourage and promote scholarship and conduct research in

1 restricted fields of learning and human endeavor;
2 (e) relate its activities to the social, cultural and economic needs of the
3 people of Nigeria; and
4 (f) undertake other activities appropriate for a Institute of the highest
5 standard.

Governing Board
of the Institute

6 **3.-(1)** There is established for the Institute a Governing Board (in this
7 Act referred to as "the Board") which shall be approved by the president.

8 (2) The Board shall consist of:

9 (a) A Chairman to be appointed by the President on the
10 recommendation of the Minister;

11 (b) one representative of the:

12 (i) Federal Ministry responsible for Agriculture;

13 (ii) Federal Ministry responsible for Environment;

14 (iii) Federal Ministry responsible for Education,

15 (iv) National Board for Technical Education,

16 (c) the Rector of the Institute;

17 (d) two persons to be appointed by the Minister on the approval of the
18 President who by reason of their ability, experience and specialized knowledge
19 of the Arid and Climates Studies are capable of making useful contributions to
20 the work of the Institute; and

21 (e) the Registrar of the Institute who shall also be the Secretary to the
22 Board.

23 (3) A member of the Board, other than an ex-officio member, shall
24 hold office for a term of four years and may be re-appointed for a further term of
25 four years and no more.

26 (4) The Chairman and members of the Board, who are not ex-officio
27 members, shall be appointed by the President on the recommendation on the
28 Minister.

29 (5) The supplementary provisions set out in the schedule to this Act

1 shall have effect with respect to the proceedings of the Board and other
2 matters contained therein.

3 4.-(1) The Chairman shall hold office for a term of four years and
4 may be re-appointed by the President for a further term of four years and no
5 more.

Tenure of office
of members of
the Board

6 5.-(1) The Chairman and members of the Board shall be paid such
7 emoluments as may be specified in their letters of appointment.

Remuneration of
members of the
Board

8 (2) The allowances payable to members of the Board shall be in
9 accordance with such rates as may be specified and approved by the Federal
10 Government from time to time.

11 6.-(1) The Chairman or any member of the Board may be removed
12 for misconduct or inability to perform the functions of his office.

Removal from
Office of a
members of the
Board

13 (2) Where it appears to the Minister that a member of the Board
14 should be removed on ground of misconduct or inability to perform the
15 functions of his office, the Minister shall make recommendation for such
16 removal to the President.

17 (3) Where the President, after making such inquiries as he
18 considers necessary approves the recommendation, he shall remove such
19 member from office.

20 (4) A member of the Board may resign his appointment by a letter
21 to the President through the Minister.

22 7.-(1) The functions of the Institute shall be:

Functions of the
Institute

23 (a) provide a forum for intellectuals and expert in the field of study
24 into Arid conditions and desertification;

25 (b) to provide detailed identification of technical and skills
26 acquisition needs for the economy in training and development training
27 programmes to meet those needs;

28 (c) to establish a vocational education and training system which
29 includes basic and specialized training to meet the needs of both the formal
30 and informal sectors;

1 (d) to carry out training of students and retraining of professionals to
2 meet newest requirement identified in paragraph (a);

3 (e) to satisfy the demands of the labour market for employees with
4 trade skills in order to improve production and productivity of the economy;

5 (f) to promote the balancing of supply and demand for skilled labour
6 in both wage employment and for skills needed for self-employment in rural
7 and urban areas;

8 (g) to promote on the job training in industry for both apprenticeship
9 training and for skills updating and upgrading;

10 (h) to promote and undertake any other activity that in the opinion of
11 the management is calculated to help achieve the purposes of the Institute;

12 (i) researching into modern methods of ways of combating and
13 controlling effect of climate;

14 (j) investing in analysis and research through the holding of
15 conferences, workshops, seminars and symposia;

16 (k) from time to time publishing and gazzeting it's research findings in
17 a journal of the institute and it's website;

18 (l) homonizing and unifying all research works carried out by the
19 institute and ensuring; the professional status necessary for promoting research
20 work and mitigation methods;

21 (m) awarding certificate to researchers for excellence;

22 (n) partnering and affiliating with reputable institutions around the
23 world, corporate bodies or individual who may be interested in the functions of
24 the institution; and

25 (o) the institute may solicit for or accept grants to aids it's research,
26 provided that such grants are known to the government and the public.

27 (2) The Institute shall ensure that the training approach to be followed
28 shall be highly job specific and practical and shall utilize modern methods of
29 management skills development usually utilized by similar establishments in
30 order to attain the highest standards.

1	8.-(1) The Board shall:	Functions and Powers of the Board
2	(a) subject to the provisions of this Act, be charged with the general	
3	control and supervision of the policy, staff, finances and property of the	
4	Institute;	
5	(b) ensure that the Institute is staffed by persons with competencies	
6	in relevant fields;	
7	(c) ensure that proper accounts of the Institute are kept and that	
8	those accounts are audited annually as specified in this Act;	
9	(d) control courses of study of the Institute and the examinations	
10	held in those courses; and	
11	(e) do such other things as are necessary for the successful	
12	performance of its functions and those of the Institute.	
13	(2) The Board may subject to its standing orders, appoint such	
14	standing and ad-hoc committees as the Board may think fit, to consider and	
15	report on any matter with which the Institute is concerned.	
16	(3) A committee appointed pursuant to the provisions of	
17	subsection (2) of this section shall be presided over by a member of the	
18	Board, and shall consist of such number of persons who are not necessarily	
19	members of the Board as the Board may determine.	
20	9. For the effective carrying out its objectives and functions under	Powers of the Institute
21	this Act, the Institute shall have power to:	
22	(a) establish such units and departments within the Institute as may,	
23	from time to time, be deemed necessary;	
24	(b) institute and award fellowships, scholarships, bursaries,	
25	medals, prizes and other awards;	
26	(c) provide for the discipline and welfare of the staff and students	
27	of the Institute;	
28	(d) hold examinations and award diplomas, certificates and other	
29	distinctions to persons approved by the Institute as having satisfied the	
30	requirements of the Institute;	

1 (e) determine and demand from any student or any other person
2 attending the Institute for the purpose of instruction and training, such fees as
3 the Institute may, from time-to-time fix;

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

6 (g) erect, provide, equip and maintain libraries, lecture halls or
7 residences, sports grounds, dining halls and other buildings suitable for the
8 objectives of the Institute;

9 (h) undertake publishing and book sales and liaise with other
10 professional bodies and institutions in respect of book publishing for activities
11 suitable for the objectives of the Institute;

12 (i) subject to any limitations or conditions imposed by this Act, invest
13 any money accruing to the Institute by way of endowment, whether for general
14 or special purposes and such other money as may not be immediately required
15 for current expenditure in investments, securities or in the purchase or
16 improvement of land, with power from time to time to vary such investment;
17 and

18 (j) do all other things that are necessary and incidental to giving full
19 effect to the provisions of this Act.

20 PART II - STAFF OF THE INSTITUTE

Appointment
of Principal
Officers of the
Institute

21 **10.-(1)** The Principal Officers of the Institute shall consist of:

22 (a) the Rector;

23 (b) the Director of Studies;

24 (c) the Registrar;

25 (d) the Bursar;

26 (e) the Librarian; and

27 (f) such other Officers as may from time to time be appointed and
28 removed from office on the approval of the Minister.

29 (2) The Principal Officers of the Institute other than the Rector shall
30 be appointed by the Board.

- 1 **11.**-(1) There shall be appointed for the Institute by the President on Appointment of
2 the recommendation of the Minister, a Rector who shall be a graduate of a Rector of the
3 recognized University and has since his qualification been actively Institute
4 employed or engaged in the arid and climate studies in managerial capacity
5 for a continuous period of not less than ten years.
- 6 (2) The Rector shall be the Chief Academic and Chief Executive
7 Officer of the Institute and shall be responsible for the day-to-day
8 administration of the Institute.
- 9 (3) The Rector shall hold office for a term of four years and shall be
10 eligible for re- appointment for another term of four years and no more.
- 11 (4) Subject to the provisions of this section, the Rector shall hold
12 office on such terms as may be specified in his letter of appointment.
- 13 **12.**-(1) There shall be a Director of Studies who shall be The Director of
14 responsible to and assist the Rector of the Institute in the execution of his Studies
15 duties.
- 16 (2) Subject to the provisions of subsection (1) of this section, the
17 Director of studies shall be in charge of co-coordinating the activities of the
18 Heads of Departments in training, collation and publication of course
19 materials of the Institute.
- 20 (3) The Director of Studies shall be appointed by the Board on the
21 recommendation of the Rector and shall hold office on such terms as may be
22 specified in his letter of appointment.
- 23 **13.** There shall be for the Institute, a Registrar who shall be the The Registrar of
24 Head of Administration of the Institute and shall be responsible to the Rector the Institute
25 for the day-to-day administration of the Institute.
- 26 **14.**-(1) The Bursar shall be the Chief Finance Officer of the The Bursar of
27 Institute and shall be responsible to the Rector for the day-today the Institute
28 administration and control of the financial affairs of the Institute.
- 29 (2) Any person to be appointed to the office of the Bursar shall have
30 appropriate qualification with cognate experience in financial matters and

	1	shall be a member of a relevant and recognized professional body.
	2	(3) The Bursar shall hold office for such period and on such terms and
	3	conditions as to emoluments as may be specified in his letter of appointment.
The Librarian of the Institute	4	15. -(1) The Librarian shall be responsible to the Rector for the
	5	administration of the Institute's libraries.
	6	(2) Any person to be appointed to the office of the Librarian shall be a
	7	certified librarian with cognate experience in Library matters and member of
	8	the Library Council of Nigeria.
	9	(3) The Librarian shall hold office for such period and on such terms
	10	and conditions as to emoluments as may be specified in his letter of
	11	appointment
Appointment of other employees of the Institute	12	16. -(1) The Board may, from time to time appoint for the Institute,
	13	such other staff as it may deem necessary, to assist the Rector in the
	14	performance of his functions under this Act.
	15	(2) Without prejudice to the generality of subsection (1) of this
	16	section, the Board may appoint persons or employees of the Institute, either by
	17	way of transfer or secondment from any of the public services in the federation.
Conditions of Service of employees of the Institute	18	17. The remuneration, tenure and condition of service of employees
	19	of the Institute shall be as those applicable to similar tertiary Institutions in
	20	Nigeria.
Removal from office of the Rector	21	18. -(1) If it appears to the Board that the Rector should be removed
	22	from office on grounds specified under section 6 of this Act, the Board shall
	23	make a recommendation to the Minister, who after making such inquiries as he
	24	may deem fit, approve the recommendation.
	25	(2) The Minister shall, with the written approval of the President,
	26	declare the office of the Rector vacant.
Removal and Discipline of Principal Officers	27	19. -(1) If it appears to the Board that there are reasons for believing
	28	that a person employed as a Principal Officer of the Institute, other than the
	29	Rector, should be removed from office on grounds of misconduct or inability to

1 discharge the functions of his office, the Board through its appropriate
2 committee shall:

3 (a) give notice of those reasons to the person concerned;

4 (b) afford him an opportunity of making representation on the
5 matter to the Board in person; and

6 (c) if the person concerned or any other member of the Board so
7 requests, within the period of one month beginning with the date of the
8 notice, make arrangements:

9 (i) for the Appointments and Promotion Committee of the Board or
10 an Ad-Hoc Committee of the Board to investigate the matter and report to
11 the Board, and

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

14 (2) Where the Board, after considering the report of the
15 investigating committee, is satisfied that the person in question should be
16 removed, the Board may remove the person concerned by an instrument in
17 writing signed by the Chairman of the Board.

18 (3) For a good cause, an employee may be suspended from office or
19 his appointment may be terminated by the Board.

20 (4) For the purpose of sub-section (3) of this Section, "good cause"
21 means:

22 (a) physical or mental incapacity, which the Board, after obtaining
23 medical advice, considers to be such as to render the person concerned
24 unable to discharge the functions of his office;

25 (b) conduct of a scandalous or other disgraceful nature which the
26 Board considers to be such as to render the person unfit to continue to hold
27 his office; or

28 (c) conduct which the Board considers to be such as to constitute a
29 failure or inability of the person concerned to discharge the functions of his
30 office or to comply with the terms and conditions of his service.

1 (5) A person suspended pursuant to sub-section (3) of this section
2 shall be placed on half pay and the Board shall within six months of suspension
3 come to a decision as to whether to:

4 (a) continue with that person's suspension;

5 (b) reinstate that person to his office, in which case the Board shall
6 restore his full emoluments to him with effect from the date of the suspension;

7 (c) terminate that person's appointment, in which case the person shall
8 not be entitled to the proportion of his emoluments which might have been
9 withheld during the period of suspension; or

10 (d) take such lesser disciplinary action against that person, including
11 the restoration of the proportion of his emoluments which might have been
12 withheld.

13 (6) It shall be the duty of the person who signed the instrument of
14 removal by virtue of sub-section (2) of this section to serve or cause to be
15 served on the person concerned, a copy of the instrument.

16 (7) The Board may make regulations from time to time for the
17 discipline of other categories of employees and workers of the Institute as it
18 may think fit.

Discipline of
Junior Staff

19 **20.**-(1) Where a junior member of staff is accused of misconduct or
20 inefficiency, the Rector may suspend him for not more than three months and
21 shall refer the matter to the Junior Staff Disciplinary Committee to make
22 recommendations as to the appropriate action to be taken by the Rector.

23 (2) In all cases under this section, the junior member of staff shall be
24 informed in writing of the charges against him and be given reasonable
25 opportunity to defend himself.

26 (3) The Rector may, after considering the recommendation made
27 pursuant to subsection (1) of this section, downgrade, retire or dismiss the
28 junior officer or terminate the appointment.

29 (4) A person aggrieved by a decision of the Rector under sub-section
30 (3) of this section may, within a period of 21 days from the date of receipt of the

1 letter communicating the decision to him, address a petition to the Board to
2 reconsider his case and the Board's decision thereon shall be final.

3 **21.**-(1) Service in the Institute shall be approved service for the Service in the
4 purpose of the Pension Reform Act, and accordingly, officers and other Institute to
5 persons employed in the Institute shall in respect of their service in the Pensionable
6 Institute, be entitled to pension, and other retirement benefits, provided that
7 nothing in this Act shall prevent the appointment of a person to any office on
8 terms which preclude the grant of a pension in respect of that office.

9 (2) For the purpose of the application of the provisions of the
10 Pension Reform Act, any power exercisable thereunder by a Minister or
11 other authority of the Government of the Federation, other than the power to
12 make regulations under section 23 thereof is hereby vested in and shall be
13 exercisable by the Board and not by any other authority.

14 **PART III - ACADEMIC BOARD OF THE INSTITUTE**

15 **22.**-(1) There is established for the Institute an Academic Board Establishment
16 which shall consist of: of the Academic
Board of the
Institute

- 17 (a) the Rector of the Institute as Chairman;
18 (b) the Director of Studies;
19 (c) all Heads of Department;
20 (d) two members elected by the Congregation;
21 (e) the Librarian; and
22 (f) the Registrar of the Institute who shall be the Secretary to the
23 Academic Board.

24 (2) The Rector shall preside at the meetings of Academic Board
25 and in his absence the Director of Studies shall preside but in their absence
26 the members present shall elect one of their number to preside at the
27 meeting.

28 (3) The Academic Board shall meet at least once in a semester.

29 (4) Subject to sub sections (2) and (3) of this section, the Academic
30 Board shall regulate its own procedure.

Functions of the Academic Board	1	23. Subject to the provisions of this Act, the Academic Board shall
	2	formulate, regulate and continuously evaluate the academic programmes of the
	3	Institute including:
	4	(a) the organization and control of courses of study and the
	5	examination held in connection with those courses;
	6	(b) the award of diplomas, certificates and such other qualifications as
	7	may be prescribed in connection with examination held as aforesaid.
	8	(c) Such other functions as the Board may from time to time assign to
	9	it.
Creation of departments	10	24.-(1) The Institute shall create such departments as may be
	11	necessary from time to time.
	12	(2) Each academic department shall have a Departmental Board.
	13	(3) Each academic department shall elect from its members, five
	14	members to serve on its Departmental Board, two of such persons being elected
	15	as Chairman and Secretary respectively, and all members so elected to the
	16	Departmental Board shall each hold office for a period of two academic
	17	sessions.
	18	(4) Subject to such standing orders that may be made by the Academic
	19	Board for that purpose, each Departmental Board may carry out its duties as it
	20	deems fit.
	21	(5) Each academic Department shall appoint a board of examiners
Candidates for Examination	22	and that board shall be charged with the conduct of examination under this
	23	section and thereafter make its recommendations to the Academic Board.
	24	(6) Members of the Departmental Board and board of examiners shall
	25	not be entitled to any emoluments other than expenses reasonably incurred in
	26	the course of the business of the Departmental Board or the board of examiners,
	27	respectively.
	28	25. Any candidate for any examination shall satisfy the appropriate
	29	Departmental Board that he is:
	30	(a) a registered student of the Institute; and

1 (b) in possession of and is therein named as the holder of a
2 certificate that qualified him for admission to the Institute.

3 **26.** Diplomas and certificates shall be awarded to students of the Award of Diplomas
and Certificates
4 Institute who are of good character and learning and who have passed the
5 examinations prescribed by the Academic Board for the award of same.

6 **27.**-(1) There shall be for the Institute a body known as Congregation
7 Congregation which shall consist of:

- 8 (a) the Rector;
- 9 (b) the Director of Studies;
- 10 (c) members of the Academic Boards;
- 11 (d) the Registrar;
- 12 (e) the Bursar;
- 13 (f) the Librarian; and
- 14 (g) every member of staff who holds a minimum of Higher
15 National Diploma or its equivalent from a recognized institution.

16 (2) The Rector shall be the Chairman at all meetings of
17 congregation when present, and in his absence such other member of
18 congregation present at the meeting, as congregation may appoint, shall be
19 the Chairman at the meeting.

20 (3) The quorum of congregation shall be one third (or the number
21 nearest to one third) of the total number of members of congregation
22 whichever is less.

23 (4) Subject to the foregoing provisions of this Act congregation
24 may regulate its own procedure.

25 (5) Congregation shall be entitled to express by resolution or
26 otherwise its opinion on all matters affecting the interest and welfare of the
27 Institute and shall have such other functions in addition to the function of
28 electing a member of the Academic Board.

29 **PART IV - FINANCIAL PROVISIONS**

30 **28.** (1) The Institute shall establish and maintain a fund. Fund of the
Institute

1 (2) There shall be paid and credited to the fund, established pursuant
2 to sub-section (1) of this section:

3 (a) such monies as may, from time to time, be granted to the Institute
4 by the government of the federation or of a state or any of their agencies;

5 (b) all monies raised for the purposes of the Institute by way of gifts,
6 grant-in-aid, testamentary disposition or otherwise;

7 (c) all subscriptions or fees, and charges for services rendered by the
8 Institute;

9 (d) all interests received in respect of monies invested by the Institute;
10 and

11 (e) such other monies as may from time to time accrue to the Institute.

12 (3) The fund shall be managed in accordance with guidelines given by
13 the Minister and without prejudice to the generality of the power to give
14 guidelines under this subsection, the guidelines shall in particular contain such
15 provisions specifying the manner in which the assets of the Institute are to be
16 held, and regulating the making of payments into and out of the fund.

Expenditure
of the Institute

17 **29.** The Institute may, from time to time, apply the Fund established
18 under subsection (1) of this section:

19 (a) to the cost of administration of the Institute and of any research
20 under the Institute's administration;

21 (b) for reimbursing a member of any Committee set up by the Institute
22 for expenses expressly authorized by the Institute;

23 (c) for the provision of scholarships and other awards for the training
24 of staff of the Institute;

25 (d) for the payment of salaries, fees or other remuneration,
26 allowances, pensions or superannuation payable to the employees of the
27 Institute.

28 (e) for the maintenance of any property vested in the Institute.

Powers to accept
gifts

29 **30.-(1)** The Institute may accept gifts, legacies and donations of land,
30 money or other property, on such terms and conditions, if any, as may be

1 specified by the person or organization making the gift.

2 (2) The Institute shall not accept a gift if the conditions attached by
3 the person or organization making the gift are inconsistent with the
4 objectives and functions of the Institute.

5 **31.**-(1) The Institute may, with the consent of the Minister or in Power to borrow
6 accordance with the general authority given by the Federal Government,
7 borrow by way of loan or overdraft, from any source, any monies required
8 by the Institute for meeting its obligations and discharging its functions
9 under this Act, provided that no such consent or authority shall be required,
10 where the sum or the aggregate of the sums involved at anyone time does not
11 exceed the limit set by the Minister.

12 (2) Notwithstanding the provisions of subsection (1) of this
13 section, where the sum to be borrowed is in foreign currency, the Institute
14 shall not borrow the sum without the prior approval of the Minister.

15 **32.**-(1) The Board shall cause to be prepared, not later than 30th Annual Estimate,
16 September in each year, an estimate of the expenditure and income of the Accounts and
17 Institute during the next succeeding year, and when prepared, they shall be Audit
18 submitted to the Minister through the Board.

19 (2) The Board shall cause to be kept proper accounts of the Institute
20 and proper records in relation thereto and when certified by the Board the
21 accounts shall be audited as provided in subsection (3) of this section.

22 (3) The accounts of the Institute shall be audited within six months
23 after the end of each year by auditors appointed by the Board from the list
24 and in accordance with the guidelines supplied by the Auditor General for
25 the Federation, and the fees of the auditors generally shall be paid from the
26 funds of the Institute.

27 **33.** The Board shall, not later than 31st July in each year, submit to Annual report
28 the President report, in such form as the President may, from time to time,
29 direct on the activities of the Institute during the preceding year, and shall
30 include in the report the audited accounts of the Institute.

PART V - MISCELLANEOUS PROVISIONS

Discoveries,
Invention and
Improvements

1
2 **34.**-(1) Subject to the provisions of this Act, the results of all
3 researched discoveries, inventions and improvements in respect of processes,
4 apparatus made by:

5 (a) employees and Student of the Institute; and

6 (b) persons assisting the Institute with any investigation or research,
7 shall vest in the Institute.

8 (2) Where the rights in any discoveries, inventions or improvements
9 are vested in the Institute by virtue of subsection (1) of this section, the Board
10 may award to the person responsible for the discoveries, inventions or
11 improvements such bonus as it deems fit and make provisions for financial
12 participation by him in the profits derived from such discoveries, inventions or
13 improvements to such extent as the Minister may determine.

14 (3) The provisions of this section shall not apply in respect of a
15 discovery or an invention or improvement contemplated in subsection (1) of
16 this section, if in the opinion of the Board such discovery, invention or
17 improvement was not made by the person:

18 (a) in the course of his employment as an employee of the Institute;

19 (b) during the performance of functions in respect of which he has
20 been placed at disposal of the Institute;

21 (c) in the course of any investigation or research in which he assisted
22 the Institute; or

23 (d) in the course of any research in respect of which he receives a
24 bursary or grant-in-aid from the Institute.

Power of the
Minister to give
directives

25 **35.** The Minister may give to the Institute or the Board, directives of a
26 general nature or relating generally to matters of relating to policy and the
27 performance of any function by the Institute or the Board and it shall be the
28 duty of the Institute or the Board to comply with those directives.

Office and
Premises

29 **36.**-(1) For the purpose of providing offices and premises necessary
30 for the performance of its functions, the Institute may:

1 (a) purchase or take on lease any interest in land, building or
2 property; or

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

4 (2) The Institute may, subject to the Land Use Act, sell or lease out
5 land, office or premises held by it, which is no longer required for the
6 performance of its functions under this Act.

7 **37.** The Institute shall establish and maintain a library comprising
8 such books, records, reports and other publications as may be directed by the
9 Board for the advancement of knowledge in the areas of work undertaken by
10 it, for research purposes and for other purposes connected with the functions
11 conferred on the Institute under this Act.

Provision of
Library Services

12 **38.-(1)** No suit against the Institute, a member of the Board or an
13 employee of the Procedure in Institute for any act done in pursuance or
14 execution of any law of any public respect of suit duties or in respect of any
15 alleged neglect or default in the execution of such against the law or duties
16 shall lie or be instituted in any court unless it is commenced within Institute
17 etc. twelve months after the act, neglect or default complained of or, in the
18 case of a continuance of damage or injury, within twelve months after the
19 ceasing thereof.

Procedure in
respect of suit
against the
Institute etc.

20 (2) No suit shall be commenced against the Institute before the
21 expiration of a period of one month after written notice of intention to
22 commence the suit shall have been served upon the Institute by the intending
23 plaintiff or his agent, and the notice shall clearly and explicitly state the:

24 (a) cause of action;

25 (b) particulars of the claim;

26 (c) name and place of abode of the intending plaintiff; and

27 (d) relief which he claims.

28 **39.** The notice referred to in section 38 (2) of this Act and any
29 summons, notice or other document required or authorized to be served
30 upon the Institute under the provisions of this Act or any other law may be

Service of
documents

	1	served by delivering the same to the Chairman or the Rector or by sending it by
	2	registered post addressed to the Rector at the principal office of the Institute.
Indemnity of members of the Board and employee of the Institute	3	40. Every member of the Board, agent, auditor or employee for the
	4	time being of the Institute shall be indemnified out of the assets of the Institute
	5	against any liability incurred by him in defending any proceeding whether civil
	6	or criminal, if any such proceeding is brought against him in his capacity as
	7	such member, agent, auditor or employee.
Climate Risk and Vulnerability	8	41.-(1) The Institute shall integrate climate risk and vulnerability
	9	assessment into all forms of climate change assessment, and for that purpose
	10	liaise, through the Agency for technical advice.
	11	(2) The Nigerian Education Research & Development Council, shall
	12	integrate climate change into various disciplines, courses and subjects of the
	13	Institute's education curricula at all levels.
Transitional provisions	14	42.-(1) On the commencement of this Act, any person employed by or
	15	serving in the Institute shall be deemed to have been employed or serving in the
	16	Institute under this Act.
	17	(2) All assets or liabilities belonging to the Institute shall be deemed to
	18	belong to the Institute established under this Act.
Power to make regulations	19	43.-(1) The Board may, with the approval of the Minister, make
	20	regulations for giving effect to the provisions of this Act and without prejudice
	21	to the foregoing the regulations shall provide for matters including the:
	22	(a) entry into and the type of courses and programmes approved by
	23	the Institute;
	24	(b) duration of the courses and programmes; and
	25	(c) degrees, diplomas, or certificates if any to be awarded by the
	26	Institute.
	27	(2) Any regulations made pursuant to subsection (1) of this section
	28	shall be published in the Federal Gazette.
Interpretation	29	44. In this Act, unless otherwise requires:

1 "Act" means the Federal Institute of Arid and Climate Studies, Mafa, Borno
2 State, Act;
3 "arid" means being without moisture; extremely dry, barren or unproductive
4 because of lack of moisture, lacking interest or imaginativeness;
5 "arid crops" means crops that can withstand arid zones e.g. Pearl millet,
6 cluster bean, mung bean, moth bean, sesame, and mustard;
7 "institute" means the Federal Institute of Arid and Climate Studies, Mafa,
8 Borno State established by section 1 of this Act;
9 "board" means the governing body of the Institute;
10 "chairman" means chairman of the Governing Board;
11 "director" means Director of the Institute;
12 "government" means government of the Federal Republic of Nigeria;
13 "Climate" means as the average weather, or more rigorously, as the
14 statistical description in terms of the mean and variability of relevant
15 quantities over a period of time ranging from months to thousands or
16 millions of years;
17 "climate change" means a change of climate, which is attributed directly or
18 indirectly to human activity or natural climate variability that alters the
19 composition of the global atmosphere and which is in addition to natural
20 climate variability observed over comparable time periods; and
21 "president" means President of the Federal Republic of Nigeria.

22 **45.** This Bill may be cited as the Federal Institute of Arid and Short title
23 Climate Studies, Mafa, Borno State (Establishment) Bill, 2021.

1 SCHEDULE

2 [Section 3 (4)]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD ETC

4 *Proceedings of the Board*

5 1.-(1) Subject to the provisions of this Act and Section 27 of the
6 Interpretation Act, the Board shall have power to regulate its proceedings and
7 may make standing orders with respect to holding of its meetings and those of
8 any of its committees, the notice to be given, the proceedings thereat, the
9 keeping of minutes of those proceedings and the custody and production for
10 inspection of the minutes.

11 (2) The quorum of the Board shall be five and the quorum of a
12 committee of the Board shall be determined by the Board.

13 (3) subject to the provisions of any applicable standing orders, the
14 Board shall meet whenever it is summoned by the Chairman and if the
15 Chairman is required so to do by notice given to him by not less than six other
16 members he shall summon a meeting of the Board to be held within twenty one
17 days from the date on which the notice is given.

18 (4) At any meeting of the Board, the Chairman shall preside but if he is
19 absent the members present at the meeting shall appoint one of their number to
20 preside at that meeting.

21 (5) Where the Board wishes to obtain the advice of any person on a
22 particular matter, the Board may co-opt him as a member for such period as it
23 thinks fit, but a person who is a member by virtue of this sub-paragraph shall
24 not be entitled to vote at any meeting of the Board and shall not count towards a
25 quorum.

26 *Committees*

27 (6) The Board may appoint one or more committees to carry out on
28 behalf of the Board, such of its functions as the Board may determine.

29 (7) A committee appointed under this schedule shall consist of such
30 number of persons (not necessarily members of the Board) as may be

1 determined by the Board; and a person other than a member of the Board
2 shall hold office on the committee in accordance with the terms of his
3 appointment.

4 (8) A decision of a committee of the Board shall be of no effect until
5 it is confirmed by the Board.

6 *Miscellaneous*

7 (9) (1) The fixing of the seal of the Institute shall be authenticated
8 by the signature of the Chairman and the Rector.

9 (2) Any document purporting to be a document duly executed
10 under the seal of the Institute, shall be received in evidence and shall unless
11 the contrary is proved be presumed to be so executed.

12 (10) The validity of the proceedings of the Board or any of its
13 committees shall not be affected by:

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

15 (b) reason that a person not entitled to do so took part in the
16 proceedings; or

17 (c) a defect in the appointment of a member.

18 (11) A member of the Board and a person holding office on a
19 committee of the Board, who has a personal interest in any contract or
20 arrangement entered into or proposed to be considered by the Board or the
21 Committee;

22 (a) Shall forthwith disclose his interest to the Board or Committee,
23 as the case may be; and

24 (b) Shall not vote on any question relating to contract or
25 arrangement.

EXPLANATORY MEMORANDUM

*(This memorandum does not form part of the Bill but is intended
to explain its purport).*

This Bill seeks to establish the Federal Institute of Arid and Climate Studies, Mafa, Borno State, and to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring higher and liberal education.

FEDERAL COLLEGE OF AGRICULTURE, KABBA, BILL, 2021

ARRANGEMENT OF SECTION

Section:

PART I - ESTABLISHMENT OF THE FEDERAL COLLEGE OF
AGRICULTURE, KABBA

1. Establishment of Federal College of Agriculture, Kabba
2. Governing Council of the college
3. Membership of the Council of the college
4. Tenure of office of members of the college
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 college
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
17. Pensions.

PART II - FINANCIAL PROVISIONS

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

PART III

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

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF AGRICULTURE KABBA,
PROVIDE FOR THE FUNCTIONS AND FOR RELATED MATTERS

Sponsored by Hon. James Abiodun Faleke

[] Commencement

BE IT ENACTED by national Assembly of the federal republic of
Nigeria as follows

1 PART I - ESTABLISHMENT, COMPOSITION AND FUNCTION OF FEDERAL
2 COLLEGE OF AGRICULTURE, KABBA

3 1.-(1) The Federal College of Agriculture Kabba, Kogi State, as it
4 exist is hereby established by this Act and shall have such powers and
5 exercise such functions as are conferred on them this Act.

Establishment
of the Federal
College of
Agriculture Kabba,
Kogi State

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

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

Governing Council
of the College

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

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

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

18 (c) the yearly estimate of the college;

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

20 3.-(1) The Council of the college shall consist of a chairman and the
21 following other members, to be appointed by the President-

Membership
of the Council
of the College

	1	(a) a representative of the Federal Ministry of education;
	2	(b) a representative of the alumni association of the college;
	3	(c) three persons appointed on individual merit on a nationwide basis
	4	who should have wide experience in the area of livestock or crop production
	5	(d) two representatives of the Academic Board of the college;
	6	(e) one representative of the ministry of Agriculture;
	7	(f) an Indigene of Kogi State; and
	8	(g) the Provost of the college.
Tenure of office of Members of the Council	9	4.-(1) Each member of the Council (other than an ex-officio member)
	10	shall hold office for a term of four years and shall be eligible for re-appointment
	11	for a further period of four years.
	12	(2) The office of a member appointed under sections 3 (1) (d) and 3 (2)
	13	(d) of this Act shall become vacant if-
	14	(a) the member resigns his office by notice in writing under his hand,
	15	addressed to the president through the Minister; or
	16	(b) the member is convicted of any offence by any court;
	17	(c) the member becomes a person of unsound mind;
	18	(d) The members abuses office.
Functions of the College	19	5. The functions of the college shall be-
	20	(a) to encourage the advancement of learning and to hold out to all
	21	persons without distinction of race" creed, sex or political conviction, the
	22	opportunity of acquiring a higher education in agriculture;
	23	(b) to develop and offer academic programmes leading to the award
	24	of diplomas and certificates which emphasise planning, adaptive, technical,
	25	maintenance, developmental and productive skills in agriculture, agricultural
	26	engineering and allied professional disciplines with the aim of producing
	27	socially mature persons with capacity to improve on those disciplines and
	28	develop new ones, but also to contribute to the scientific transformation of
	29	agriculture in Nigeria;
	30	(c) to act as agents and catalysts, through training, research and

1 innovation for the effective and economic utilisation, exploitation and
2 conservation of Nigeria's natural, agricultural, economic and human
3 resources;

4 (d) to offer to the general population, as a form of public service,
5 the results of training and research in agriculture and allied disciplines and to
6 foster the practical application of those results;

7 (e) to establish appropriate relationships with other national
8 institutions involved in training, research and development of Agriculture;

9 (f) to identify the agricultural problems and needs of Nigeria and to
10 find solutions them within the context of overall national development;

11 (g) to provide and promote sound basic scientific training as a
12 foundation for the development of agriculture and allied disciplines, taking
13 into account indigenous culture, the need to enhance national unity, the need
14 to vastly increase the practical content of student training, and adequate
15 preparation of graduates for self-employment in agriculture and allied
16 professions;

17 (h) to promote and emphasize teaching, research and extension of
18 agricultural knowledge, including agriculture extension services and
19 outreach programmes, in-service training, continuing education, and on-
20 farm adaptive research;

21 (i) to offer academic programmes in relation to the training of
22 manpower for agriculture in Nigeria;

23 (j) to organise research relevant to training of agriculture with
24 emphasis on small-scale farming

25 (k) to organise extension services and out-reach programmes for
26 technology transfer;

27 (l) to establish institutional linkages in order to foster collaboration
28 and integration of training, research and extension activities: and

29 (m) to undertake any other activities appropriate for college of
30 Agriculture and

Powers of the Council

1 (n) to perform such other functions as in the opinion of the council
2 may serve to promote the objectives of the College.

3 6.-(1) For the carrying out of the functions of college, the Council
4 shall have power-

5 (a) undertake examinations and award diplomas, professional
6 certificates and other distinctions to persons who have pursued a course of
7 study approved and accredited by the National university Commission;

8 (b) collect from any student or any other person attending the
9 Academy for the purpose of instruction such fees as the Council may, with the
10 prior approval of the Minister, from time to time determine;

11 (c) hold public lectures and undertake printing, publishing and
12 bookselling;

13 (d) make gifts for any charitable purpose;

14 (e) hold examinations for student or teachers;

15 (f) provide amenities for and make such other provision for the
16 welfare of the staff of the college;

17 (g) invest the funds of the academy in securities specified by law or in
18 such other securities in Nigeria as may be approved by the Minister;

19 (h) borrow money within Nigeria in such manner and upon such
20 security as the minister may from time to time authorise;

21 (i) enter into such contracts as may be necessary or expedient for
22 carrying into effect the objectives of the college;

23 (j) recruit Staff of the right calibre and determine the career structure
24 of such staff;

25 (k) establish and maintain such schools and others teaching units
26 within the college; or extramural department as the council may, from time to
27 time, decide;

28 (l) institute and award fellowships, medals, prizes and other titles.

Visitation

29 7.-(1) The Minister of Agriculture shall be the Visitor of the college.

30 (2) The Visitor shall, not less than once in every five years, conduct a

1 visitation of the Academy; or appoint a visitation panel consisting of not less
2 than five experts to conduct the visitation-

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

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

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

The Academic
Board and its
functions

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

10 (b) all Heads of the departments

11 (c) the college Librarian; and

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

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

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

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

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

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

Power of Minister
to give directions
to the Council

25 **10.-(1)** There shall be a Provost of the college (in this Act referred
26 to as "the provost") who shall be appointed by the President, in accordance
27 with the provisions of this section.

The Provost of
the College

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

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

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

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

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

6 **11.-(1)** There shall be for the college a Deputy Provost. Deputy Provosts

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

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

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

13 (c) on the nomination of the Provost.

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

16 (a) consist of-

17 (i) the chairman of the Council;

18 (ii) the Provost;

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

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

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

24 (4) The Deputy Provost shall-

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

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

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

The Registrar
and other staff
of the College

1 (5) The Deputy Provost-

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

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

7 **12.-(1)** The Council of the College shall appoint a Registrar to the
8 college (hereinafter referred to as the Registrar'~ who shall keep the records
9 and conduct the correspondence of the Council and shall perform such other
10 duties as the Council and subject thereto as the Provost may from time to time
11 direct.

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

17 (3) A Registrar-

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

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

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

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

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

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

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

3 **13.**-(1) There shall be for the college the following principal
4 officers in addition to the registrar, that is-

Other principal
officers of the
College

5 (a) the Bursar; and

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

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

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

14 **14.**-(1) (a) shall hold office for a period of five years beginning
15 from the effective date of his appointment and on such terms and conditions
16 as may be specified in his letter of appointment; and

Bursar or
Librarian

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

19 (2) Where, on the commencement of this section, a Bursar or
20 Librarian has held office-

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

23 (b) for more than five but less than ten years, he shall complete the
24 maximum period of ten years and thereafter relinquish his post and be
25 assigned other duties in the College; (c) for ten years or more, the Council
26 may allow him to serve in that capacity for a further period of one year only
27 and thereafter he shall relinquish his post and be assigned other duties in the
28 college.

29 **15.** A principal officer may resign his appointment-

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

Resignation of
appointment of
principal officers

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

1	Council and all other sums that may accrue to the Council from any source.	
2	(3) The Council shall submit to the Minister, through the	
3	University commission not later than three months before the end of each	
4	financial year or at such other time as he may direct, an estimate of its revenue	
5	and expenditure for the next proceeding financial year.	
6	20. -(1) The Council may accept gifts	Power to accept gifts
7	(2) The Council shall not accept any gift if the conditions attached	
8	by the person making the gift are inconsistent with the functions of the	
9	Council.	
10	21. The Council shall keep proper accounts and shall in respect of	Accounts and audit
11	each year cause the accounts to be audited.	
12	22. The Council shall prepare and submit to the Minister a report	Annual reports
13	of its activities during the immediately preceding financial year.	
14	PART III - Miscellaneous and supplement	
15	23. -(1) For the purpose of providing offices and premises	Offices and premises
16	necessary for the performance of its functions, the Council may-	
17	(a) purchase any interest in or take on lease any land; and	
18	(b) build, equip and maintain offices and premises.	
19	(2) The Council may, with the approval of the Minister, sell any	
20	interest in or lease any land, offices or premises held by it and no longer	
21	required for the performance of its functions.	
22	24. -(1) The Council may make rules providing for the Provost to	Discipline of students
23	conduct enquiries into alleged breaches of discipline (including lack of	
24	diligence) by students and such rules may make different provisions for	
25	different circumstances.	
26	(2) The rules shall provide for the procedure and rules of evidence	
27	to be followed at enquiries under this section.	
28	(3) Subject to the provisions of subsection (1) of this section, where	
29	it is proved during the enquiry that any student of the Academy has been	
30	guilty of misconduct, the Provost may, without prejudice to any other	

1 disciplinary powers conferred on him by this Act or any regulations made
2 thereunder, direct-

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

6 (b) that the student be expelled from the Academy.

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

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

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

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

25 (8) Nothing in this section shall be construed as preventing the
26 restriction or termination of a student's activities at the college otherwise than
27 on the ground of misconduct.

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

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

3 **25.** In this Act, unless the context otherwise requires- Interpretation
4 "college" means Federal College of Agriculture, Kabba established under
5 section 1 of this Act;
6 "chairman" means the chairman of the Council;
7 "Council" means the Governing Council of the college established by or
8 pursuant to section 2 of this Act;
9 "Provost" means the Provost of an college appointed under section 9 of this
10 Act;
11 "functions" includes powers and duties;
12 "Minister" means the Minister of Education;
13 "member" means a member of the Council including the chairman.

14 **26.** This Bill may be cited as the Federal College of Agriculture, Citation
15 Kabba, Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal College of Agriculture Kabba, provide for the functions and to encourage the advancement of learning and to hold out to all persons without distinction of race" creed, sex or political conviction, the opportunity of acquiring a higher education in agriculture.

DIRECTORATE OF TECHNICAL COOPERATION IN AFRICA BILL, 2021

Section:

1. Establishment of the Cooperation.
2. Functions of the Cooperation
3. The Council
4. Membership of the Council
5. Terms of office
6. Filling of vacancies
7. Remuneration.

Meetings and Committees

8. Meetings of the Council.
9. Committees of the Council

Administration

10. Director and other staff
11. Pensions for employees

Financial Provisions

12. Funds of the Cooperation
13. Donations
14. Estimates of expenditure
15. Accounts and audit.
16. Annual' report.
17. Minister's powers

Miscellaneous

18. General Powers of the Cooperation
19. Regulations of the Council.
20. Rules
21. Exemption from rates and taxes
22. Interpretation
23. Citation

A BILL

FOR

AN ACT TO ESTABLISH A DIRECTORATE OF TECHNICAL COOPERATION IN
AFRICA AND FOR RELATED MATTERS

Sponsored by Hon. James Abiodun Faleke

[] Commencement

BE IT ENACTED by national Assembly of the federal republic of
Nigeria as follows:

- 1 **1.**-(1) There is hereby established a Directorate of Technical Establishment
2 Cooperation in Africa (2) The Cooperation is a body corporate and shall of the Cooperation
3 have perpetual succession and a common seal and may sue and be sued in its
4 corporate name.
5 (2) The headquarters shall be in Abuja and any states of the
6 federation as the council may direct
7 **2.** To achieve its object, the function of the Council shall be: Functions of
8 (1) To Promote technology transfer through technical cooperation the Cooperation
9 between Nigeria and other countries in Africa;
10 (2) To promote the exchange of high-level research experts in
11 Science and Technology, Humanities and Arts;
12 (3) To provide sustainable funding for the Scientific and Technical
13 Exchange Programmes (STEP);
14 (4) To provide a database of all Nigerian and African experts in
15 Science and Technology, Humanities and Arts;
16 (5) To facilitate capacity building for research and development in
17 Africa;
18 (6) To generate new ideas for Africa's development through
19 cooperative research and collaborative development activities;
20 **3.**-(1) The governing body of the Cooperation is a Council which The Council

	1	shall have the custody control and use of the common seal of the Cooperation.
	2	(2) The Council is responsible for the management and
	3	administration of the revenue and property of the Cooperation and shall subject
	4	to the functions of the Cooperation as prescribed in this Act have general
	5	control over the conduct of the affairs of the Cooperation including its public
	6	relations.
	7	(3) The Council shall advise the Government from time to time on the
	8	desirability or otherwise of Skill acquisition
Membership of the Council	9	4.-(1) The members of the Council shall be appointed by the president
	10	and they are:
	11	(a) the chairman;
	12	(b) representative of ministry of foreign Affairs;
	13	(c) representative of ministry of finance;
	14	(d) one representative of the ministry of Justice;
	15	(e) six persons from each geopolitical zone appointed on their merit,
	16	(2) The members of the Council shall be appointed by the President in
	17	accordance with
Terms of office	18	5.-(1) Subject to this Act, the members of the Council other than ex
	19	officio members shall hold office for a term not exceeding three years and are
	20	eligible for re-appointment.
	21	(2) A member may by a notice in writing addressed to the president
	22	resign from office.
	23	(3) The office of a member who is absent from Nigeria for a
	24	continuous period of twelve months shall become vacant at the end of that
	25	period.
Fining of vacancies	26	6. In the event of the death or resignation of a member or where the
	27	office of a member becomes vacant under section 5, a replacement shall be
	28	appointed or nominated for the remainder of that member's term.
Remuneration	29	7.-(1) A member of the Council other than the Director is not entitled
	30	to remuneration in respect of the membership.

1 (2) The Council may however pay to members of the Council and
2 to any other persons attending meetings of the Council the traveling and any
3 other allowances out of the funds of the Cooperation as determined by the
4 Council.

5 *Meetings and Committees*

6 **8.-(1)** The Council shall meet not less than once in every three Meetings of the
Council
7 months for the dispatch of business at the times and places determined by the
8 Council.

9 (2) The chairman may, and shall on the request in writing of not less
10 than six members of the Council, call an extraordinary meeting at the time
11 and place determined by the chairman.

12 (3) The chairman shall preside at the meetings of the Council, and
13 in the absence of the chairman a member of the Council elected by the
14 members present shall preside at the meeting.

15 (4) The quorum at every meeting of the Council shall be not less
16 than one-half of the total membership of the Council.

17 (5) Subject to the other provisions of this Act or the by-laws of the
18 Council, questions proposed at a meeting of the Council shall be determined
19 by a simple majority of the members present and voting and where the votes
20 are equal the chairman or the person presiding shall have a casting vote.

21 (6) The Council may request the attendance of a person to act as an
22 adviser at a meeting of the Council and that person while so attending shall
23 have the powers of a member, but not the power to vote on a question and the
24 presence of that adviser at the meeting shall not count towards the
25 constitution of a quorum.

26 (7) The validity of an act or a proceeding of the Council shall not be
27 affected by a vacancy among its members or a defect in the appointment of a
28 member.

29 (8) Subject to the other provisions of this section, the Council may
30 regulate its own procedure.

6 Administration

28 **11.-(1)** The Council may grant to employees pensions, allowances,
29 gratuities or retiring awards to the employees of the Cooperation as the Council
30 may after consultation with the Government determine.

1 (2) The Council may require those employees to contribute to a
2 pension provident fund.

3 *Financial Provisions*

4 **12.**-(1) Appropriation as may be made to the Cooperation by Funds of the
5 National Assembly. Cooperation

6 (2) The funds of the Cooperation include subventions from the
7 Government moneys accruing to the Cooperation in the course of the
8 performance of its function under this Act, donations, endowments, grants,
9 investments and moneys from any other source approved by the Council.

10 **13.** A donation shall be made directly to the Cooperation which Donations
11 shall utilise the donation in furtherance of any of its objectives under this
12 Act.

13 **14.**-(1) The Director shall for each financial year prepare and Estimates of
14 submit not later than two months before the commencement of that financial expenditure
15 year draft estimates of expenditure in respect of the Cooperation
16 administration and research projects during that financial year.

17 (2) The Council shall consider the estimates and shall after
18 approval by it, submit them through the Ministry responsible for Health to
19 the Government for approval.

20 (3) The Council shall ensure that the funds of the Cooperation are
21 employed solely for the purposes for which they were approved and in
22 accordance with the financial regulations made by Minister on the
23 recommendations of the Council.

24 **15.**-(1) The Cooperation shall keep proper books of accounts and Account and
25 proper records in relation to the accounts. audit

26 (2) The Cooperation shall prepare an annual statement of accounts
27 in the form and containing the particulars directed by the Auditor-General.

28 (3) The books and accounts of the Cooperation shall be audited by
29 the Auditor-General

30 (4) The Auditor-General shall in the report state whether proper

	1	books of accounts have been kept by the Cooperation and shall call the
	2	attention of the Government to a matter falling within the scope of the
	3	examination which should be brought to the attention of the Government.
	4	(5) The Council shall as soon as possible on receiving the report of the
	5	Auditor General forward a copy to the Minister.
	6	(6) The Minister shall as soon as practicable on receipt of the Auditor-
	7	General's report lay it before National Assembly.
Annual report	8	16. -(1) The Cooperation shall not later than six months after the end
	9	of each financial year submit an annual report through the Council to the
	10	Minister in the form prescribed by Minister which shall include the statement
	11	of accounts in section 16 (2) and the Minister shall as soon as practicable lay the
	12	report before National Assembly.
	13	(2) The audit report of the Auditor-General shall be included in the
	14	annual report of the Cooperation and the annual report of the Cooperation shall
	15	be published in the manner determined by the Minister.
Minister's power	16	17. The Minister is generally responsible for the Cooperation and the
	17	Council subject to this Act.
	18	<i>Miscellaneous</i>
General Powers of the Cooperation	19	18. -(1) The Cooperation may subject to any other provisions of this
	20	Act for a purpose which in the Council's opinion is necessary or expedient for
	21	or in connection with the proper performance of the functions of the
	22	Cooperation, acquire and hold movable or immovable property, sell, lease,
	23	mortgage or otherwise alienate or dispose of that property and enter into any
	24	other transaction.
	25	(2) Where there is a hindrance to the acquisition of property by the
	26	Cooperation, the property may be acquired for the Cooperation
	27	(3) A person shall not charge or dispose of land or buildings of the
	28	Cooperation without the consent in writing of the Council, which may be
	29	signified by the signature of the chairman or of any other person duly
	30	authorised by the Council to act in that behalf.

1	19. The Minister may, by legislative instrument, make Regulations	Regulations of
2	on the recommendations of the Council for the purposes of giving effect to	the Council
3	this Act.	
4	20. The Council may make appropriate Rules for the proper	Rules
5	administration of the Cooperation.	
6	21. Subject to the Constitution, the Cooperation shall for its own	Exemption from
7	purposes be exempted from the payment of the taxes rates and duties	rates and taxes
8	approved in writing by the Minister responsible for Finance.	
9	22. The Director and the employees of the Cooperation holding	Transitional
10	office immediately before the commencement of this Act shall be deemed to	provisions
11	have been duly appointed under this Act.	
12	23. In this Act, unless the context otherwise requires,	Interpretation
13	"Cooperation" means Directorate of Technical Cooperation in Africa	
14	"financial year" means financial year of the Government;	
15	"Functions includes powers and duties;	
16	Minister means minister of Foreign Affairs	
17	24. This Bill may be cited as Directorate of Technical Cooperation	Citation
18	in Africa Bill, 2021.	

EXPLANATORY MEMORANDUM

This Bill seeks to establish a Directorate of Technical Cooperation in Africa and to facilitate capacity building for research and development in Africa.