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NATIONAL RESEARCH INSTITUTE FOR CHEMICAL TECHNOLOGY
(ESTABLISHMENT) BILL, 2022
ARRANGEMENT OF CLAUSES

Clause:

PART I: ESTABLISHMENT OF THE NATIONAL RESEARCH INSTITUTE
FOR CHEMICAL TECHNOLOGY

1. Establishment of the National Research Institute for Chemical Technology
2. Location of the Institute
3. Establishment and composition of the Board of the Institute
4. Tenure of office of members of the Board
5. Remuneration of members of the Board
6. Termination of membership of the Board
7. Resignation of members of the Board
8. Meetings of the Board
9. Filling of vacancies
10. Cessation of office of members of the Board

PART II: POWERS AND FUNCTIONS OF THE INSTITUTE

11. Objectives and functions of the Institute
12. Non-research functions of the Institute
13. Powers of the Institute

PART III: STAFF OF THE INSTITUTE

14. Appointment of the Director-General
15. Appointment of other principal officers and employees of the Institute
16. Conditions of service of staff of the Institute
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PART IV: FINANCIAL PROVISIONS

- 19. Fund of the Institute
- 20. Power to accept gifts
- 21. Borrowing powers
- 22. Annual estimates, accounts and audit

PART V: MISCELLANEOUS PROVISIONS

- 23. Annual reports
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 - 25. Quorum
 - 26. Interpretation
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- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL RESEARCH INSTITUTE FOR CHEMICAL TECHNOLOGY TO PROVIDE GLOBALLY COMPETITIVE AND ENVIRONMENTALLY FRIENDLY INNOVATIVE RESEARCH AND DEVELOPMENT IN THE PROCESSING AND CONVERSION OF INDIGENOUS RAW MATERIALS INTO VALUABLE CHEMICALS AND PETROCHEMICAL PRODUCTS FOR THE DEVELOPMENT OF CHEMICAL, BIOLOGICAL AND MAN-MADE FIBRE TECHNOLOGIES FOR INDUSTRIAL APPLICATION IN NIGERIA; AND FOR RELATED MATTERS

Sponsored by Hon. Musa Dacchung Bagos

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL RESEARCH INSTITUTE

2 FOR CHEMICAL TECHNOLOGY

3 1.-(1) There is established the National Research Institute for Establishment
4 Chemical Technology (in this Bill referred to as "the Institute"). of the National
Research Institute
for Chemical
Technology

5 (2) The Institute-

6 (a) shall be a corporate body with perpetual succession;

7 (b) shall have power to acquire property and enter into contract or
8 any other transaction for the purposes of performing any of its functions
9 under this Bill; and

10 (c) may sue and be sued in its corporate name.

11 2. The Institute shall be located in Zaria, Kaduna State and may Location of the
12 establish such other centres anywhere in Nigeria as may be determined by Institute
13 the Board.

14 3.- (1) There is established for the Institute a Governing Board (in Establishment
15 this Bill referred to as "the Board"). and composition
of the Board

	1	(2) The Board shall formulate policies and guidelines for the
	2	administration of the Institute.
	3	(3) The Board shall consist of-
	4	(a) a Chairman and four members to be appointed by the President;
	5	(b) the Director-General of the Institute;
	6	(c) one representative from the Federal Ministry of Science and
	7	Technology;
	8	(d) one representative of either the Chemical Society of Nigeria
	9	(CSN) or Institute of Chartered Chemists of Nigeria (ICCON) or National
	10	Society of Chemical Engineers (NSChE); and
	11	(e) one representative from the Federal Ministry of Industry, Trade
	12	and Investment.
Tenure of office of the members of the Board	13	4.-(1) Subject to the provisions of this Bill, a person appointed to be a
	14	member of the Board, not being a public officer, shall hold office for a term of
	15	four years from the date of his appointment and shall be eligible for
	16	reappointment for one further term of four years and no more.
	17	(2) No member of the Board shall be entitled to appoint a proxy at any
	18	meeting.
Remuneration of members of the Board	19	5. Members of the Board shall be paid such remuneration and
	20	allowances as are applicable to government agencies and institutes as may be
	21	stipulated by the Board in accordance with applicable Federal Government
	22	regulations.
Termination of membership of the Board	23	6. Where-
	24	(a) it appears to the Minister that a member of the Board shall be
	25	removed from office on grounds of misconduct or inability to perform the
	26	function of his office,
	27	(b) the Minister is satisfied that the continued presence on the Board
	28	of any member is not in the national interest or interest of the Institute, and
	29	(c) a member is absent from meetings for continues period of 12
	30	month, the Minister shall make a recommendation to that effect to the President

1 and if approved, the Minister shall declare in writing, the office of that
2 member vacant.

3 7. Any member, not being a public officer, may resign his
4 appointment by a letter addressed to the President through the Minister of
5 Science and Technology. Resignation of
members of the
Board

6 8.-(1) The Board shall meet not less than four times in each year Meetings of the
Board
7 and subject to that, the Board shall meet whenever it is summoned by the
8 Chairman, and if the Chairman is required to do so by notice given to him by
9 not less than one-third of members, he shall summon a meeting of the Board
10 to be held within 14 days from the date on which the notice is given.

11 (2) The supplementary provisions relating to the proceedings of Schedule
12 the Board shall be as set out in the Schedule to the Bill.

13 9. In the event of death or resignation of a member or where the Filling of
vacancies
14 office of a member becomes vacant under section 6, the President shall
15 appoint a successor to hold office for the remainder of the term of office of
16 his predecessor and the successor shall represent the same interest as that
17 member whose exit created the vacancy.

18 10. Notwithstanding the provisions of section 6 of this Bill, a Cessation of
office of members
of the Board
19 member of the Board shall cease to hold office as a member of the Board if-

20 (a) he resigns his appointment as a member of the Board by notice
21 under his hand addressed to the President;

22 (b) he becomes of unsound mind;

23 (c) he becomes bankrupt;

24 (d) he is convicted of a felony or any other offence involving
25 dishonesty or corruption;

26 (e) he becomes incapable of performing the functions of his office
27 either arising from an infirmity of mind or body;

28 (f) the President is satisfied that it is not in the interest of the public
29 for the person to continue in office and the President removes him from
30 office;

Objectives and
functions of the
Institute

1 (g) he has been found guilty under the Code of Conduct or serious
2 misconduct in relation to his duties; or

3 (h) in the case of a person who becomes a member by virtue of the
4 office he occupied, he ceases to hold such office.

5 PART II - POWERS AND FUNCTIONS OF THE INSTITUTE

6 **11.-(1)** The research and development programmes of the Institute
7 shall be structured in the following major categories-

8 (a) fine and industrial chemicals;

9 (b) petrochemicals and polymers;

10 (c) textiles and plastics;

11 (d) biochemicals;

12 (e) fabrication engineering and construction of pilot plants;

13 (f) environmental pollution monitoring and control;

14 (g) biotechnology;

15 (h) nanotechnology;

16 (i) green technology; and

17 (j) solid minerals.

18 (2) The Institute shall undertake research and development work on-

19 (a) processes for the conversion of agricultural, mineral and other raw
20 materials into useful chemicals;

21 (b) processing of commercial grade chemicals to laboratory grades;

22 (c) the derivation of secondary chemicals from petrochemicals, coal,
23 solid minerals and other materials;

24 (d) the production of functional polymers and engineering plastics,
25 characterisation and utilisation;

26 (e) processing of natural and man-made fibres;

27 (f) establishment and operate chemical testing laboratories for
28 industrial application; and

29 (g) production and development of chemical catalysis, chemical
30 process, design, modeling and simulating, pilot plant fabrication and design,

1 chemical analytical instruments and quality control.

2 (3)The Institute shall-

3 (a) be a renown centre of international excellence in fields of
4 effluent monitoring and control, chemical, biological, man-made fibre
5 technologies;

6 (b) establish a National Laboratory for Prevention and Detection of
7 Chemical Weapons;

8 (c) monitor and control the production and use of chemical
9 elements used for the production of IEDs, bombs, and explosives;

10 (d) monitor, regulate importation and exportation, quality control,
11 storage and sales of chemicals, through on-site inspection;

12 (e) use cost-effective, efficient and environmentally friendly
13 developed technology for sustainable production of methanol and other
14 liquid fuels from biomass, municipal and industrial stream wastes;

15 (f) conduct industrial research and development relevant for the
16 development of the micro, small, medium and large enterprises in all sectors
17 of industries and transfer the outcome of such research through organised
18 technology transfer and techno-entrepreneurship development programmes
19 and any other means to ensure the end results of research get to the relevant
20 end users for rapid industrialisation and socio-economic development of
21 Nigeria;

22 (g) liaise with relevant establishments within and outside Nigeria
23 in performance of the functions of the Institute;

24 (h) establish demonstration centres, laboratories, pilot plants to
25 ensure rapid commercialisation of its research and development output and
26 providing necessary avenues for training and retraining of skilled labour and
27 manpower (including students of tertiary institutions) for the industry in
28 Nigeria;

29 (i) establish and operate entrepreneurship centres and outstations

1 for effective delivery and deployment of its services in Nigeria, Africa and the
2 globe;

3 (j) provide technical consultancy services to the industry;

4 (k) train and award Diplomas, Degrees, Masters in Science (M.Sc)
5 and Doctors of Philosophy (Ph.D) by research in Chemical Technology; and

6 (l) carryout such other activities as are necessary or expedient for the
7 performance of its functions under this Act.

Non-research
functions of the
Institute

8 **12.-(1)** The Institute may, at the written request of any government
9 agency, local government authority or private person, train laboratory
10 extension workers and other categories of workers relative to their specified
11 fields of research for such government agency, local government authority,
12 state government or private person.

13 (2) Without prejudice to the specialised research functions, the
14 Institute shall plant and produce improved seed and other planting materials
15 primarily for its research and experimental programmes, that may, for the
16 purposes of advancing or disseminating the results of their researches, make
17 available for distribution to farmers the improved seeds and planting materials.

18 (3) The Institute shall when requested by any government in the
19 federation, government agency, local government authority or any authorised
20 body, provide or give information relating to its specialised fields of research to
21 such government, government agency, local government authority or
22 authorised person.

23 (4) The Institute may-

24 (a) enter into associate, agree with competent authorities of any
25 university or other institutions of higher learning for furthering mutual co-
26 operations in the field of scientific research in respect of which the Institute has
27 responsibility;

28 (b) erect, provide, equip and maintain laboratories, libraries,
29 administrative buildings, staff quarters, sports grounds, workshops and other
30 buildings, structures and any other thing necessary or suitable for any of the

1 objectives of the Institute; and

2 (c) organise conferences, seminars, workshops and other activities
3 relating to chemical technology and other areas specified in this Bill.

4 **13.** The Institute shall have power to-

Powers of the
Institute

5 (a) acquire, hold, grant, charge, exchange, dispose of or otherwise
6 deal in any movable or immovable property;

7 (b) enter into contracts alone or jointly with other persons and
8 where necessary to act through agents;

9 (c) provide consultancy and advisory services and to impose such
10 charges and fees as the Institute may deem fit;

11 (d) print, reproduce, publish, compile and sell any research
12 products or materials and other works as may be produced by the Institute;

13 (e) perform its functions either alone or in cooperation with any
14 other organisation or person;

15 (f) engage the services of consultants, contractors, agents and other
16 persons as the Institute may require for carrying out its activities; and

17 (h) regulate the usage, management and monitoring of chemical
18 technology and undertake such other activities that may seem to the Institute
19 incidental or conducive to the attainment of the objectives of the Institute.

20 **PART III - STAFF OF THE INSTITUTE**

21 **14.-(1)** There shall be for the Institute a Director-General who shall
22 be the chief executive officer, to be appointed by the President.

Appointment
of the Director-
General

23 (2) The Director-General shall be responsible to the Board for the
24 day-to-day management of the affairs of the Institute.

25 (3) The Director-General shall hold office for a term of four years
26 effective from the date of appointment and on such terms and conditions as
27 may be specified in his letter of appointment.

28 (4) The Director-General may be re-appointed for a further term of
29 four years and no more.

1 (5) Where a vacancy occurs in the post of Director-General, the Board

2 shall-

3 (a) advertise the vacancy in at least two widely read newspapers in

4 Nigeria specifying-

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

6 (ii) the terms and conditions of services applicable to the post and

7 draw up a list of suitable candidates for consideration; and

8 (b) recommend to the President, through the Minister, three

9 candidates for his consideration and appointment.

10 (6) The Director-General may be removed from office by the

11 President on the recommendation of the Board on grounds of misconduct or

12 inability to perform the functions of his office.

Appointment
of other principal
officers and
employees of
the Institute

13 **15.**-(1) There shall be appointed by the Board, the following principal

14 officers of the Institute-

15 (a) Directors who shall be Heads of the Departments; and

16 (b) Deputy Directors who shall be Heads of the Divisions and Units;

17 (2) The Board may appoint such other staff, agents and employees as

18 it deems necessary for the efficient discharge of the duties under this Bill.

Condition of
service of the
staff of the
Institute

19 **16.** Subject to the provisions of this Bill, the remunerations, tenure of

20 office and conditions of service of the employees of the Institute shall be

21 determined by the Board in consultation with the Federal Civil Service

22 Commission, National Income Salaries and Wages Commission, National

23 Pension Commission, Head of Service of the Federation and other relevant

24 bodies.

Pension
Act, No.4, 2014

25 **17.**-(1) Service in the Institute shall be public service for the purpose

26 of the Pension Reform Act and, accordingly, officers and other persons

27 employed in the Institute shall, in respect of their services in the Institute, be

28 entitled to pensions and other retirement benefits as are prescribed under that

29 Act.

30 (2) For the purposes of the application of the provisions of the

1 Pension Reform Act, any power exercisable under it by a Minister or other
2 authority of the Government of the Federation, is vested in and shall be
3 exercisable by the Board and not by any other person or authority.

4 **18.** -(1) The Institute may, subject to the provisions of this Bill Staff Regulations
5 make staff regulations relating generally to the conditions of service of the
6 employees of the Institute and without prejudice to the generality of the
7 foregoing, such regulations may provide for-

8 (a) the appointment, promotion and disciplinary control including
9 dismissal of employees of the Institute; and

10 (b) appeals by such employees against dismissal or other
11 disciplinary measures and until such regulations are made, any instrument
12 relating to the conditions of service of officers in the Public Service of the
13 Federation shall be applicable, with such modifications as may be
14 necessary, to the employees of the Institute.

15 (2) Staff regulations made under subsection (1) shall not have
16 effect until approved by the Minister and when so approved, they need not
17 be published in the Federal Government Gazette, but the Board shall cause
18 them to be brought to the notice of all affected persons in such a manner as it
19 may determine.

20 PART IV - FINANCIAL PROVISIONS

21 **19.**-(1) The Institute shall establish and maintain a fund which shall Fund of the
Institute
22 be applied towards the promotion of the objectives, mandates, missions,
23 vision and activities of the Institute as specified in this Bill.

24 (2) There shall be paid and credited to the Fund established under
25 subsection(1)-

26 (a) such sums as may be provided by the Federal Government of
27 Nigeria into the Fund;

28 (b) any fees charged for services rendered by the Institute, and;

29 (c) all other sums accruing to the Institute by way of gifts,
30 testamentary dispositions and endowments or contributions from

- 1 philanthropic persons or organisations;
- 2 (d) such sums as may be collected or received by the Institute by way
- 3 of allocations, grants, dues, rates, fines and taxes; and
- 4 (e) such sums as may be collected or received by the Institute from
- 5 other sources in respect of any property vested in the Institute.
- 6 (3) The Institute shall have power to invest its funds and maintain a
- 7 general reserve.
- 8 (4) The Institute shall establish a commercial outfit with its own
- 9 management structure to-
- 10 (a) undertake business ventures in the areas of the mandate of the
- 11 Institute for the purpose of internal revenue funds generation; and
- 12 (b) pay profits on operations as appropriate.
- 13 (5) The Institute shall be entitled to one percent of the monetary value
- 14 of every chemical and chemical products imported into Nigeria under section
- 15 11 (3)(d) of this Bill.
- 16 **20.**-(1) The Institute may accept gifts of land, money or other
- 17 properties, upon such terms and condition, if any, as may be specified by the
- 18 person or organisation making the gift provided such terms and conditions are
- 19 acceptable to the Institute.
- 20 (2) The Institute shall not accept any gifts if the conditions attached by
- 21 the person or organisation making the gift are inconsistent with the objectives
- 22 and functions of the Institute.
- 23 **21.**-(1) The Institute may with the approval of the Minister, borrow
- 24 such sums as it may require in the performance of its functions under this Bill.
- 25 (2) The Institute shall not, without the prior approval of the Minister
- 26 and the recommendation of the Board, borrow any sum of money.
- 27 **22.**-(1) Not later than six months before the end of each financial
- 28 year or such other time as the Minister may direct, an estimate of the
- 29 expenditure and income of the Institute during the next succeeding financial
- 30 year and shall be submitted through the Minister for approval by the President.

Power to accept
gifts

Borrowing
Powers

Annual estimates,
accounts and
audits

1 (2) Proper accounts and records shall be kept and when certified,
2 such accounts shall be audited as provided in this Bill.

3 (3) The accounts of the Institute shall be audited annually by a firm
4 of auditors after the end of the year to which the accounts relate, by qualified
5 auditors appointed by the Board from the list and in accordance with the
6 guidelines supplied by the Auditor-General for the Federation.

7 (4) The auditors shall, on completion of the audit of the accounts of
8 the Institute for each year, prepare and submit to the Institute-

9 (a) a general report setting out the observations and
10 recommendations of the auditors on the financial affairs of the Institute
11 generally for the year and on any important matters which the auditors may
12 consider necessary to bring to the notice of the Institute; and

13 (b) a detailed report containing the observations and
14 recommendations of the auditors on all aspects of the operations of the
15 Institute for the year.

16 **23.** The Board shall, not later than 30th June after the end of each Annual Reports
17 financial year, submit through the Minister to the President, a report on the
18 activities of the Institute and its administration during the immediate
19 proceeding year and shall include in such report the audited accounts of the
20 Institute and the auditor's comments on it.

21 **24.-(1)** The Board may make rules relating to any matter within its Powers to make
22 competence under this Bill. rules

23 (2) All such rules shall be in written form and shall take effect from
24 the date when sealed with the seal of the Institute, unless some other date for
25 their commencement is prescribed in it, but such rules shall not have
26 retroactive effect.

27 (3) Nothing in subsection (2) shall make it obligatory for the Board
28 to publish any of the rules in the Federal Government Gazette but the Board
29 shall bring such rules to the notice of all affected persons.

Quorum	1	25. The quorum of the Board and its committees shall be one-third of
	2	the members and the Chairman.
Interpretation	3	26. In this Bill-
	4	"Board" means the Governing Board of the Institute established under section
	5	3 of this Bill;
	6	"Chairman" means the Chairman of the Board;
	7	"committee" means a body set up by the Board;
	8	"Constitution" means the Constitution of the Federal Republic of Nigeria,
	9	1999;
	10	"Director-General" means the chief executive officer of the Institute;
	11	"Institute" means National Research Institute for Chemical Technology;
	12	"member" means a member of the Board;
	13	"Minister" means the Minister of the Federal Ministry of Science and
	14	Technology; and
	15	"misconduct" means an act which is against set rules and regulations.
Citation	16	27. This Bill may be cited as the National Research Institute for
	17	Chemical Technology (Establishment) Bill, 2022.

SCHEDULES

Section 8(2)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

1.-(1) Subject to this Bill and to section 27 of the Interpretation Act (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the persons presiding to have a second or casting vote) the Board may make standing orders regulating its proceedings or of any committee.

(2) The Board shall meet at least four times in each year and shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice given to him by at least one-third of the members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.

(3) Any member of the Board or a Chairman who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or committee shall forthwith disclose his interest to the body and shall appoint one of their members to preside at the meeting.

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

2.- (1) Where in any special occasion the Board desires to obtain advice of any person on any particular matter, it may co-opt that person to be a member for as many meetings as may be necessary, and that person while so co-opted shall have all the rights and privileges of a member except that he shall not be entitled to vote.

(2) Decisions of the Board and its committees shall be arrived at, by simple majority of votes cast.

(3) The validity of any proceedings of the Board or of a committee shall not be affected by any vacancy in the membership of the Board or

1 committee or by any defect in the appointment of a member of the Board or
2 committee or by reason that a person not entitled to do so took part in the
3 proceedings.

4 *Committees*

5 3.- (1) The Board may appoint one or more committees to carry out,
6 on behalf of the Board, such of its functions as the Board may determine.

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

11 (3) A decision of a committee of the Board shall be of no effect until it
12 is validated by the Board.

13 *Others*

14 4.-(1) The fixing of the seal of the Institute shall be authenticated by
15 the signature of the Chairman or of some other member authorised generally or
16 specifically to act for that purpose by the Board.

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

21 *Extended Mandate*

22 5.-(1) The statutory functions, rights, interest, obligations and
23 liabilities of the Leather Research Institute of Nigeria, existing before the
24 commencement of this Bill under any contract or instrument, or in law or in
25 equity shall by virtue of this Bill, be deemed to have been assigned to and
26 vested in the National Research Institute for Chemical Technology established
27 by this Bill.

28 (2) Any such contract or instrument as is mentioned in subsection (1),
29 shall be of the same effect against or in favour of the National Research
30 Institute for Chemical Technology established by this Bill and shall be

1 enforceable effectively as if instead of the Leather Research Institute of
2 Nigeria existing before the commencement of this Bill the National
3 Research Institute for Chemical Technology established by this Bill has
4 been named in it or had been a party to it.

5 (3) The National Research Institute for Chemical Technology
6 established by this Bill shall be subjected to all the obligations and liabilities
7 to which the Leather Research Institute of Nigeria existing before the
8 commencement of this Bill was subject immediately before the
9 commencement of this Bill and all other persons shall have the same rights,
10 powers, and remedies against the National Research Institute for Chemical
11 Technology established by this Bill as they had against the Leather
12 Research Institute of Nigeria existing before the commencement of this Bill.

13 (4) Any proceeding or cause of action pending or existing
14 immediately before the commencement of this Bill, by or against the
15 National Research Institute for Chemical Technology in respect of any right,
16 interest, obligation or liability of the Institute, may be continued or may be
17 commenced and any determination of the court of law, tribunal or other
18 authority or person may be enforced by or against the Institute established
19 by this Bill to the same extent as would have been against the Leather
20 Research Institute of Nigeria existing before the commencement of this Bill.

21 (5) All assets, funds, resources and other movable or immovable
22 property, which immediately before the commencement of this Act, were
23 vested in the Leather Research Institute of Nigeria, existing before the
24 commencement of this Act shall by virtue of this Bill, be vested in the
25 Institute established by this Bill.

26 (6) Any person who immediately before the coming into effect of
27 this Bill is the holder of any office in the Leather Research Institute of
28 Nigeria existing before the commencement of this Bill shall, on the
29 commencement of this Bill, and subject to the provisions of the Constitution
30 continue in office and be deemed to have been appointed to his office by the

- 1 Institute established by this Bill, unless the authority by which the person was
- 2 appointed terminates the appointment.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Research Institute for Chemical Technology to provide globally competitive and environmentally friendly research, development and innovation in the processing and conversion of indigenous raw materials into valuable chemicals and Petrochemical products for the development of chemical, biological and man-made fibre technologies for industrial application in Nigeria.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL
AGENCY FOR TECHNOLOGY MANAGEMENT AND FOR RELATED MATTERS,
2022

Sponsored by Hon. Beni Lar

[] Commencement

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

1 2 3	1. -(1) There is hereby established a body to be known as the National Agency for Technology Management, (hereinafter in this Bill referred to as "the Agency").	Establishment of the National Agency for Technology Management
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(2) The Agency shall be an Agency of the Federal Republic of Nigeria and shall be under the supervision of the Federal Ministry of Science and Technology (FMST). The Agency shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

9 **2.-(1)** There is established for the Agency, a Governing Board (in
10 this Bill, referred to as "the Board") which shall have oversight control of the
11 Agency.

Establishment
and membership
of the Governing
Board of the Agency

(2) Without prejudice to the generality of sub-section (1) of this section, it shall be the responsibility of the Board to exercise general control and superintendence of the policy, public relations, finances and properties of the Agency.

16 (3) The Board shall consist of-

17 (a) the Chairman and two persons appointed by the President on
18 their personal merit and recommendation of the Honorable Minister of
19 Science and Technology;

20 (b) a representative each of:

1 (i) the Federal Ministry of Science and Technology,
 2 (ii) the Federal Ministry of Budget and National Planning,
 3 (iii) the Academy of Engineering,
 4 (iv) the Academy of Science,
 5 (v) the Manufacturer Association of Nigeria (MAN),
 6 (vi) Vice Chancellor, Obafemi Awolowo University, Ile-Ife;
 7 (c) the Director-General/Chief Executive Officer; and
 8 (d) the Secretary to the Board, though not a member, shall be the
 9 Director of Human Resources Management Department of the Agency.

10 (4) The representative of each Ministry and other Institutions on the
 11 Board shall not be below the rank of a Director.

12 (5) The supplementary provisions set out in the Schedule to this Bill
 13 shall have effect with respect to the proceedings of the Board and the other
 14 matters herein mentioned.

Tenure of office

15 3. The Chairman and members of the Board, other than ex-officio
 16 members shall each hold office as contained on such terms and conditions as
 17 may be specified in their respective letters of appointment.

Cessation of
membership

18 4.-(1) Notwithstanding the provisions of Section 3 of this Bill, a
 19 member may at any time be removed from office by the President for inability
 20 to discharge the functions of his office (whether arising from infirmity of mind
 21 or body or any other cause) or for misconduct.

22 (2) A member of the Board may resign his appointment by a notice in
 23 writing under his hand, addressed to the President through the Minister and that
 24 member shall, on the date of the receipt of the notice by the Minister, cease to be
 25 a member of the Board.

26 (3) When a vacancy occurs in the membership of the Board, it shall be
 27 filled by the appointment of a successor to hold office for the remainder of the
 28 term of office of his predecessor provided that the successor shall represent the
 29 same interest as his predecessor.

30 (4) The Chairman and members of the Board shall serve on part-time

1 basis. Their remunerations, allowances and other benefits are to be enjoyed
2 as the Federal Government may direct from time to time. In the absence of
3 clear guidance on any policy Matter, benefits enjoyed by other parastatals
4 under the same Ministry, shall apply.

5 **5.-(1)** A member of the Board who is directly or indirectly Disclosure of
6 interested in any matter being deliberated on by the Board or is interested in interest
7 any contract made or proposed to be made by the Agency shall, as soon as
8 possible after the relevant facts have come to his knowledge, disclosed the
9 nature of his interest at a meeting of the Board.

10 (2) A disclosure under subsection (1) of this section shall be
11 recorded in the Minutes of Meetings of the Board and members concerned
12 shall:

13 (a) after the disclosure, not take part in any deliberation or decision
14 of the Board where such a matter of his interest is a subject of deliberation;
15 and

16 (b) be excluded for the purpose of constituting a quorum of any
17 meeting of the Board for any deliberation or decision with regard to the
18 subject matter in respect of which his interest is so disclosed.

19 **6.** The Board shall have power to:

Powers of the
Board

20 (a) formulate overall policy for the management of the affairs of
21 the Agency;

22 (b) manage the National Agency for Technology Management
23 Fund established under Section 17 of this Bill;

24 (c) appoint, promote, terminate, dismiss and exercise disciplinary
25 control over the Principal Officers and Senior staff of the Agency;

26 (d) structure the Agency into such number of departments as it
27 deems fit for the effective discharge of its functions;

28 (e) ensure the documentation of, effective management of and
29 manpower for the technologies used in Nigeria;

30 (f) ensure effective and practical liaison with the various State

Functions of the
Agency

- 1 Governments and the Private Sector in Nigeria on technology management;
2 (g) where necessary, advise Federal and State Governments and the
3 Private Sector on technology transfer and importation;
4 (h) ensure the commercialization, licensing and protection of
5 indigenous technologies in Nigeria;
6 (i) receive and review the annual and audited reports of the Agency;
7 and
8 (j) exercise such powers as are necessary or expedient for giving
9 effect to the provisions of this Bill.
- 10 7. The Agency shall:
- 11 (a) serve as a Training Agency for the development of middle- to
12 high-level manpower in Science, Technology and Innovation (STI)
13 Management for all tiers of government and the private sector;
14 (b) conduct policy research, evaluation and review, with a view to
15 making evidence-based policy recommendations for dynamic technology-
16 based development;
17 (c) establish, maintain and provide access to databanks of STI
18 research outputs and facilitate activities towards their commercial
19 exploitation;
20 (d) design and run Postgraduate Courses/Programs in STI
21 Management in conjunction with established institutions home or/and abroad;
22 (e) assist the various tiers of government (Federal, State and Local) in
23 the country in STI policy formulation and suggesting strategies for utilizing
24 such policies for development;
25 (f) collaborate with UN, AU, EU, ECOWAS, Developmental
26 Agencies and Institutions as well as countries across the world at unilateral,
27 bilateral and multilateral levels on projects bothering on STI training, policy
28 research and consultancy;
29 (g) foster relationship that is premised on technology management in
30 the sectors of agriculture, health, environment, power, petroleum

1 Development, communication, transport, solid minerals development,
2 aviation, water resources development, industry, works, housing, et

3 (h) ensure protection, licensing and commercialization of
4 technologies in Nigeria;

5 (i) subject to the approval of the Board, perform such other duties,
6 which in the opinion of the Agency, are necessary or expedient to ensure the
7 efficient performance of the Agency.

8 **8.** In pursuance of section 7 of this Bill, the Agency shall have Powers of the
9 power to: Agency

10 (a) award postgraduate certificates (e. g. Master, PhD ,etc.),
11 postgraduate diplomas and certificate of attendance after full participation
12 at lectures and courses conducted under this Bill;

13 (b) establish and maintain a Documentation and Information Unit
14 comprising such books, journals, records, films, reports and other
15 publication and information systems as may be required for the discharge of
16 the functions conferred on the Agency by this Enabling Law;

17 (c) enter joint venture arrangements and draw up memoranda of
18 understanding and agreement with relevant institutions and organisations
19 with a view to managing Nigeria's STI for sustainable development; and

20 (d) do such other things as are necessary for the successful
21 performance of its function under this Bill.

22 **9.-(1)** There shall be for the Agency a Director-General/Chief Appointment of
23 Executive Officer, who shall: the Director-
Executive Officer

24 (a) possess a Doctorate Degree in one of the Sciences,
25 Engineering, Social Sciences or Management Sciences fields relevant in
26 STI Management;

27 (b) be appointed by the President on the recommendation of the
28 Honourable Minister, FMST;

29 (c) be the Chief Executive and Accounting Officer of the Agency;

30 (d) be responsible for the execution of policy and day to day

Appointment
of other staff
of the Agency

1 administration of the affairs of the Agency; and

2 (e) perform such other duties as the Board may, from time to time,
3 assign to him.

4 (2) The Director-General/Chief Executive Officer shall hold office
5 for a term of four (4) years in the first instance; may be re-appointed for a
6 further term of four (4) years and no more, on such terms and conditions as may
7 be specified in his letter of appointment.

8 (3) The Terms and Conditions of Service including remuneration,
9 allowances, benefits and pensions of the staff and Board members of the
10 Agency shall be determined by the Federal Government and the National
11 Salaries and Wages Commission in such a manner as to attract and retain high
12 quality and caliber manpower.

13 **10. -(1)** There shall be appointed, subject to the approval of the Board,
14 such other Directors that constitute the Management as may be required for
15 proper performance of the functions of the Agency as follows:

16 (a) Director of Technology Management Education and Training;

17 (b) Director of Planning Programming and Linkages;

18 (c) Director of Science Policy and Innovation Studies;

19 (d) Director of Human Resources Management;

20 (e) Director of Finance and Accounts; and

21 (f) Director for any other Department(s) to be created as the needs
22 arise.

23 (2) The Director-General/Chief Executive Officer shall coordinate
24 the activities of the Directors and all other staff of the Agency. As such, all staff
25 are answerable to the DG/CEO who shall supervise them to ensure quality
26 control in all ramifications.

27 (3) The Management may, subject to the approval of the Board,
28 appoint such other staff as it may deem necessary and expedient, from time to
29 time, for the proper and efficient performance of the functions of the Agency.

30 (4) The Management may, subject to the approval of the Board,

1 promote merited/qualified Academic Staff to the position of Associate
2 professorship or professorship as it may deemed necessary and expedient,
3 from time to time for the proper and efficient performance of the functions of
4 the Agency.

5 11. -(1) Subject to the provisions of this Bill, the Agency shall make
6 staff regulations relating to the Conditions of Service. Power to make
regulations

7 (2) Until such regulations are made, any instrument relating to the
8 Conditions of Service of Public Officers in the University System/Federal
9 Research Institutions and Other Public Service of the Federation shall be
10 applicable, with such modifications as may be necessary, to the staff of the
11 Agency.

12 (3) The Staff Regulations made under sub-section (1) of this
13 section shall not have effect until approved by the Board, and when so
14 approved, the Agency shall cause a notice of the Staff Regulations to be
15 issued to all affected staff.

16 12. -(1) Service in the Agency shall be approved service for the
17 purposes of the Pensions Act and accordingly, officers and employees of the
18 Agency shall be entitled to pensions, gratuities and other retirement benefits
19 as are prescribed under the Pension Act. Application of
the Pension Act,
2004, No.2

20 (2) Without prejudice to the provisions of sub-section (1) of this
21 Section, nothing in this Bill shall prevent the appointment of some category
22 of officers, who shall not benefit any pension from the Agency. Such persons
23 can be on Contract, Sabbatical, Secondment, Ad-hoc, or any appointment
24 not of continuous nature.

25 (3) For the purposes of the application of the provisions of the
26 Pension Act, any power exercisable by a Minister or other authority of the
27 Government of the Federation, other than the power to make regulations
28 under section 23 thereof, is hereby vested in and shall be exercisable by the
29 Board and not by any other person or authority.

Removal from the office of the DG/CEO	1	13. Notwithstanding the provisions of Sections 6 (c) and 12 of this
	2	Bill, the Director-General/Chief Executive Officer of the Agency may be
	3	removed by the President on the recommendation of the Minister
Structure of the Agency	4	14. -(1) The Agency, shall have its Head Office in Abuja with the
	5	following Zonal Offices which shall be deemed to be an integral part of the
	6	Agency:
	7	(a) Centre for Technology Management, South-West Zonal Office;
	8	(b) Centre for Technology Management, South-East Zonal Office;
	9	(c) Centre for Technology Management, South-South Zonal Office;
	10	(d) Centre for Technology Management, North-West Zonal Office;
	11	(e) Centre for Technology Management, North-East Zonal Office;
	12	(f) Centre for Technology Management, North-Central Zonal Office;
	13	and
	14	(g) such other Centre or Centres as may be established from time to
	15	time.
	16	(2) There shall be a Director with relevant experience and background
	17	in STI management appointed for each Zonal Office.
	18	(3) The Zonal Offices specified in Sub-section (1) of this Section,
	19	shall be known and referred to as Activity Centres of the National Agency for
	20	Technology Management.
	21	(4) The Directors of the Zonal Offices shall take directives from and
	22	be responsible to the Director-General/Chief Executive Officer for effective
	23	management and coordination of the activities of the Offices.
Establishment of the Academic Board	24	15. -(1) There is hereby established as an integral part of the Agency,
	25	an Academic Board, which shall consist of:
	26	(a) Director-General/Chief Executive Officer;
	27	(b) Director of Technology Management Education and Training;
	28	(c) Director of Science Policy and Innovation Studies;
	29	(d) representative(s) of Chief Executive(s) of collaborating
	30	institution(s) not below the rank of a Director;

1 (e) the Director-General/Chief Executive Officer shall appoint
2 three experienced professionals from Industry and Academia who by reason
3 of their ability, specialized knowledge or professional attainment are
4 capable of making useful contributions to the work of the Agency.

5 (2) The tenure of office for persons in paragraph (e) of Sub-section
6 (1) of this Section shall be a period of two years and eligible for re-
7 appointment for one further period of two years.

8 (3) The Academic Board shall:

9 (a) formulate and continuously evaluate the industrial, academic
10 and research programmes of the Agency; and

11 (b) perform such other functions as the Board, from time to time,
12 direct it.

13 (4) The Director-General/Chief Executive Officer shall be the
14 Chairman at the meetings of the Academic Board; in his absence, the most
15 senior Director from the Agency shall preside at such meetings; but in the
16 absence of both, the members present at a meeting shall appoint one of their
17 numbers to preside at the meeting.

18 (5) Subject to subsection (4) of this section, the Academic Board
19 shall have power to regulate its own procedure.

20 **16.** The Agency shall establish and maintain a fund into which shall
21 be paid and credited:

Financial
Provisions

22 (a) special grant from the Federal Government and its Agencies;

23 (b) regular subvention from the Federal Government;

24 (c) loans and grant-in-aid from National, Bilateral and Multilateral
25 Agencies/Partner;

26 (d) rents, fees and other internally generated revenues from
27 services provided by the Agency;

28 (e) access fund from Tertiary Education Trust Fund (TETFUND);

29 (f) patenting and licencing of developed technologies;

30 (g) all other sums accruing to the Agency, from time to time.

Application of funds	1	17. The Agency shall apply the funds at its disposal to:
	2	(a) the cost of administration of the Agency;
	3	(b) the paying of emoluments, allowances and benefits of members of
	4	the Board and for reimbursing members of the Board or of any committee set
	5	up by the Board for such expenses as may be expressly authorized by the
	6	Board;
	7	(c) the payment of salaries, fees or other remuneration and benefits or
	8	allowances, gratuities and pensions, and other benefits payable to the officers
	9	and other employees of the Agency;
	10	(d) the cost of establishing and operating Activity Centres in Geo-
	11	political Zones of Nigeria and other research and development activities
	12	necessary for the achievement of the objectives of the Agency
	13	(e) the development and maintenance of any property vested in or
	14	owned by the Agency;
	15	(f) invest the Funds in any profitable venture that will project returns
	16	for the Agency. This must, however, be sanctioned by the Board; and
	17	(g) undertake any other activity in connection with all or any of the
	18	functions of the Agency.
Annual estimate accounts and audit	19	18. -(1) The Agency shall, not later than 30th September in each year,
	20	submit to the National Assembly, through the Honourable Minister of the
	21	Federal Ministry of Science and Technology an estimate of its expenditure and
	22	income for the next succeeding year. The approved estimates shall constitute
	23	the Agency's Budget for the incoming year.
	24	(2) The Agency shall keep proper accounts in respect of each year and
	25	proper records in relation to those accounts and shall cause its accounts to be
	26	audited within six months after the end of each year by auditors appointed from
	27	the List of Auditors and in accordance with the guidelines supplied by the
	28	Auditor-General of the Federation.
Annual report	29	19. The Agency shall, not later than 31st December in each year,
	30	prepare and submit to the Honourable Minister of Science and Technology a

1 report in such form as prescribed in the Act on the activities of the Agency
 2 during the immediately preceding year, and shall include in the report a copy
 3 of the audited accounts of the Agency for the year concerned.

4 **20.**-(1) The Agency may accept gifts of land, money or other Power to accept
gift
 5 property upon such terms and conditions, if any, as may be specified by the
 6 person or organization making the gift.

7 (2) The Agency shall not accept any gift if the conditions attached
 8 by the person or organization offering the gift are inconsistent with the
 9 functions of the Agency and the provisions of Independent Corrupt
 10 Practices and Allied Offences Commission Act, 2000.

11 **21.**-(1) The Agency may, from time to time, borrow by overdraft or Power to borrow
 12 otherwise such sums as it may require for the performance of its functions
 13 under this Bill.

14 (2) The Agency shall not, without the approval of the Minister,
 15 borrow money which exceeds, at any time, the limit set by the Minister.

16 (3) Notwithstanding subsection (1) of this section, where the sum
 17 to be borrowed is in foreign currency, the Agency shall not borrow the sum
 18 without the prior approval of the Minister and in consultation with Central
 19 Bank of Nigeria.

20 **22.** The Agency may, subject to the provisions of this Bill and the Investment
 21 conditions of any trust created in respect of any property, invest all or any of
 22 its funds in any security prescribed by the Trustee Investments Act or in such
 23 other securities as may, from time to time be approved by the Board.

24 **23.**-(1) Notwithstanding anything contained in any other law or Legal proceedings
 25 enactment, no suit shall be commenced in any court of law against the
 26 Agency, any member of the Board, the Director-General/Chief Executive
 27 Officer or any other officer or employee of the Agency, for any act done in
 28 pursuance or execution of this Bill, unless it is commenced:

29 (a) within three months next after the act, neglect or default
 30 complained of; or

1 (b) in the case of a continuation of damage or injury, within six
2 months after the ceasing thereof.

3 (2) The suit shall not be commenced until the expiration of a period of
4 one month after written notice of intention to commence the suit shall have
5 been served upon the Agency by the intending Plaintiff or his Agent. The notice
6 shall clearly and explicitly state-

7 (a) the cause of action;

8 (b) the particulars of the claim;

9 (c) the name and place of the intending plaintiff; and

10 (d) the relief which he claims.

Notice of service 11 **24.** The notice referred to in sub-section (2) of this section 24 and any
12 summons, notice or other document required or authorized to be served on the
13 Agency under the provisions of this Bill or any other law or enactment may be
14 served by:

15 (a) delivering same to the Director-General/ Chief Executive Officer
16 at the Head Office of the Agency;

17 (b) sending it by registered post addressed to the Director-
18 General/Chief Executive Officer at the Head Office.

Defray of suit
against the Agency 19 **25.** In any action or suit against the Agency, no execution or
20 attachment or process in the nature thereof shall be issued against the Agency,
21 but any sums of money which may, by the judgment of the court be awarded
22 against the Agency shall, subject to any directives given by the Agency, where
23 no notice of appeal against the judgment has been given, be paid from the fund
24 of the Agency.

Indemnity of
staff 25 **26.** A member of the Board, the Director-General/Chief Executive
26 Officer or any officer or employee of the Agency shall be indemnified out of the
27 assets of the Agency against any liability incurred by him in defending any
28 proceeding, whether civil or criminal, if the proceeding is brought against him
29 in his capacity as a member, Director- General/Chief Executive Officer or
30 other employee of the Agency.

1	27. -(1) A member of the Board or the Director-General/Chief	Indemnity of staff
2	Executive Officer or any officer or employee of the Agency shall:	
3	(a) not, for his personal gain, make use of any information, which	
4	has come to his knowledge in the exercise or is obtained by him in the	
5	ordinary course of his duty as a member of the Board or as the Director-	
6	General/Chief Executive Officer, officer or employee of the Agency;	
7	(b) treat as confidential any information which has come to his	
8	knowledge in the exercise of his power or is obtained by him in the	
9	performance of his duties under this Bill;	
10	(c) not disclose any information referred to under paragraph (b) of	Disclosure of information
11	this Sub-section, except when required to do so by a court or in such other	
12	circumstances as may be prescribed by the Board, from time to time.	
13	(2) Any person who contravenes the provision of sub-section (1) of	
14	this section commits an offence and is liable on conviction to a fine of not	
15	less than, ?500,000 or imprisonment for a term not exceeding 2 years or to	
16	both such fine and imprisonment.	
17	28. The Minister may give to the Agency through the Director-	Power of the Minister to give directives
18	General/Chief Executive Officer such directives of a general nature or	
19	relating generally to particular matters of policy with regards to the exercise	
20	of his functions, as he may consider necessary and it shall be the duty of the	
21	Agency or the Director-General/Chief Executive Officer to fully comply	
22	with the directives.	
23	29. The Agency may, with the approval of the Minister, make such	Regulation
24	regulations as in its opinion are necessary or expedient for giving full effect	
25	to the provisions of this Bill and for the due administration of its provisions.	
26	30. -(1) The fixing of the seal of the Agency shall be authenticated	Miscellaneous
27	by the signature of the Chairman or any other person generally or	
28	specifically authorized by the Board to act for that purpose and that of the	
29	Director-General/ Chief Executive Officer.	
30	(2) Any contract or instrument which, if made or executed by a	

1 person not being a body corporate, would not be required to be under seal may
2 be made or executed on behalf of the Board by the Director-General/Chief
3 Executive Officer or any other person generally or specially authorized by the
4 Board to act for that purpose.

5 (3) Any document purporting to be a contract, instrument or other
6 document duly signed and sealed on behalf of the Agency shall be received in
7 evidence and shall, unless the contrary is proved, be presumed without further
8 proof to have been so signed or sealed.

Transitional
provision

9 **31.** -(1) The Regional Programme for Technology Management
10 (hereinafter referred to as the "REPTTEM") expected to have wound up shall be
11 taken over by the National Agency for Technology Management.

12 (2) The National Centre for Technology Management (hereinafter
13 referred to as the "NACETEM") is hereby regarded and known as the National
14 Agency for Technology Management immediately at the commencement of
15 this Bill.

16 (3) By virtue of this Bill, there shall be vested in the Agency
17 immediately at the commencement of this Bill, all assets, funds, resources and
18 other movable and immovable property which before the commencement of
19 this Bill were vested in the then REPTTEM and NACETEM.

20 (4) As from the date of the commencement of this Bill, all rights,
21 interest, obligation and liabilities of the then REPTTEM and NACETEM
22 existing before the commencement of this Bill under any contract or
23 instrument or in law or equity, shall be transferred to and vested in the
24 Agency.

Interpretation

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

26 "Agency" means the National Agency for Technology Management
27 established under section 1 of this Bill;

28 "Board" means Governing Board of the Agency established by section 2 of this
29 Bill;

30 "Chairman" means the Chairman of the Board;

1 "The Director-General/Chief Executive Officer" means the Director
2 General/Chief Executive Officer, of the Agency appointed under Section 9
3 of this Bill;

4 "Government" means the Federal Government of Nigeria;

5 "LFN" means Laws of the Federation of Nigeria;

6 "Member" means a member of the Board and includes the Chairman;

7 "Minister" means the Minister charged with the responsibility of matters
8 relating to Science and Technology;

9 "President" means the President of the Federal Republic of Nigeria.

10 **33.** This Bill may be cited as the National Agency for Technology Citation
11 Management Bill, 2022.

1 SCHEDULE

2 SUPPLEMENTARY PROVISION RELATING TO THE BOARD

3 *Proceedings of the Board*

4 1. Subject to this Bill and Section 27 of the Interpretation Act, Cap.
5 192, LFN, 2004 (which provides for decisions of a statutory body to be taken by
6 a majority of its members and for the person presiding at any meeting, when a
7 vote is ordered, to have a second or casting vote) the Board may make standing
8 orders regulating the proceedings or that of its Committees thereof.

9 2. At every meeting of the Board, the Chairman shall preside and in
10 his absence the members present at that meeting shall appoint one of their
11 numbers to preside at the meeting.

12 3. The quorum at a meeting of the Board shall be not less than one-
13 third of the total number of the Board members at the date of the meeting.

14 4. The Board shall for the purposes of this Bill, meet not less than
15 three times in each year, and subject thereto, the Board shall meet whenever it is
16 summoned by the Chairman; and if required to do so by notice given to him by
17 not less than 1/3 of members, he shall summon a meeting of the Board to be
18 held within fourteen (14) days from the date in which the notice is given.

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

24 6. Notwithstanding anything in the foregoing provisions of this
25 paragraph, the first meeting of the Board shall be summoned by the Minister.

26 7. The validity of any proceeding of the Board or any of its
27 committees thereof shall not be affected by:

28 (a) any vacancy in the membership of the Board, or committee; or

29 (b) any defect in the appointment of a member of the Board or
30 committee; or

1 (c) reason that any person not entitled to do so took part in the
2 proceedings of the Board or Committee.

3 8. No member of the Board shall be personally liable for any act or
4 omission done or made in good faith while engaged in the business of the
5 Board.

6 *Committees*

7 9. -(1) Subject to its standing orders, the Board may appoint such
8 number of standing or ad hoc committees as it thinks fit to consider and
9 report on any matter with which the Board is concerned.

10 (2) A Committee appointed under this paragraph shall:

11 (a) consists of such number of persons (not necessarily members of
12 the Board as may be determined by the Board) and a person, other than a
13 member of the Board, shall hold office on the committee in accordance with
14 the terms of his appointment; and

15 (b) be presided over by a member of the Board.

16 (3) The quorum of any committee set up by the Board shall be its
17 quorum as provided under sub-section 3 of this Schedule.

18 (4) A decision of any committee of the Board shall constitute a
19 recommendation to the Board.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the National Agency for
Technology Management.

FEDERAL COLLEGE OF NURSING AND MIDWIFERY SCIENCES LAPAI

BILL, 2022

ARRANGEMENT OF CLAUSES

Clause-

PART I - ESTABLISHMENT OF FEDERAL COLLEGE OF NURSING AND
MIDWIFERY SCIENCES LAPAI

1. Establishment of Federal College of Nursing and Midwifery Sciences Lapai
2. Functions of the College
3. Constitution of the College
4. Establishment of the Governing Board
5. Membership of the Board
6. Functions and powers of the Board
7. Tenure of office of members of the Board

PART II - SENATE AND STAFF OF THE COLLEGE

8. Establishment and membership of the Senate.
9. Functions of the Senate
10. Appointment of Principal Officers
11. Tenure of office of Principal Officers
12. Removal of Principal Officers
13. The function of the Rector of the College
14. Appointment of other Staff

PART III - FACULTIES OF THE COLLEGE AND EXAMINATION

15. Establishment of Faculties for the College
16. Faculty Board

PART IV - FINANCIAL PROVISIONS

17. Financial provisions
18. Gifts to the College

- 19. Account
- 20. Annual Budget
- 21. Annual Report
- 22. Audit

PART V - MISCELLANEOUS

- 23. Discipline of trainees
- 24. Interpretation
- 25. Short title
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF NURSING AND MIDWIFERY SCIENCES LAPAI TO PROVIDE TRAINING, TEACHING, AND LEARNING INSTRUCTIONS IN NURSING AND MIDWIFERY SCIENCES, LEADING TO THE AWARD OF CERTIFICATES AND DEGREES IN THE NURSING AND MIDWIFERY PROFESSION IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Abdullahi Mamudu

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE FEDERAL COLLEGE OF NURSING AND 2 MIDWIFERY SCIENCES LAPAI

3 1. There is established a Federal College of Nursing and Midwifery
4 Sciences Lapai (in this Bill referred to as "the College"), which shall be a
5 body corporate with perpetual succession and a common seal and may sue
6 and be sued in its corporate name.

Establishment of
the Federal College
of Nursing and
Midwifery Sciences
Lapai

7 2. The College shall-

Functions of the
College

8 (a) develop, maintain and periodically review the curricula of all
9 the academic programmes of the faculties;

10 (b) conduct all examinations and prepare successful candidates for
11 the various awards in all the faculties; and

12 (c) perform other activities necessary for the enhancement of
13 medical profession in Nigeria.

14 3.-(1) The College shall consist of the Governing Board and the
15 Senate of the College, and the Senate of the College shall regulate its
16 proceedings in line with the first schedule to this Bill.

Constitution of
the College
First Schedule

17 (2) The affairs of the College shall be managed by-

18 (a) Governing Board; and

	1	(b) Senate.
Establishment of the Governing Board	2	4. There shall be established for the College a Governing Board (in
	3	this Bill referred to as "the Board") which shall be charged with the general
	4	management of the affairs of the College.
Membership of the Board	5	5.-(1) The Board shall consist of-
	6	(a) a Chairman;
	7	(b) the Permanent Secretary, Federal Ministry responsible for-
	8	(i) Health,
	9	(ii) Education,
	10	(iii) Science and Technology; and
	11	(iv) Finance;
	12	(c) a representative of the Senate; and
	13	(d) Rector of the College, who shall also serve as the Secretary of the
	14	Board.
Schedule	15	(2) The Board shall regulate its proceedings in line with the schedule
	16	to this Bill.
Functions and powers of the Board	17	6. The Board shall-
	18	(a) have the power to establish faculties and other departments for the
	19	College as may be deemed necessary from time to time;
	20	(b) exercise control and supervise the policy, finances and property of
	21	the College;
	22	(c) consider and approve the terms and conditions of appointment and
	23	remunerations of the principal officers and other staff of the College;
	24	(d) promote and discipline staff of the College on the advice of the
	25	appropriate Committee that may be set up for that purpose;
	26	(e) consider and approve the College annual budget or estimates and
	27	any variation as well as external auditor's report;
	28	(f) consider and approve Senate recommendations; and
	29	(g) exercise other functions and powers as this Bill may confer on it.

1	7.-(1) Member of the Board mentioned under clause 5(1) (a) and	Tenure of office
2	(c) shall hold office for a single term of two years and no more.	of members of the Board
3	(2) A member of the Board referred to in sub-clause (1) of this	
4	clause may resign his appointment by notice to the Rector of the College.	
5	PART II - SENATE AND STAFF OF THE COLLEGE	
6	8. There shall be established for the College a Senate which shall	Establishment
7	consist of-	and membership of the Senate
8	(a) the Rector of the College who shall be the Chairman;	
9	(b) the Deputy Rector academic and administration;	
10	(c) the Librarian;	
11	(d) heads of faculties of the college; and	
12	(e) the Bursar.	
13	9. The Senate shall-	Functions of the Senate
14	(a) administer the academic programmes of the College;	
15	(b) determine and organize courses of study and examinations at	
16	the College;	
17	(c) award certificate and such other qualifications as may be	
18	prescribed in connections with examinations held by the College;	
19	(d) consider and approve the result at the examinations at the	
20	College; and	
21	(e) perform other functions as the College may assign to it from	
22	time to time.	
23	10. The Board shall appoint for the College the following	Appointments of
24	Principal Officers-	the Principal Officers
25	(a) the Rector of the College, with a minimum of fifteen years'	
26	experience in Nursing or Midwifery Sciences;	
27	(b) Deputy Rector academic and administration;	
28	(c) College Secretary;	
29	(d) College Bursar; and	
30	(e) College Librarian.	

Tenure of office of the Principal Officers	1	11. The tenure of office of the Principal Officers shall be for five years
	2	and no more.
Removal of principal Officers	3	12. A principal officer of the College shall be removed from office on
	4	the grounds of-
	5	(a) unsound mind;
	6	(b) bankruptcy;
	7	(c) insolvency;
	8	(d) misappropriation of funds; or
	9	(e) incapacity to perform his duties.
Functions of the Rector of the College	10	13. The Rector shall be-
	11	(a) The Chief Executive of the College;
	12	(b) Responsible for the day to day administration of the College; and
	13	(c) The Secretary of the Board and Senate.
Appointment of other staff	14	14. The College shall employ such staff as it may deem necessary for
	15	the efficient performance of its functions.
	16	PART III - FACULTIES OF THE COLLEGE AND EXAMINATION
Establishment of Faculties for the College	17	15. There shall be established for the College the following Faculties-
	18	(a) Nursing;
	19	(b) Midwifery; and
	20	(c) any other faculty that the College may from time to time create.
Faculty Board	21	16. -(1) There shall be a Faculty Board for each Faculty.
	22	(2) A Faculty Board shall comprise of-
	23	(a) a Dean;
	24	(b) heads of departments;
	25	(c) all members of the Faculty; and
	26	(d) a Secretary.
	27	(3) A Faculty Board shall elect from among its members a Dean who
	28	shall each serve for three years only.
	29	(4) Subject to such standing orders that the Senate may make for that
	30	purpose, a Faculty Board may carry out its duties as it deems fit.

1 (5) A Faculty Board shall appoint an Academic Committee to
2 select qualified candidates to be trained in the Faculty.

3 PART IV - FINANCIAL PROVISIONS

4 **17.-** (1) The College shall establish a Fund into which shall be paid- Financial
5 (a) budget allocations made to the College by the Federal provisions
6 Government;

7 (b) sums charged for services rendered by the College;

8 (c) other sums that may accrue to the College from other sources,
9 including such sums accruing to the College by way of gifts, testamentary
10 disposition and endowments or contributions from philanthropic persons or
11 organization or otherwise, however, received.

12 (2) Monies received by the College by way of endowments, gifts or
13 donations shall be entered into a register kept for that purpose showing the
14 names of donors and any special conditions attached to such monies.

15 (3) All property, money or funds donated for any specified purpose
16 shall be applied and be administered under the purpose for which they were
17 donated and shall be accounted for separately.

18 (4) The College may apply the proceeds from the investments
19 made with monies from the Fund established under sub-clause (1) of this
20 clause to-

21 (a) the cost of administration of the College;

22 (b) the reimbursement of members of the Board or any of its
23 Committee for such expenses as may be expressly authorized by the Board
24 under the rates approved by the Federal Government under Financial
25 Regulations;

26 (c) the payment of salaries, fees or other remuneration, allowances
27 and pension payable to the employees of the College;

28 (d) the maintenance of any property vested on the College; and

29 (e) give effect to the activities connected with the purposes of the
30 College under this Bill.

Gifts to the College 1 **18.-(1)** The College may accept a gift of land, money, or other
2 property upon such terms and conditions, as specified by the persons or
3 organization making the gift.

4 (2) The College shall not accept a gift if the terms and conditions
5 attached by the person or organization making the gift are inconsistent with the
6 functions of the College or its position as a non-partisan institution free from
7 any undue external influence.

Accounts 8 **19.** The College shall keep proper accounts for the period of twelve
9 months ending on the thirty-first of December in each year, and adequate
10 records about those accounts notwithstanding any other requirement or control
11 imposed, whether by an enactment or otherwise, concerning the finances of the
12 lands, endowment and other property held by or for the College.

Annual budget 13 **20.** The College shall prepare an annual budget showing the estimate
14 of income and expenditure of the College for the ensuing year and shall submit
15 the estimate to the Minister not later than three calendar months preceding the
16 financial year or such earlier date as the Minister may request.

Annual reports 17 **21.** The College shall prepare and submit to the Minister not later
18 than 30th June of each year a report in such form as the Minister may direct on
19 the activities of the College during the immediately preceding year and shall
20 include in the report a copy of the audited account to the College for that year
21 and the auditor's report.

Audit 22 **22.** The College shall cause the accounts of the College to be audited
23 by external auditors appointed by the Board, drawn from the approved list of
24 auditors provided by the office of the Auditor-General of the Federation
25 immediately after the end of each financial year the accounts relate.

26 **PART V - MISCELLANEOUS**

Discipline of trainees 27 **23.-(1)** Subject to the provisions of this clause, where it appears to the
28 College Rector that a student or trainee of the College has been guilty of
29 misconduct, the College Rector may, without prejudice to any other

1 disciplinary powers conferred on him by this Bill or Regulations made under
2 this clause direct-

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

6 (b) that the activities of the student or trainee shall, during such
7 period as may be specified in the directions be restricted to such manner as
8 may be so specified;

9 (c) that the trainee be suspended from appearing from exams for
10 such period as may be specified in the directions; or

11 (d) that the student or trainee is withdrawn from the College.

12 (2) Where the Rector is absent or where the Rector refuses to apply
13 any disciplinary measures, the Board, either directly or through some other
14 staff, may use such disciplinary actions as specified in sub-clause (1) of this
15 clause any trainee of the College who is guilty of misconduct.

16 (3) Where a direction is given under sub-clause (1)(c) or (d) of this
17 clause in respect of any trainee, the trainee may, within the 21 days from the
18 date of the letter communicating the decision to him, appeal from the
19 direction to the Board and where such an appeal is brought, the Board shall,
20 after causing such an enquiry to be made in the matter as the Board considers
21 just, either confirm or set aside the direction or modify it in such a manner as
22 the Board may deem fit.

23 (4) The fact that an appeal from a direction is brought pursuant to
24 sub-clause (3) of this clause shall not affect the operation of the direction
25 while the appeal is pending.

26 (5) The Board may delegate its powers under sub-clause (3) of this
27 clause to a disciplinary committee consisting of such members of the
28 College as it may nominate.

29 (6) Nothing in this clause shall be construed as preventing the
30 restriction or termination of the trainee's activities at the College otherwise

	1	than on the ground of misconduct.
	2	(7) A declaration that a direction under subclause (1) (a) of this clause
	3	may be combined with a direction under subclause (1) (b) of this clause.
	4	(8) In all cases under this clause, the Board's decision shall be final.
Interpretation	5	24. In this Bill-
	6	"Assessor" means a legal assessor appointed under paragraph 4(1) and (2) of
	7	the third schedule to this Bill;
	8	"Board" means Governing Board of the Federal College of Nursing and
	9	Midwifery Sciences Lapai;
	10	"College" means Federal College of Nursing and Midwifery Sciences Lapai;
	11	"College Rector" means Rector of the Federal College of Nursing and
	12	Midwifery Sciences Lapai;
	13	"Council" means the Council of the Federal College of Nursing and Midwifery
	14	Lapai;
	15	"Minister" means Minister responsible for health;
	16	"Senate" means Senate of the Federal College of Nursing and Midwifery
	17	Sciences Lapai.
Citation	18	25. This Bill may be cited as the Federal College of Nursing and
	19	Midwifery Sciences Lapai Bill, 2022.

1 SCHEDULE

2 [Clauses 3(1) and 5(4)]

3 PROCEEDINGS OF THE GOVERNING BOARD AND SENATE

4 *Standing orders*

5 (1) The Governing Board may make standing orders regulating its
6 proceedings or of any Committee of the Board.

7 (2) The Senate may make standing orders regulating its
8 proceedings or of any Faculty Board or any Committee of the Senate.

9 *Quorum*

10 The quorum of-

11 (a) the Governing Board shall be one-third of its constituent
12 members;

13 (b) the Senate shall be one-third of its constituent members; and
14 the Senate shall determine any Faculty Board

15 *Presiding at meeting*

16 At any meeting of the Governing Board or the Senate, the Chairman shall
17 preside, and where the Chairman is absent, the Vice-Chairman shall preside.

18 *Appointment of Committee*

19 (1) The Governing Board may appoint one or more Committees to
20 carry out on its behalf any of its functions, but a decision of any of its
21 Committee shall be of no effect until the Board confirms it.

22 (2) The Senate may appoint one or more Committees to carry out
23 on its behalf any of its functions, but a decision of any of its Committee shall
24 be of no effect until the Senate confirms it.

25 *Fixing of seal*

26 (1) The fixing of the College's seal shall be authenticated by the
27 signature of the Chairman or of a member authorized by the Governing
28 Board for that purpose.

29 (2) Any contract or instrument which, if made or executed by a
30 person not being a body corporate, is not be required to be under the seal may

1 be made or executed on behalf of the College by any person generally or
2 specially authorized to act for that purpose by the Governing Board.

3 (3) Any document purporting to be duly executed under the College's
4 seal shall be received in evidence and shall, except the contrary is proved, be
5 deemed to be so executed.

6 *Validity of proceedings*

7 The validity of any proceedings of the Governing Board, the Senate or any
8 Faculty Board, or of a Committee of the Governing Board or the Senate shall
9 not be affected by any vacancy in the membership of the body concerned or by
10 any defect in the appointment of any member or by reason that a person not
11 entitled to do so took part in the proceedings.

12 *Disclosure of personal interest*

13 Any member of the Governing Board, and any person holding office on a
14 Committee of the Board, who has a personal interest in any contract or
15 arrangement entered into or proposed to be considered by the Board or a
16 committee of the Board shall disclose his interest to the Board and shall not
17 vote on any question relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Nursing and Midwifery Sciences Lapai to provide training, teaching, and learning instructions in Nursing and Midwifery Sciences, leading to the award of certificates and degrees in the Nursing and Midwifery profession in Nigeria.

A BILL
FOR

AN ACT TO AMEND FEDERAL COLLEGES OF EDUCATION ACT CAP F8 LAWS
OF THE FEDERATION OF NIGERIA 2004, TO INCLUDE FEDERAL COLLEGE OF
EDUCATION (TECHNICAL) AGAIE, NIGER STATE AND FOR RELATED
MATTERS

Sponsored by Hon Abdullahi Mamudu

[] Commencement

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

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1. The Federal Colleges of Education Act Cap F8 Laws of the

Federation of Nigeria 2004 (in this bill referred to as "the Principal Act") is

amended as set out in this Bill.

2. The first schedule to the Principal Act is amended by inserting

after the existing paragraph (p), a new paragraph "(pp)" -

"(pp) Federal College of Education Agaie, Niger State."

3. This Bill may be cited as Federal Colleges of Education Act

(Amendment) Bill, 2022.
- Amendment of

Federal Colleges

of Education Act

Cap F8 LFN, 2004

Amendment of

first schedule to

the Principal Act

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend Federal Colleges of Education Act Cap F8 Laws of
the Federation of Nigeria 2004, to include Federal College of Education
(Technical) Agaie, Niger State.

NATIONAL CEREALS RESEARCH INSTITUTE BADEGGI BILL, 2022

ARRANGEMENT OF CLAUSES

Clause-

PART I: ESTABLISHMENT OF THE NATIONAL CEREALS RESEARCH

INSTITUTE BADEGGI

1. Establishment of the National Cereals Research Institute Badeggi.
2. Functions of the Institute

PART II: ESTABLISHMENT OF THE GOVERNING BOARD

3. Establishment and Constitution of the Governing Board of the Institute
4. Tenure of Office of Members of Board
5. Resignation, cessation or removal from membership of the Board.
6. Allowances of Members of Board
7. Functions and Powers of the Board

PART III: GOVERNMENT AND PRIVATE PARTICIPATION

8. Government and Private Sector involvement and participation
9. Accreditation of Organizations
10. Withdrawal of Accreditation

PART IV: STRUCTURE AND STAFF OF THE INSTITUTE

11. Structure of the Institute
12. The Director- General of the Institute
13. Other Staff of the Institute
14. Pension

PART V: FINANCIAL PROVISIONS

15. Fund of the Institute
16. Expenditure of the Institute
17. Donations to the Institute
18. Restrictions on Donations
19. Power to Borrow

20. Annual Estimates and Expenditure

21. Annual Report

PART VI: MISCELLANEOUS PROVISIONS

22. Directives by the President, etc.

23. Powers of the Minister to make Regulations

24. Offices and Premise of the Institute

25. Limitation of Suits against the Institute

26. Services of Document

27. Restriction of execution against property of the Institute

28. Interpretation

29. Citation

Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL CEREALS RESEARCH INSTITUTE
BADEGGI TO BE SADDLED WITH THE RESPONSIBILITIES OF TEACHING AND
CONDUCTING RESEARCH ON CEREALS AND OTHER AGRICULTURAL
PRODUCE, IN ORDER TO PROMOTE CULTIVATION, PROCESSING AND
EXPORTATION OF CEREALS IN NIGERIA AND TO ISSUE CERTIFICATES AND
FOR RELATED MATTERS

Sponsored by Hon. Abdullahi Mamudu

[] Commencement

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

1 PART 1: ESTABLISHMENT OF THE NATIONAL CEREALS RESEARCH

2 INSTITUTE BADEGGI AND THE GOVERNING BOARD

3 1.-(1) There is established a body to be known as the National
4 Cereals Research Institute Badeggi (in this Bill referred to as "the
5 Institute").

Establishment
of the National
Cereals Research
Institute Badeggi

6 (2) The Institute shall:

7 (a) be a body Corporate with perpetual succession and a common
8 seal and may sue and be sued in its corporate name; and

9 (b) acquire, hold, mortgage, purchase and deal howsoever with
10 property, whether movable or immovable, real or personal.

11 2. The Institute shall:

Functions of the
Institute

12 (a) formulate and implement policies on the promotion of teaching
13 leading to award of certificates, research in Cereals and other agricultural
14 produce, cultivation, processing and exportation of such agricultural
15 produce;

16 (b) promote rural development across the federation;

17 (c) create awareness on the cultivation, and processing of Cereals

1 by providing support to the farmers;
2 (d) coordinate partnerships and collaborations with national and
3 international organizations on cultivation and processing of Cereals; and
4 (e) perform such other functions as may directed by the Board or the
5 Minister to give effect to the provisions of this Bill.

6 PART II: ESTABLISHMENT AND CONSTITUTION OF THE GOVERNING
7 BOARD OF THE INSTITUTE

Establishment
and Constitution
of Governing
Board of the
Institute

8 3.-(1) There is established for the management of the affairs of the
9 Institute a Governing Board (in this Bill referred to as "the Board").

10 (2) The Board shall consist of:

11 (a) a Chairman, who shall be a person with requisite knowledge in
12 agricultural research and development, with not less than fifteen years of
13 cognate experience;

14 (b) 2 representatives, not below the rank of a Director, of the
15 Ministries responsible for:

16 (i) Agriculture,

17 (ii) Science and Technology, and

18 (iii) Finance;

19 (c) one representative each from the:

20 (i) Six Geo-political Zones in Nigeria,

21 (ii) Raw Materials and Research Development Council,

22 (iii) Body of farmers,

23 (iv) Host Community;

24 (v) Nigeria Export Promotion Council; and

25 (d) the Director General who shall serve as the Secretary to the
26 Board.

27 (3) The Chairman and other members of the Board, other than ex-
28 officio, shall be appointed by the President subject to confirmation by the
29 Senate.

1 (4) A person shall not be appointed as a member of the Board if the

2 person:

3 (a) is an undischarged bankrupt;

4 (b) fails to comply or is not capable of fully complying with a
5 judgment or order, including an order for costs, given against the person by a
6 court of law in a civil case; and

7 (c) in the preceding 10 years has been convicted of an offence of
8 which fraud, violence, dishonesty, extortion or intimidation is an element.

9 (5) Other members of the Board shall:

10 (a) have at least 10 years cognate experience in agricultural
11 research and development or related area;

12 (b) be a person of unquestionable character and proven integrity.

13 (6) The supplementary provision set out in the Schedule to this Bill

Schedule

14 shall have effect with respect to the proceeding of the Board and other
15 related matters.

16 4. Members of the Board shall hold office for a term of four years
17 renewable for another term of four years only.

Tenure of office
of members of
Board

18 5.-(1) A member of the Board may resign the appointment by
19 notice in writing addressed to the Chairman of the Board while the
20 Chairman may resign the appointment by notice in writing addressed to the
21 President of the Federal Republic of Nigeria through the Minister.

Resignation,
cessation or
removal from
membership of
the Board

22 (2) A member of the Board shall vacate office, if the member:

23 (a) becomes subject to disqualification under clause 3(4) of this
24 Bill;

25 (b) lacks physical or mental capacity to perform the functions of
26 the office;

27 (c) becomes of unsound mind;

28 (d) is convicted of a felony, gross misconduct or of any offence
29 involving dishonesty or fraud;

30 (e) is disqualified or suspended from professional practice in any

1 part of the world, by an order of a competent Authority made in respect of that
2 member;

3 (f) in the case of an ex - officio member, ceases to hold the office on
4 the basis of which the member became a member of the Board; or

5 (g) is absent without the leave of the Secretary for more than two
6 consecutive meetings of the Board.

7 (3) A member of the Board may be removed from office by the
8 President, if the President is satisfied that it is not in the interest of the public
9 that the member should continue in that office.

Allowances of
Members of
Board

10 6. There shall be paid to every member of the Board such allowances
11 as the Institute may from time to time determine in line with the extant policy of
12 Salaries and Wages Commission.

Functions of the
Board

13 7. The Board shall:

14 (a) manage and superintend the affairs of the Institute;

15 (b) approve the policies, guidelines and programmes of the Institute;

16 (c) facilitate teaching leading to an award of certificates and research
17 in the cultivation and processing of Cereals and other agricultural produce;

18 (d) facilitate the formation and development of national and
19 international partnerships or collaboration for the purpose of implementing the
20 objectives of the Bill;

21 (e) review quarterly and annual reports of the Institute on the extent of
22 the implementation of the policy framework for the promotion of research,
23 cultivation and processing of Cereals;

24 (f) approve the appointment of senior staff of the Institute either on
25 permanent or temporary appointment or through secondment of service;

26 (g) make rules and regulations relating generally to the appointment,
27 promotion, discipline and conditions of service of employees of the Institute;

28 (h) do such other things which in the opinion of the Board and
29 directives of the Minister are necessary and expedient to ensure the efficient
30 discharge of the functions of the Institute.

1 PART III: GOVERNMENT AND PRIVATE PARTICIPATION

2 **8.** Any government or private sector may, subject to any Government and
3 requirement under this Bill, participate in the research, cultivation, Private Sector
4 processing and exportation of Cereals in the manner provided for in this involvement and
5 Bill. participation

6 **9.-(1)** In furtherance of the objectives of this Bill, the Institute may Accreditation of
7 accredit public and private organisations or laboratory for the research, in Organizations
8 Cereals in Nigeria.

9 (2) An action or claim shall not lie against the Institute for any
10 refusal to accredit any organization under this Bill.

11 **10.** The accreditation by the Institute of any organization under this Withdrawal of
12 Bill may be withdrawn where such organizations: Accreditation

13 (a) does not satisfactorily perform its functions assigned to it by the
14 Institute under this Bill;

15 (b) has become affected by any of the disqualifications from
16 accreditation under this Bill or was not qualified for accreditation under this
17 Bill at the time it was accredited;

18 (c) diverts to its private use or is found to be unfair in the
19 administration of any material or any part thereof made available or donated
20 to it;

21 (d) is in breach of or acts contrary to any clear provisions of this Bill
22 or any of the terms of its accreditation under this Bill, or

23 (e) is in breach of any of its functions, duties or the terms of any
24 specific or special functions assigned to it by the Institute under this Bill.

25 PART IV: STRUCTURE AND STAFF OF THE INSTITUTE

26 **11.-(1)** Subject to this Bill, the Institute may be structured into any Structure of the
27 number of departments and divisions as the Board may deem appropriate for Institute
28 the effective administration of the Institute.

29 (2) The Board may create additional Departments and Committees
30 based on management recommendation and prevailing circumstances.

	1	(3) Each department shall be managed by a Director who will be
	2	responsible for coordinating the functions of such department.
The Director- General of the Institute	3	12. -(1) There shall be a Director-General for the Institute who shall be
	4	appointed by the President on the recommendation of the Minister, subject to
	5	the confirmation of the Senate of the National Assembly.
	6	(2) The Director General shall:
	7	(a) be the Chief Executive and Accounting Officer of the Institute and
	8	responsible for the general administration of the Institute;
	9	(b) be a fit and proper person with at least 12 years post qualification
	10	experience in agricultural research and development and of proven integrity
	11	and ability;
	12	(c) keep the records of proceedings and decisions of the Board and
	13	such other functions as the Board may from time to time direct; and
	14	(d) be appointed for a term of 4 years in the first instance and may be
	15	re-appointed for a further term of 4 years and no more.
Other staff of the Institute	16	13. -(1) The Board shall appoint for the Institute such number of
	17	employees as may in the opinion of the Board be expedient and necessary for
	18	the proper and efficient performance of the functions of the Institute.
	19	(2) The terms and conditions of service, including remuneration,
	20	allowances, benefits and pensions, of the employees of the Institute shall be as
	21	determined by the Board using the extant policy of the government.
Pension	22	14. Service in the Institute to be pensionable under the subsisting
	23	Pensions Act.
	24	PART V: FINANCIAL PROVISIONS
Fund of the Institute	25	15. -(1) There shall be established and maintained by the Institute, a
	26	Fund into which shall be paid and credited:
	27	(a) all allocations from the Federal Government;
	28	(b) such monies as may, from time to time, be lent, deposited or
	29	granted to the Institute by the Government of the Federation or of a State;
	30	(c) all Grants received from both local and international organization

1 for the purpose of the Institute;

2 (d) fees, levies, penalties, charges, administrative costs of
3 proceedings, and other moneys payable to the Institute in pursuance of this
4 Bill;

5 (e) all monies received by the Institute as gifts, loans,
6 contributions, testamentary deposition or donations; and

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

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

12 (a) specifying the manner in which the assets of the Fund are to be
13 held and regulating the making payments into and out of the Fund; and

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

16 16. The Institute shall apply the funds established pursuant to
17 clause 15 of this Bill to-

18 (a) cost of administration of the Institute;

19 (b) payment of salaries, fees, remuneration, bills, rents of the
20 Institute;

21 (c) cost of maintenance of any property acquired or vested in the
22 Institute;

23 (d) capital expenditure approved by the Institute for research and
24 development of Cereals;

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

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

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

30 (h) payment of such other expenses and activities as are connected

	1	with all or any of the functions of the Institute under this Bill.	Expenditure
	2	of the Institute.	
Donations to the Institute	3	17. The Institute may, subject to the provisions of this Bill, receive	
	4	donations from persons, organizations, bodies or governments for the purpose	
	5	of the Bill.	
Restriction on Donations	6	18. The Institute shall not accept any donation or gift if the conditions	
	7	attached by the person or organization making the gift are inconsistent with the	
	8	functions of the Institute under this Bill.	
Power to borrow	9	19. The Institute may, with the approval of the Minister, borrow, on	
	10	such terms and conditions as the Institute may require in the exercise of its	
	11	functions under this Bill.	
Annual Estimates and Expenditure	12	20.-(1) The Board shall, not later than 30th September of each year,	
	13	submit to the Minister, an estimate of the expenditure and income, including	
	14	payments to the Institute' Fund, for the next succeeding year.	
	15	(2) The Board shall cause to be kept proper accounts of the Institute in	
	16	respect of each year and proper records in relation thereto and shall cause the	
	17	accounts to be audited not later than 6 months after the end of each year by	
	18	auditors appointed from the list in accordance with the guidelines supplied by	
	19	the Auditor-General of the Federation.	
Annual Report	20	21.-(1) The Board shall prepare and submit to the Minister, not later	
	21	than 30th June in each year, a report in such form as the President may direct on	
	22	the activities of the Institute during the immediately preceding year, and shall	
	23	include in the report a copy of the audited accounts of the Institute for that year	
	24	and auditor's report thereon.	
	25	(2) The Minister shall, upon receipt of the report referred to in sub	
	26	clause (1) of this clause, cause a copy of the report and the audited accounts of	
	27	the Institute and the auditor's report thereon to be submitted to the National	
	28	Assembly.	

1	PART VI: MISCELLANEOUS PROVISIONS	
2	22. The President may give directives of a general nature to matters	Directives by the
3	of policy with regard to functions of the Institute and it shall be the duty of	President, etc.
4	the Institute to comply with the directives.	
5	23. The Minister may make regulations as may be necessary or	Powers of the
6	expedient for giving full effect to the provisions of this Bill.	Minister to make Regulations
7	24. -(1) For the purposes of providing offices and premises	Offices and
8	necessary for the performance of its functions under this Bill, the Institute	Premises of the
9	may, subject to the Land Use Act:	Institute
10	(a) purchase or take on lease any interest land, or other property;	
11	and	
12	(b) construct offices and premises and equip and maintain same.	
13	(2) The Institute may, subject to the land use Act and the approval	
14	of the Minister, sell or lease out any office or premises held by it, which	
15	office or premises is no longer required for the performance of its functions	
16	under this Bill.	
17	25. -(1) Subject to the provisions of this Bill, the provisions of the	Limitation of suits
18	Public Officers Protection Act shall apply in relation to any suit against any	against the Institute
19	member or Officer or employee of the Institute.	
20	(2) Notwithstanding anything contained in any other law, no suit	
21	shall lie against any member of the Board, the chairman or any other officer	
22	or employee of the Institute for anything done in pursuance or execution of	
23	this Bill or any other law, or any alleged neglect or default in the execution	
24	of this Bill, duty or authority, shall lie or be Institute in any court unless-	
25	(a) it is commenced within three months after the act, neglect or	
26	default complained of; or	
27	(b) in the case of a continuation of damage or injury, within six	
28	months next after the leasing thereof.	
29	26. A notice, summons or other document required or authorized	Services of
30	to be served upon the Institute under the provisions of this Bill or any other	document

	1	law may be served by delivering it to the office of the Director General.
Restriction of execution against property of the Institute	2	27. In any action or suit against the Institute, no execution or
	3	attachment of process shall be made against the Institute, unless not less than
	4	three months' notice of the intention to execute or attach has been given to the
	5	Institute.
Interpretation	6	28. In this Bill:
	7	"Board" means the Governing Board of the Institute;
	8	"Geo-political Zones" means North Central, North East, North West, South
	9	East, South West, South South and South West;
	10	"Institute" means the National Institute for Cereals Institute;
	11	"Member" means a member of the Board and includes the Chairman;
	12	"Minister" means the Minister responsible for Agriculture;
	13	"President" means the President of the Federal Republic of Nigeria.
Citation	14	29. This Bill may be cited as National Cereal Research Institute
	15	Badeggi Bill, 2022.

1 SCHEDULE

2 [Clause 3(6)]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

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

1 shall hold office in the committee in accordance with the terms of his
2 appointment.

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

5 *Miscellaneous*

6 9. The fixing of the Seal of the Institute shall be authenticated by the
7 signature of the Chairman and the Secretary to the Board.

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

12 11. A document purporting to be a document duly executed under the
13 Seal of the Institute shall be received in evidence and shall, unless the contrary
14 is proved, be presumed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Cereals Research Institute Badeggi to be saddled with the responsibilities of teaching and conducting research on cereals and other agricultural produce, in order to promote cultivation, processing and exportation of cereals in Nigeria and to issue certificates.

NATIONAL COLLEGE OF LABORATORY TECHNOLOGY, HEALTH SCIENCES
AND MEDICAL IMAGING AGAIE BILL, 2022
ARRANGEMENT OF CLAUSES

Clause-

PART I - ESTABLISHMENT OF NATIONAL COLLEGE OF LABORATORY
TECHNOLOGY AND HEALTH SCIENCES AGAIE

1. Establishment of National College of Laboratory and Health Sciences Technology, Agaie
2. Functions of the College
3. Constitution of the College
4. Establishment of the Governing Board
5. Membership of the Board
6. Functions and powers of the Board
7. Tenure of office of members of the Board

PART II - SENATE AND STAFF OF THE COLLEGE

8. Establishment and membership of the Senate.
9. Functions of the Senate
10. Appointment of Principal Officers
11. Tenure of office of Principal Officers
12. Removal of Principal Officers
13. The function of the Rector of the College
14. Appointment of other Staff

PART III - FACULTIES OF THE COLLEGE AND EXAMINATION

15. Establishment of Faculties for the College
16. Faculty Board

PART IV - FINANCIAL PROVISIONS

17. Financial provisions
18. Gifts to the College

- 19. Account
- 20. Annual Budget
- 21. Annual Report
- 22. Audit

PART V - MISCELLANEOUS

- 23. Discipline of trainees
- 24. Interpretation
- 25. Short title
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL COLLEGE OF LABORATORY TECHNOLOGY, HEALTH SCIENCES AND MEDICAL IMAGING AGAIE TO PROVIDE TRAINING, TEACHING, AND LEARNING INSTRUCTIONS IN LABORATORY TECHNOLOGY SCIENCES, LEADING TO THE AWARD OF CERTIFICATES AND DEGREES IN THE LABORATORY TECHNOLOGY PROFESSION IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Abdullahi Mamudu

[] Commencement

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

1 PART I - NATIONAL COLLEGE OF LABORATORY TECHNOLOGY, HEALTH
2 SCIENCES AND MEDICAL IMAGING AGAIE

3 1. There is established a National College of Laboratory Establishment
4 Technology and Medical Imaging Agaie (in this Bill referred to as "the of the National
5 College"), which shall be a body corporate with perpetual succession and College of
6 common seal and may sue and be sued in its corporate name. Laboratory and
Health Sciences
Technology Agaie

7 2. The College shall- Functions of the
8 (a) develop, maintain and periodically review the curricula of all College

9 the academic programmes of the faculties;

10 (b) conduct all examinations and prepare successful candidates for

11 the various awards in all the faculties; and

12 (c) perform other activities necessary for the enhancement of
13 medical profession in Nigeria.

14 3.-(1) The College shall consist of the Governing Board and the Constitution of
15 Senate of the College, and the Senate of the College shall regulate its the Schedule
16 proceedings in line with the first schedule to this Bill. First Schedule

17 (2) The affairs of the College shall be managed b -

	1	(a) Governing Board; and
	2	(b) Senate.
Establishment of the Governing Board	3	4. There shall be established for the College a Governing Board (in
	4	this Bill referred to as "the Board") which shall be charged with the general
	5	management of the affairs of the College.
Membership of the Board	6	5.-(1) The Board shall consist of-
	7	(a) a Chairman;
	8	(b) the Permanent Secretary, Federal Ministry responsible for-
	9	(i) Health, and
	10	(ii) Science and Technology;
	11	(c) a representative of the Senate; and
	12	(d) Rector of the College, who shall also serve as the Secretary of the
	13	Board.
Schedule	14	(2) The Board shall regulate its proceedings in line with the schedule
	15	to this Bill.
Functions and powers of the Board	16	6. The Board shall-
	17	(a) consider and approve affiliations with other academic institutions;
	18	(b) have the power to establish faculties and other departments for the
	19	College as may be deemed necessary from time to time;
	20	(c) exercise control and supervise the policy, finances and property of
	21	the College;
	22	(d) consider and approve the terms and conditions of appointment and
	23	remunerations of the principal officers and other staff of the College;
	24	(e) promote and discipline staff of the College on the advice of the
	25	appropriate Committee that may be set up for that purpose;
	26	(f) consider and approve the College annual budget or estimates and
	27	any variation as well as external auditor's report;
	28	(g) consider and approve Senate recommendations; and
	29	(h) exercise other functions and powers as this Bill may confer on it.

1	7.-(1) Member of the Board mentioned under clause 5(1) (a) and	Tenure of office of members of the Board
2	(c) shall hold office for a single term of two years and no more.	
3	(2) A member of the Board referred to in sub-clause (1) of this	
4	clause may resign his appointment by notice to the Rector of the College.	
5	PART II - SENATE AND STAFF OF THE COLLEGE	
6	8. There shall be established for the College a Senate which shall	Establishment and membership of the Senate
7	consist of-	
8	(a) the Rector of the College who shall be the Chairman;	
9	(b) the Deputy Rector academic and administration;	
10	(c) the Librarian;	
11	(d) heads of faculties of the college; and	
12	(e) the Bursar of the College.	
13	9. The Senate shall-	Functions of the Senate
14	(a) administer the academic programmes of the College;	
15	(b) determine and organize courses of study and examinations at	
16	the College;	
17	(c) award certificate and such other qualifications as may be	
18	prescribed in connections with examinations held by the College;	
19	(d) consider and approve the result at the examinations at the	
20	College; and	
21	(e) perform other functions as the College may assign to it from	
22	time to time.	
23	10. The Board shall appoint for the College the following Principal	Appointment of the Principal Officers
24	Officers-	
25	(a) the Rector of the College, with a minimum of fifteen years'	
26	experience in Laboratory Technology;	
27	(b) Deputy Rector academic and administration;	
28	(c) College Secretary;	
29	(d) College Bursar; and	
30	(e) College Librarian.	

Tenure of office of the Principal Officers	1	11. The tenure of office of the Principal Officers shall be for five
	2	years and no more.
Removal of Principal Officers	3	12. A principal officer of the College shall be removed from office on
	4	the grounds of -
	5	(a) unsound mind;
	6	(b) bankruptcy;
	7	(c) insolvency;
	8	(d) misappropriation of funds; or
	9	(e) incapacity to perform his duties.
Functions of the Rector of the College	10	13. The Rector shall be-
	11	(a) The Chief Executive of the College;
	12	(b) Responsible for the day to day administration of the College; and
	13	(c) The Secretary of the Board and Senate.
Appointment of other staff	14	14. The College shall employ such staff as it may deem necessary for
	15	the efficient performance of its functions.
	16	PART III - FACULTIES OF THE COLLEGE AND EXAMINATION
Establishment of Faculties for the College	17	15. There shall be established for the College the following Faculties-
	18	(a) chemical;
	19	(b) biological;
	20	(c) forensic; and
	21	(d) any other faculty that the College may from time to time establish.
Faculty Board	22	16. -(1) There shall be a Faculty Board for each Faculty.
	23	(2) A Faculty Board shall comprise of-
	24	(a) a Dean;
	25	(b) heads of departments;
	26	(c) all members of the Faculty; and
	27	(d) a Secretary.
	28	(3) A Faculty Board shall elect from among its members a Dean who
	29	shall each serve for three years only.
	30	(4) Subject to such standing orders that the Senate may make for that

1 purpose, a Faculty Board may carry out its duties as it deems fit.

2 (5) A Faculty Board shall appoint an Academic Committee to
3 select qualified candidates to be trained in the Faculty.

4 PART IV - FINANCIAL PROVISIONS

5 **17.-** (1) The College shall establish a Fund into which shall be paid- Financial
Provisions

6 (a) budget allocations made to the College by the Federal
7 Government;

8 (b) sums charged for services rendered by the College;

9 (c) other sums that may accrue to the College from other sources,
10 including such sums accruing to the College by way of gifts, testamentary
11 disposition and endowments or contributions from philanthropic persons or
12 organization or otherwise, however, received.

13 (2) Monies received by the College by way of endowments, gifts or
14 donations shall be entered into a register kept for that purpose showing the
15 names of donors and any special conditions attached to such monies.

16 (3) All property, money or funds donated for any specified purpose
17 shall be applied and be administered under the purpose for which they were
18 donated and shall be accounted for separately.

19 (4) The College may apply the proceeds from the investments
20 made with monies from the Fund established under sub-clause (1) of this
21 clause to-

22 (a) the cost of administration of the College;

23 (b) the reimbursement of members of the Board or any of its
24 Committee for such expenses as may be expressly authorized by the Board
25 under the rates approved by the Federal Government under Financial
26 Regulations;

27 (c) the payment of salaries, fees or other remuneration, allowances
28 and pension payable to the employees of the College;

29 (d) the maintenance of any property vested on the College; and

30 (e) give effect to the activities connected with the purposes of the

	1	College under this Bill.
Gift to the College	2	18. -(1) The College may accept a gift of land, money, or other
	3	property upon such terms and conditions, as specified by the persons or
	4	organization making the gift.
	5	(2) The College shall not accept a gift if the terms and conditions
	6	attached by the person or organization making the gift are inconsistent with the
	7	functions of the College or its position as a non-partisan institution free from
	8	any undue external influence.
Accounts	9	19. The College shall keep proper accounts for the period of twelve
	10	months ending on the thirty-first of December in each year, and adequate
	11	records about those accounts notwithstanding any other requirement or control
	12	imposed, whether by an enactment or otherwise, concerning the finances of the
	13	lands, endowment and other property held by or for the College.
Annual Budget	14	20. The College shall prepare an annual budget showing the estimate
	15	of income and expenditure of the College for the ensuing year and shall submit
	16	the estimate to the Minister not later than three calendar months preceding the
	17	financial year or such earlier date as the Minister may request.
Annual reports	18	21. The College shall prepare and submit to the Minister not later than
	19	30th June of each year a report in such form as the Minister may direct on the
	20	activities of the College during the immediately preceding year and shall
	21	include in the report a copy of the audited account to the College for that year
	22	and the auditor's report.
Audit	23	22. The College shall cause the accounts of the College to be audited
	24	by external auditors appointed by the Board, drawn from the approved list of
	25	auditors provided by the office of the Auditor-General of the Federation
	26	immediately after the end of each financial year the accounts relate.
	27	PART V - MISCELLANEOUS
Discipline of Trainees	28	23. -(1) Subject to the provisions of this clause, where it appears to the
	29	College Rector that a student or trainee of the College has been guilty of
	30	misconduct, the College Rector may, without prejudice to any other

1 disciplinary powers conferred on him by this Bill or Regulations made under
2 this clause direct-

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

6 (b) that the activities of the student or trainee shall, during such
7 period as may be specified in the directions be restricted to such manner as
8 may be so specified;

9 (c) that the trainee be suspended from appearing from exams for
10 such period as may be specified in the directions; or

11 (d) that the student or trainee is withdrawn from the College.

12 (2) Where the Rector is absent or where the Rector refuses to apply
13 any disciplinary measures, the Board, either directly or through some other
14 staff, may use such disciplinary actions as specified in sub-clause (1) of this
15 clause any trainee of the College who is guilty of misconduct.

16 (3) Where a direction is given under sub-clause (1)(c) or (d) of this
17 clause in respect of any trainee, the trainee may, within the 21 days from the
18 date of the letter communicating the decision to him, appeal from the
19 direction to the Board and where such an appeal is brought, the Board shall,
20 after causing such an enquiry to be made in the matter as the Board considers
21 just, either confirm or set aside the direction or modify it in such a manner as
22 the Board may deem fit.

23 (4) The fact that an appeal from a direction is brought pursuant to
24 sub-clause (3) of this clause shall not affect the operation of the direction
25 while the appeal is pending.

26 (5) The Board may delegate its powers under sub-clause (3) of this
27 clause to a disciplinary committee consisting of such members of the
28 College as it may nominate.

29 (6) Nothing in this clause shall be construed as preventing the
30 restriction or termination of the trainee's activities at the College otherwise

	1	than on the ground of misconduct.
	2	(7) A declaration that a direction under subclause (1) (a) of this clause
	3	may be combined with a direction under subclause (1) (b) of this clause.
	4	(8) In all cases under this clause, the Board's decision shall be final.
Interpretation	5	24. In this Bill-
	6	"Assessor" means a legal assessor appointed under paragraph 4(1) and (2) of
	7	the third schedule to this Bill;
	8	"Board" means Governing Board of the National College of Laboratory
	9	Technology and Health Sciences Agaie;
	10	"College" means National College of Laboratory Technology and Health
	11	Sciences Agaie;
	12	"College Rector" means Rector of the National College of Laboratory
	13	Technology and Health Sciences Agaie;
	14	"Council" means the Council of the National College of Laboratory
	15	Technology and Health Sciences Agaie;
	16	"Minister" means Minister responsible for health;
	17	"Senate" means Senate of the National College of Laboratory Technology and
	18	Health Sciences Agaie.
Citation	19	25. This Bill may be cited as the National College of Laboratory and
	20	Health Sciences Technology Agaie Bill, 2022.

1 SCHEDULE

2 [Clauses 3(1) and 5(4)]

3 PROCEEDINGS OF THE GOVERNING BOARD AND SENATE

4 *Standing orders*

5 (1) The Governing Board may make standing orders regulating its
6 proceedings or of any Committee of the Board.

7 (2) The Senate may make standing orders regulating its
8 proceedings or of any Faculty Board or any Committee of the Senate.

9 *Quorum*

10 The quorum of-

11 (a) the Governing Board shall be one-third of its constituent
12 members;

13 (b) the Senate shall be one-third of its constituent members; and
14 the Senate shall determine any Faculty Board

15 *Presiding at meeting*

16 At any meeting of the Governing Board or the Senate, the Chairman shall
17 preside, and where the Chairman is absent, the Vice-Chairman shall preside.

18 *Appointment of Committee*

19 (1) The Governing Board may appoint one or more Committees to
20 carry out on its behalf any of its functions, but a decision of any of its
21 Committee shall be of no effect until the Board confirms it.

22 (2) The Senate may appoint one or more Committees to carry out
23 on its behalf any of its functions, but a decision of any of its Committee shall
24 be of no effect until the Senate confirms it.

25 *Fixing of seal*

26 (1) The fixing of the College's seal shall be authenticated by the
27 signature of the Chairman or of a member authorized by the Governing
28 Board for that purpose.

29 (2) Any contract or instrument which, if made or executed by a
30 person not being a body corporate, is not be required to be under the seal may

1 be made or executed on behalf of the College by any person generally or
2 specially authorized to act for that purpose by the Governing Board.

3 (3) Any document purporting to be duly executed under the College's
4 seal shall be received in evidence and shall, except the contrary is proved, be
5 deemed to be so executed.

6 *Validity of proceedings*

7 The validity of any proceedings of the Governing Board, the Senate or any
8 Faculty Board, or of a Committee of the Governing Board or the Senate shall
9 not be affected by any vacancy in the membership of the body concerned or by
10 any defect in the appointment of any member or by reason that a person not
11 entitled to do so took part in the proceedings.

12 *Disclosure of personal interest*

13 Any member of the Governing Board, and any person holding office on a
14 Committee of the Board, who has a personal interest in any contract or
15 arrangement entered into or proposed to be considered by the Board or a
16 committee of the Board shall disclose his interest to the Board and shall not
17 vote on any question relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National College of Laboratory Technology, Health Sciences and Medical Imaging Agaie to provide training, teaching, and learning instructions in laboratory technology sciences, leading to the award of certificates and degrees in the laboratory technology profession in Nigeria.

A BILL

FOR

AN ACT TO ESTABLISH CHARTERED NIGERIAN INSTITUTE FOR INDUSTRIAL
SECURITY AND FOR RELATED MATTERS

Sponsored by Hon. Gogo Bright Tamuno

[] Commencement

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

1 PART I - ESTABLISHMENT, ETC. OF THE CHARTERED NIGERIAN
2 INSTITUTE FOR INDUSTRIAL SECURITY

3 1.-(1) There is hereby established a body to be known as the Establishment of
4 Chartered Nigerian Institute for Industrial Security (in this Act referred to as Chartered Nigerian
5 " the Institute") which shall be a body corporate under that name and be Institute for
6 charged with the general duty of:- Industrial Security

7 (a) Determining what standards of knowledge and skill are to be
8 attained by persons, seeking to become registered members of the Security
9 profession (in this Act referred to as "the profession") and reviewing those
10 standards, from time to time, as circumstances may permit;

11 (b) Securing in accordance with the provisions of this Act, the
12 establishment and maintenance of a register of fellows, associates, and
13 registered members of the profession and the publication, from time to time,
14 of the lists of those persons; and

15 (c) Performing, through the Council established under section 3 of
16 this Act, the function conferred on it by this Act.

17 (2) The Institute shall have perpetual succession and a common
18 seal which shall be kept in such custody as the Council may, from time to
19 time, authorize.

20 2.-(1) Subject to the provisions of this Act, persons admitted to Enrollment
21 Membership of the Institute shall be enrolled as security practitioners in the

1 Institute the category of:

2 (a) Fellows;

3 (b) Associates; or

4 (c) Ordinary members; and shall have status in the Institute
5 accordingly.

6 (2) Persons registered under this Act as security practitioners shall be
7 entitled to be enrolled:

8 (a) as fellows, if they satisfy the Council that for the period of ten
9 years immediately preceding the date of application in that behalf, they have
10 been fit persons and in addition to being the holders of approved academic or
11 professional qualifications, have been in continuous active employment as
12 security practitioners;

13 (b) as associates, if they satisfy the Council that for the period of five
14 years immediately preceding the date of application in that behalf they have
15 been fit persons and, in addition to being successful at a qualifying examination
16 prescribed by the Institute have been the holders of approved academic or
17 professional qualifications and have been in continuous active employment as
18 security practitioners; and

19 (c) as ordinary members, if they are employed on a full-time basis in a
20 security establishment.

21 (3) The Institute may register a member as an honorary fellow, or
22 honorary associate, an honorary fellow after an election by the council on the
23 recommendation of the board of fellows or as an honorary associate after an
24 election by the Council on the recommendation of the membership committee.

25 (4) No person shall be entitled to be employed as a security consultant
26 or senior officer in the security department of any company or organization in
27 the Public and Private Sector unless he is duly registered as a member of the
28 Institute.

29 (5) Fellow and associates of the Institute shall be entitled to use after
30 their names the words "Fellow of the Chartered Nigerian Institute for Industrial

1 Security and "Associate of the Chartered Nigerian Institute for Industrial
2 Security" respectively the initials "FCNIIS or "ACNIIS".

3 **3.-** (1) There shall be as the governing body of the Institute, a The Council
4 council of the Institute which shall be charged with the administration and
5 general management of the Institute.

6 (2) The council shall consist of-

7 (a) The President of the institute as Chairman;

8 (b) The Deputy President of the institute as Vice Chairman;

9 (c) The Registrar/Chief Executive of the institute as Secretary;

10 (d) Immediate Past President of the Institute as member;

11 (e) The Commandant General of Nigeria Security and Civil
12 Defense Corps or his representative as member;

13 (f) One member representing the Inspector General of Police;

14 (g) One member representing the Director General of the
15 Department of State Services;

16 (h) One member representing the Private Guard Companies
17 Department of NSCDC;

18 (i) Two representatives of the Association of licensed Private
19 Security Practitioners of Nigeria;

20 (j) One representative from each of the existing security institutes
21 accredited by Centre For Management Development. The said institute
22 must have been in existence for not less than 10 years before the passing of
23 this act;

24 (k) One representative from ASIS international Region 11,
25 Nigeria;

26 (l) One member from the Private Sector industry Security Group;

27 (m) Five members drawn from the organized Private Security
28 industry elected by the institute at its AGM representing different sectors in
29 the industry;

1 (n) A representative from each of the following Federal Ministries

2 namely:

3 (i) Interior;

4 (ii) Police affairs;

5 (ii) Defense.

6 (o) One representative from the Society for Professional Background
7 Screeners;

8 (p) One representative from Association of Industrial Security and
9 Safety Operators of Nigeria.

10 **4.-** (1) The President or Deputy President of the Institute shall be
11 elected at the AGM and shall hold office for a term of one year from the date of
12 his election. The President or deputy president shall be eligible for re-election
13 for a further term of one year and no more.

14 (2) The President shall be the Chairman at all meetings of the
15 Institute, so however that in the event of the death, incapacity or inability for
16 any reason of the President, the Deputy President, shall act as President for the
17 unexpired portion of the term of office as President, as the case may be, and
18 references in this Act to the President shall be construed accordingly.

19 (3) If the President or the Deputy President ceases to be a member of
20 the Institute, they shall cease to hold any of the offices designated under this
21 section.

22 (4) The provisions of schedule 1 to this Act shall have effect with
23 respect to the qualification and tenure of office of members of the council and
24 the other matters therein mentioned.

Power of the
Council t

25 **5.** The council shall have power to do any thing which in its opinion is
26 calculated to facilitate the carrying on of the activities of the Institute.

27 PART II - FINANCIAL PROVISIONS

Fund of the
Institute

28 **6.-(1)** There shall be established for the Institute, a fund which shall be
29 managed and controlled by the council.

30 (2) There shall be paid into the fund established pursuant to

1 subsections(1) of this section-

2 (a) all fees and other moneys payable to the Institute in pursuance
3 of this Act;

4 (b) such moneys as maybe payable to the Institute, whether in the
5 course of the discharge of its functions or not.

6 (3) There shall be paid out of the fund of the Institute:

7 (a) the remuneration and allowances of the Registrar and the other
8 employees of the Institute;

9 (b) such reasonable traveling and subsistence allowances of
10 members of the Council in respect of the time spent on the business of the
11 Institute as the Council may determine;

12 (c) any other expenses incurred by the Council in the discharge of
13 its functions under this Act.

14 (4) The Council may invest moneys from the fund in any security
15 created or issued by or on behalf of the Government of the Federation or in
16 any other securities in Nigeria approved by the Council.

17 (5) The Council may, from time to time, borrow money for the
18 purposes of the Institute and any interest payable on moneys so borrowed
19 shall be paid out of the fund.

20 7. The Council shall keep proper accounts on behalf of the Institute
21 etc in respect of each year and proper records in relations to those accounts
22 and the Council shall cause the accounts to be audited, within six months
23 after the end of the year to which the accounts relate by auditors appointed
24 from the list and in accordance with the guidelines supplied by the Auditor-
25 General of the Federation; and the accounts shall be submitted to the
26 members of the Institute for approval by them at the Annual General
27 meeting of the Institute.

Accounts

28 PART III - THE REGISTRAR AND THE REGISTER

29 8. -(1) The Council shall appoint a fit and proper person to be the
30 Registrar of Institute.

Appointment of
Registrar and
preparation of the
Register

1 (2) The Registrar shall, in addition to his other functions under the
2 Act, be the Secretary to the Council and shall on the instructions of the
3 President of the Institute or any committee of the Council convene and keep
4 minutes of the proceedings at all meetings of the Council and committees
5 thereof as the case may be.

6 (3) The Council may appoint such other persons to be employees of
7 the Institute as the Council may determine to assist the Registrar in the exercise
8 of his functions under this Act.

9 (4) It shall be the duty of the Registrar to prepare and maintain, in
10 accordance with rules made by the Council, a registrar of the names, addresses,
11 be specified in the rules, of all persons who are entitled in accordance with the
12 provisions of this Act to be enrolled as fellows including honorary fellows,
13 associates including honorary associates, and other members who, in the
14 manner prescribed by such rules, apply to be registered.

15 (5) The register shall consist of three parts of which-

16 (a) the first part shall be in respect of fellows including honorary
17 fellows;

18 (b) the second part shall be in respect of associates including honorary
19 associates; and

20 (c) the third part shall be in respect of others.

21 (6) subject to the following provisions of this section, the Council
22 shall make rules with respect to the form and the keeping of the registers and
23 the making of entries therein ; in and in particular.

24 (a) regulating the making of applications for enrollment or
25 registration, as the case may be and providing for the evidence to be produced
26 in support of applications;

27 (b) providing for the notification to the Registrar, by the person to
28 whom any registered particulars relate, of any change in those particulars;

29 (c) authorizing an enrolled or a registered person to have any
30 qualification which is in relation to the relevant division of the profession,

1 either an approved qualification or an accepted qualification for the purpose
2 of this Act, registered in relation to his name in addition to or as he may elect,
3 in substitution for any other qualification so registered;

4 (d) specifying the fees, including any annual subscription, to be
5 paid to the Institute in respect of the entry of names on the register, and
6 authorizing the Registrar to refuse to enter a name on the register until any
7 fee specified for the entry has been paid; and

8 (e) specifying anything falling to be specified under the foregoing
9 provisions of this section.

10 (7) Rules made for the purpose of paragraph (d) of subsection (6) of
11 this section shall not come into force until approved at the next annual
12 general meeting of the Institute.

13 (8) It shall be the duty of the Registrar-

14 (a) to correct, in accordance with the Council directions, any entry
15 in the register which the Council directs him to correct as being in the
16 Council's opinion an entry which was incorrectly made;

17 (b) to make, from time to time, any necessary alterations to the
18 registered particulars of registered persons;

19 (c) to remove from the register, the name of any enrolled or
20 registered Person who has died;

21 (d) to record the name of any member of the Institute who is in
22 default for more than six months in the payment of his annual subscription,
23 and to take such action in relation thereto (including removal of the names of
24 a defaulter from the register) as the Council under this Decree may direct or
25 require.

26 (9) If the Registrar-

27 (a) sends by post to any registered or enrolled person, a registered
28 letter addressed to that person at his address on the register enquiring
29 whether the registered or enrolled particulars relating to him are correct and
30 receives no reply to the letter within the period of six months from the date of

1 posting it; and

2 (b) upon the expiration of that period, sends in the like manner to the
3 person in question, a second similar letter and receives no reply to that letter
4 within three months from the date of posting it,
5 the Registrar may remove the particulars relating to the person in question from
6 the register: provided that the Council may direct the Registrar to restore to the
7 appropriate part of the register any particulars removed there from under this
8 subsection.

Publication of
registers and lists

9 **9.-** (1) It shall be the duty of the Registrar-

10 (a) to cause the register to be printed, published and put on sale to the
11 members of the public not later than two years from the commencement of this
12 Act;

13 (b) thereafter in each year, to cause to be printed, published and put on
14 sale to the members of the public as aforesaid, either a corrected edition of the
15 register or a list of correction made to the register, since it was printed;

16 (c) to cause a print of each edition of the register and of each list of
17 corrections to be deposited at the principal offices of the Institute; and

18 (d) to keep the register and the lists so deposited to be made available
19 to members of the public at all reasonable times for inspection.

20 (2) A document purporting to be a print of an edition of the register
21 published under this section by authority of the Registrar, or documents
22 purporting to be prints of an edition by authority of the Register so published
23 and of corrections to that edition so published, shall (without prejudice to any
24 other mode of proof) be admissible in any proceedings as evidence that any
25 person specified in the document, or the documents read together, being as
26 registered, was so registered at the date of the edition or of the list of
27 corrections, as the case may be, and that any person not so specified was not so
28 enrolled or registered.

29 (3) Where in accordance with subsection (2) of this section, a person
30 is, in any proceedings, shown to have been or not to have registered or enrolled

1 at a particular date, he shall unless the contrary is proved be taken for the
2 purpose of those proceedings as having at all material times thereafter
3 continued not to be so enrolled or registered.

4 PART IV - REGISTRATION OF REGISTERED SECURITY PRACTITIONERS

5 **10.** Subject to the provisions of this Act, a person shall be entitled to
6 be registered as a security practitioner, if-

7 (a) He passes the qualifying examination accepted by the Institute
8 under this Act and completes the practical training prescribed; or

9 (b) He holds a qualification granted outside Nigeria and for the
10 time being accepted by the Institute and is by law entitled to practice for all
11 purpose as a professional security practitioner in the country in which the
12 qualification was granted and if the council so requires, he satisfies the
13 Council that he has had sufficient experience as a security practitioner.

14 **11.-** (1) A person shall be entitled to be registered as a member of
15 the security profession if -

Persons entitled
to be registered

16 (a) he is of good character and high integrity;
17 (b) he had attained the age of twenty - one years; and
18 (c) he has not been convicted in Nigeria or in any other country of
19 an offence involving fraud, dishonesty or gross misconduct.

20 (2) The Council may, in its absolute discretion, provisionally
21 accept a qualification produced in respect of an application be renewed
22 within such period as may be specified in the direction.

23 (3) Any entry directed to be made in the register under subsection
24 (2) of this section, shall show that the registration is provisional and no entry
25 so made shall be converted to full registration without the consent of
26 Council signified in writing in that behalf.

27 (4) The Council shall from time to time publish in the Gazette
28 particulars of the qualifications for the time being accepted for registration.

29 **12.-(1)** The Council may approve any qualification for the
30 purposes of this Act-

Approval of
Qualification

1 (a) any course of training at any approved Institution, which is
2 intended for persons seeking to become or are already security practitioners
3 and which the Council considers is designed to confer on persons completing
4 it, sufficient knowledge and skill for the practice of the profession;

5 (b) any qualification which, as a result of an examination taken in
6 conjunction with a course of training approved by the Council under this
7 section is granted to candidates reaching a standard at the examination,
8 indicating in the opinion of the Council that the candidates have sufficient
9 knowledge and skill to practice as security practitioners.

10 (2) The Council may, if it thinks fit, withdraw any approval given
11 under this section in respect of any course, qualification or institution; but
12 before withdrawing such an approval the Council shall-

13 (a) give notice that it proposes to do so to each person in Nigeria
14 appearing to the Council to be a person by whom the course is conducted or the
15 qualification is granted or the institution is controlled, as the case may be;

16 (b) afford such person an opportunity of making to the Council
17 representations with regard to the proposal; and

18 (c) take into consideration any representation made as respect the
19 proposal in pursuance of paragraph (b) of this section

20 (3) A course, qualification or institution shall not be treated as
21 approved during any period the approval is withdrawn under subsection (2) of
22 this section.

23 (4) Notwithstanding the provisions of subsection, (3) of this section,
24 the withdrawal of an approval under section (2) of this section, shall not
25 prejudice the registration or eligibility for registration of any person who by
26 virtue of the approval was registered or was eligible for registration (either
27 unconditionally or subject to his obtaining a certificate of experience)
28 immediately before the approval was withdrawn.

29 (5) The giving or withdrawal of an approval under this section, shall
30 have effect from such date, either before or after the execution of the

1 instrument signifying the giving or withdrawal of the approval, as the
2 Council may specify in the instrument and the Council shall-

3 (a) as soon as may be, publish a copy of every such instrument in
4 the Gazette; and

5 (b) not later than seven days before its publication as aforesaid send
6 a copy of the instrument to the secretary.

7 **13.-** (1) It shall be the duty of the members of the Council to
8 Supervise-

Supervision of
security programs
at approved
institutions

9 (a) the instruction given at approved institutions to persons
10 attending approved courses of training; and

11 (b) the examination as a result of which approved qualifications are
12 granted, and for the purpose of performing that duty, the Council may
13 appoint, a committee either from among its own members or otherwise, to
14 visit approved institutions to attend such examinations.

15 (2) It shall be the duty of a committee appointed under subsection
16 (1) of this section to report to the Council on-

17 (a) the sufficiency of the instructions given to persons attending
18 approved courses of training at institution visited by it;

19 (b) the sufficiency of the examinations attended by it; and

20 (c) any other matters relating to the institutions or examinations
21 which the Council may, either generally or in a particular case, request it to
22 report, but no committee member shall interfere with the giving of any
23 instruction or the holding of any examination.

24 (3) On receiving a report made in pursuance of this section, the
25 Council may, if it thinks fit and shall, if so required by the Institute, send a
26 copy of the report to the person appearing to the Council to be in charge of
27 the Institution or responsible for the examinations to which the report
28 relates, requesting that person to make observations on the report to the
29 Council within such period as may be specified in the request, not being less
30 than one month beginning with the date of the request.

Establishment
of the Institute
Disciplinary
Committee and
Investigation
Panel

PART V - PROFESSIONAL DISCIPLINE

14.-(1) There shall be a committee to be known as the chartered Nigerian Institute for Industrial Security Disciplinary Committee (in this Act referred to as the "disciplinary committee") which shall be charged with the duty of considering and determining any case referred to it by the investigation panel established by the disciplinary committee.

(2) The disciplinary committee shall consist of the Chairman and six other members of the Council appointed by the Council.

(3) There shall be a body to be known as the Chartered Nigerian Institute for Industrial Security Investigation panel (in this Act referred to as "the Investigation panel") which shall be charged with the duty of-

(a) conducting a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a security practitioner or should for any other reason be the subject of proceedings before the disciplinary committee; and

(b) deciding whether the case should be referred to the disciplinary Committee.

(4) The investigation panel shall be appointed by the Council and shall consist of four members of the Council and one security practitioner who is not a member of the Council.

(5) The provisions of Schedule 2 to this Act shall; so far as they are applicable to the disciplinary committee and the investigating panel respectively, have effect with respect to those bodies.

(6) The Council may make rules not inconsistent with this Act as to acts which constitute professional misconduct.

15.-(1) Where Penalties for unprofessional conduct-

(a) a person enrolled or registered under this Act is adjudged by the disciplinary committee to be guilty of infamous conduct in any professional respect; or

(b) a person enrolled or registered under this Act is convicted, by any

1 court or committee in Nigeria or elsewhere having power to impose
2 imprisonment, for an offense (whether or not punishable with
3 imprisonment) which in the opinion of the disciplinary committee is
4 incompatible with the status of a security practitioner; or

5 (c) the disciplinary committee is satisfied that the name of any
6 person has been fraudulently enrolled or registered, the disciplinary
7 committee may, if it gives a direction reprimanding that person or ordering
8 the Registrar to strike his name off the relevant part of the register.

9 (2) The disciplinary committee may, if it thinks fit, defer or further
10 defer its decision as to the giving of a direction under subsection (1) of this
11 section until a subsequent meeting of the disciplinary committee; but-

12 (a) no decision shall be deferred under this section for periods
13 exceeding one year in the aggregate; and

14 (b) no person shall be a member of the disciplinary committee for
15 the purpose of reaching a decision which has been deferred or further
16 deferred, unless he was present as a member of the disciplinary committee
17 when the decision was deferred.

18 (3) For the purpose of subsection (1) (b) of this section, a person
19 shall not be treated as convicted as therein mentioned, unless the conviction
20 stands at a time when no appeal or further appeal is pending or may (without
21 extension of time) be brought in connection with the conviction.

22 (4) When the disciplinary committee gives a direction under
23 subsection (1) of this section, the disciplinary committee shall cause notice
24 of the direction to be served on the person to whom it relates.

25 (5) The person to whom a direction given under subsection (1) of
26 this section relates may, at any time within twenty - eight days from the date
27 of service on him of notice of the direction, appeal against the direction to
28 the Federal High Court and the disciplinary committee may appear as
29 respondent to the appeal and, for the purpose of enabling directions to be
30 given as to the costs of the appeal and of proceedings before the Federal

1 High Court, the disciplinary committee shall be deemed to be a party thereto
2 whether or not it appears on the hearing of the appeal.

3 (6) A direction of the disciplinary committee under subsection (1) of
4 this section shall take effect where-

5 (a) no appeal under this section is brought against the direction within
6 the time limited for such an appeal, or on the expiration of that time; or

7 (b) such an appeal is brought and is not withdrawn or struck out for
8 want of prosecution, or the withdrawal or striking out of the appeal; or

9 (c) any such appeal is brought and is not withdrawn or struck out as
10 aforesaid, if and when the appeal is dismissed.

11 (7) A person whose name is struck off the register in pursuance of a
12 direction of the disciplinary committee under this section, shall not be entitled
13 to be enrolled or registered again except in pursuance of a direction in that
14 behalf; given by the disciplinary committee on the application of that person.

15 (8) A direction under this section for the striking off of a person's name
16 from the register may prohibit an application under this subsection by that
17 person until the expiration of such period from the date of the direction (and
18 where he has duly made such an application, from the date of his last
19 application) as may be specified in the direction.

20 PART VI - MISCELLANEOUS AND GENERAL

Application of
this Act

21 **16.**-(1) Any person who is not a member of the Nigerian Institute For
22 Industrial security (in this Act referred to as "the former Institute") who would
23 have been qualified to apply for and obtained membership of the former
24 Institute may, within the period of three months from the commencement of
25 this Act apply for membership of the Institute in such manner as may be
26 prescribed by rules made by the Council.

27 (2) Where an application under subsection (1) of this section is
28 approved by the Council the applicant shall be enrolled or registered, as the
29 case may be according to this qualification.

1	17. -(1) Subject to subsection (2) of this section, a person shall be	Person deemed to be security practitioners
2	deemed to be a security practitioner if, in consideration of remuneration	
3	received whether by himself or in partnership with any other person-	
4	(a) engages himself in the practice of the profession or holds	
5	himself out to the public as a security practitioner; or	
6	(b) renders professional services or assistance in or about matters	
7	of principle or detail relating to security procedures; or	
8	(c) renders any other service which may by regulations made by the	
9	Council, with the approval of the Secretary, be designated as service	
10	constituting security practice.	
11	(2) Nothing in this section shall be constructed so as to apply to	
12	persons who, while in the employment of any government, are required,	
13	under the terms or in the course of such employment, to any government, are	
14	required, under the terms or in the course of such employment, to perform	
15	the duties or any of the duties of a security practitioner.	
16	18.- (1) The Council may make rules for-	Rules for security training
17	(a) the training in security of suitable persons in security methods	
18	and practice; and	
19	(b) for the supervision, regulation, engagement, training and	
20	transfer of such persons.	
21	(2) The Council may also make rules-	
22	(a) prescribing the amount and due date for payment of the annual	
23	subscription and for such purpose different amounts may be prescribed by	
24	the rules according to whether the person is enrolled as a fellow including	
25	honorary associate, a student or an ordinary member.	
26	(b) prescribing the form of licence to practice to be issued annually	
27	or if the Council thinks fit, by endorsement on an existing licence; and	
28	(c) restricting the right to practice security in default of payment of	
29	the amount of the annual subscription where the default continues for longer	
30	than such period as may be prescribed by the rules.	

	1	(3) Rules when made under this section shall, if the chairman of the
	2	Council so direct, be published in the Gazette.
Provision of library facility	3	19. The Institute shall
	4	(a) provide and maintain a library comprising books and publications
	5	for the advancement of knowledge of security and such other books and
	6	publications as the Council may think necessary for that purpose; and
	7	(b) encourage research into security methods and allied subjects to the
	8	extent that the Council may, from time to time, consider necessary.
Offences	9	20.- (1) If any person, for the purpose of procuring the registration of
	10	any name, qualification or other matter-
	11	(a) make a statement which he believes to be false in a material
	12	particular; or
	13	(b) recklessly makes a statement which is false in a material
	14	particular, he shall be guilty of an offense.
	15	(2) If no or after the relevant date, any person who is not a member of
	16	the Institute practices or holds himself out as security practitioner for or in
	17	expectation of a reward or takes or uses name, title, addition or description
	18	implying that he is a security practitioner, he shall be guilty of an offense.
	19	Provided that, in the case of a person falling within section 16 of this
	20	Act-
	21	(a) this subsection shall not apply in respect of anything done by him
	22	during the period of three months mentioned in that section; and
	23	(b) if within that period he duly applies for membership of this
	24	Institute then, unless within that period he is notified that his application has
	25	not been approved, this subsection shall not apply in respect of anything done
	26	by him between the end of that period and the date on which he is enrolled or
	27	registered or is notified as aforesaid.
	28	(3) If the Registrar or any other person employed by or on behalf of
	29	the Institute willfully makes any falsification in any matter relating to this
	30	register, he shall be guilty of an offense.

1 (4) A person guilty of an offense under this section shall be liable-
2 (a) on summary conviction, to a fine of an amount not exceeding
3 N1,000; or

4 (b) on conviction or indictment, to a fine of an amount not
5 exceeding N1,000 or to imprisonment for a term not exceeding two years, or
6 to both such fine and imprisonment.

7 (5) Where an offense under this section which has been committed
8 by a body corporate is proved to have been committed with the consent or
9 connivance of or to be attributable to any neglect on the part of any director,
10 manager, secretary or other similar officer of the body corporate or any
11 person purporting to act in any such capacity, he as well as the body
12 corporate, shall be deemed to be guilty of that offense and shall be liable to
13 be proceeded against and punished accordingly.

14 (6) In this section, the relevant date means the third anniversary of
15 the coming into force of this Act.

16 **21.**-(1) Any regulation made under this Act shall be published in
17 the Publication Gazette as soon as may be, after, they are made and a copy of
18 any such regulations and regulations shall be sent to the Secretary not later
19 than seven days before rules. They are so published.

20 (2) Rules made for the purposes of this Act, shall be subject to
21 confirmation by the Institute at its general meeting or at any special meeting
22 of the Institute convened for that purpose, and if then annulled, shall cease to
23 have effect on the day after the date of annulment, but without prejudice to
24 anything done in pursuance or intended pursuance of any such rules.

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

Interpretation

26 "Council" means the Council established as the governing body of the
27 Institute under section 3 of this Act;

28 "disciplinary committee" means the Chartered Nigerian Institute for
29 Industrial Security Institute Disciplinary Committee established under
30 section 14 of this Act. "Fees" includes annual subscription;

- 1 "Former Institute" means the Nigerian Institute for Industrial Security;
2 "Institute" means the Chartered Nigerian Institute for Industrial Security;
3 "Security establishment" includes a registered security company or
4 establishment;
5 "Security practitioner" means any person who is registered or entitled to be
6 registered under this Act in any of the categories of membership;
7 "Investigating panel" means the Chartered Nigerian Institute for Industrial
8 Security Investigating Panel established under section 14(3) of the Act;
9 "Member of the Institute" means an enrolled fellow, associate or a security
10 practitioner registered by the Institute and "membership of the Institute" shall
11 be construed accordingly;
12 "President" and "Deputy President" means respectively the office-holders
13 under those names in the Institute;
14 "Profession" means the profession of security;
15 "Register" means the register maintained in pursuance of section 8 of this Act;
16 "Secretary" means the Secretary charged with the responsibility formatters
17 relating to security.
- 18 **23.** This Bill may be cited as the Chartered Nigerian Institute for
19 Industrial Security Bill, 2022.

Citation

1 SCHEDULES

2 SCHEDULE 1

3 *Section 4(3)*

4 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5 *Qualifications and tenure of office of Members of the Council*

6 1.-(1) Subject to the provisions of this paragraph, a member of the
7 Council shall hold office for a period of three years beginning from the date
8 of his appointment or election.

9 (2) A member of the Institute who ceases to be a member thereof
10 shall, if he is also a member of the Council, cease to hold office on the
11 Council.

12 (3) A member of the Council may by notice in writing under his
13 hand addressed to the President, resign his office.

14 (4) A person who retires or otherwise ceases to be an elected
15 member of the Council shall be eligible to become a member of the Council,
16 and any appointed member may be re-appointed member.

17 (5) A member of the Council shall at its next meeting before the
18 general meeting of the Institute arrange for four members of the Council
19 who are longest in office and elected under section 3(I) (h) of this Act to
20 retire at that general meeting.

21 (6) Elections to the Council shall be held in such manner as may be
22 prescribed by rules made by the Council and until so prescribed they shall be
23 decided by secret ballot.

24 (7) Where a member of the Council ceases to hold office before the
25 date when his term of office would have expired by the effluxion of time, the
26 body or person by whom he was appointed or elected shall as soon as may
27 be, appoint or, as the case may be, elect a person to fill the vacancy for the
28 residue of the term aforesaid, so however that the foregoing provisions of
29 this sub-paragraph shall not apply where a person holding office as a
30 member of the Council ceases to hold office at a time when the residue of his

1 term does not exceed one year.

2 (8) If an elected member of the Council ceases to hold office before
3 the date when his term of office would have expired, the Council may, if the
4 time between the unexpired, portion of the term of office and the next general
5 meeting of the Institute appears to warrant the filling of the vacancy, co-opt
6 some other fit person for the residue of the time as aforesaid.

7 (9) A person shall be eligible for election as President or Deputy
8 President, if he satisfies the following conditions, that is-

9 (a) he is a chief executive or a senior member of the management of a
10 security establishment;

11 (b) he is a security practitioner;

12 (c) he is a member or has served on the Governing Council of any
13 umbrella Security association that has government recognition, continuously
14 for a period of not less than seven years; and

15 (d) he shall be or has served as a member of the Council of the Institute
16 for at least three years preceding his election as President or Deputy President.

17 Proceedings of the Council

18 2.-(1) Subject to the provisions of the Act, the Council may in the
19 name of the Institute make standing orders regulating the proceedings of the
20 Institute or of the Council and in the exercise of its powers under this Act may
21 set up committees in the general interest of the Institute and make standing
22 orders therefore.

23 (2) Standing orders shall provide for decision to be taken by a
24 majority of the members and in the event of equality of votes, the President or
25 the Chairman, as the case maybe, shall have a second or casting vote.

26 (3) Standing orders made for a committee shall provide for the
27 committee to report to the Council on any matter referred to it by the Council.

28 *Meeting of the Institute*

29 4.- (1) The Council shall convene the meeting of the Institute on 30th
30 April every year or on such other day as the Council may, from time to time,

1 appoint, so however, that if the meeting is not held within one year after the
2 previous meeting not more than fifteen months shall elapse between the
3 respective dates of the two meetings.

4 (2) A special meeting of the Institute may be convened by the
5 Council at any time, and if not less than twenty members of the Institute so
6 require, by notice in writing addressed to the Chairman of the Council
7 setting out the object of the proposed meeting and the Chairman of the
8 Council shall convene a special meeting of the Institute.

9 (3) The quorum of any meeting of the Institute shall be ten
10 members, and that of any special meeting of the Institute shall be fifteen
11 members.

12 *Meeting of the Council*

13 5.-(1) Subject to the provisions of any standing orders of the
14 Council, the Council shall meet whenever it is summoned by the Chairman
15 and if the Chairman is required, to do so, by notice in writing given to him by
16 not less than five other members he shall summon a meeting of the Council
17 to be held within fourteen days from the date on which notice is given.

18 (2) At any meeting of the Council, the Chairman or in his absence
19 the Members present at the meeting shall appoint one of their number to
20 preside at the meeting.

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

26 (4) Notwithstanding anything in the foregoing provisions of this
27 paragraph, the first meeting of the Council shall be summoned by the
28 President of the Institute.

29 6.-(1) The Council may appoint one or more committees to carry
30 out on behalf of the Institute or the Council such functions as the Council

1 may determine.

2 (2) A committee appointed under this paragraph shall consist of the
3 number of persons determined by the Council of whom not more than one-third
4 may be persons who are not members of the Council and a person other than a
5 member of the Council shall hold office on the committee in accordance with
6 the terms of the letter by which he is appointed.

7 (3) A decision of a committee of the council shall be of no effect until
8 it is confirmed by the Council.

9 *Miscellaneous*

10 7.-(1) The fixing of the seal of the Institute shall be authenticated by
11 the signature of the Chairman or of some other member of the council
12 authorized generally or specially by the Institute to act for that purpose.

13 (2) Any contract or instrument which if made or executed by a person
14 not being a body corporate, would not be required to be under seal, may be
15 made or executed on behalf of the Institute or the Council, as the case may
16 require, by any person generally or specially authorized to act for that purpose
17 by the Council.

18 (3) Any document purporting to be a document dully executed under
19 the seal of the Institute shall be received in evidence and shall, unless the
20 contrary is proved, be deemed to be so executed

21 8. The validity of any proceedings of the Institute or the Council or of
22 a committee of the council shall not be adversely affected by any vacancy in the
23 membership or by any defect in the appointment of a member of the Institute or
24 of the Council or of a person serving on the committee or by reason that a
25 person not entitled to do so took part in the proceedings.

26 9. Any member of the Institute or of the council and any person
27 holding office on a committee of the Council, who has a personal interest in any
28 contract or arrangement entered into or proposed to be considered by the
29 council on behalf of the Institute or on behalf of the Council or a committee,
30 thereof shall forthwith disclose his interest to the president or to council as the

1 case may be and shall not vote on any question relating to the contract or
2 arrangement.

3 10. A person shall not by any reason only of his membership of the
4 Institute be treated as holding an office in the public service of the federation

5 SCHEDULE 2

6 *Section 14(5)*

7 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

8 COMMITTEE AND INVESTIGATING PANEL

9 *The Disciplinary Committee*

10 1. The quorum of the disciplinary committee shall be four
11 members.

12 2 -(1) The Attorney-General of the Federation shall make rules as
13 to the selection of members of the disciplinary committee for the purpose of
14 any proceeding, the procedure to be followed and the rules of evidence to be
15 observed in proceedings before the disciplinary committee.

16 (2) The rules shall in particular provide-

17 (a) for securing that notice of the proceedings shall be given at such
18 time and in such manner, as may be specified by the rules, to the person who
19 is the subject of the proceedings;

20 (b) for determining who in addition to the person aforesaid, shall be
21 a party to the proceedings;

22 (c) for securing that any party to the proceedings shall, if he so
23 requires, be entitled to be heard by the disciplinary committee;

24 (d) for securing that any party to the proceedings may be
25 represented by a legal practitioner.;

26 (e) subject to the provisions of section 14(5) of this Act as to the
27 costs of proceedings before the disciplinary committee;

28 (f) for requiring, in a case where it is alleged that the person who is
29 the subject of the proceedings is guilty of infamous conduct in any
30 professional respect, that where the disciplinary committee adjudges that

1 the allegation has not been proved it shall record a finding that the person is not
2 guilty of such conduct in respect of the matters to which the allegation relates;

3 (g) for publishing in the Gazette notice of any direction of the
4 disciplinary committee which has taken effect providing that a person's name
5 shall be struck off a register.

6 3. For the purpose of any proceeding before the disciplinary
7 committee any member of the disciplinary committee may administer oaths
8 and any party to the proceedings may sue out of the registry of the High Court,
9 writs of subpoena ad testificandum and duces tecum; but no person appearing
10 before the disciplinary committee shall be compelled-

11 (a) to make any statement before the disciplinary committee tending
12 to incriminate himself; or

13 (b) to produce any document under such a writ which he could not be
14 compelled to produce at the trial of an action

15 4.-(1) For the purpose of advising the disciplinary committee on
16 questions of law arising in the proceedings before it, there shall in all such
17 proceedings be an assessor to the disciplinary committee who shall be
18 appointed by the Council on the nomination of the Attorney-General of the
19 Federation and shall be a legal practitioner of not less than seven years
20 standing.

21 (2) The Attorney-General of the Federation shall make rules as to the
22 functions of assessors appointed under this paragraph and in particular such
23 rules shall contain provisions for security that-

24 (a) where an assessor advises that disciplinary committee on any
25 question of law to evidence, procedure or any other matters specified by the
26 rules, he shall do so in the presence of a party to the proceedings who appear
27 thereat or, if the advice is tendered while the disciplinary committee is
28 deliberating in private, that every such party or person as aforesaid be informed
29 what advice the assessor has tendered;

30 (b) every such party or person as aforesaid shall be informed if in any

1 case the disciplinary committee does not accept the advice of the assessor on
2 such a question as aforesaid.

3 (3) An assessor may be appointed under this paragraph either
4 generally or for any particular proceedings or class of proceedings and shall
5 hold and vacate office in accordance with the terms of the letters by which he
6 is appointed.

7 *The Investigative Panel*

8 5. The quorum of the investigating panel shall be three.

9 6.-(1) The investigating panel may at any of its meeting attended by
10 all the members of the investigating panel, make standing orders with
11 respect to the investigating panel.

12 (2) Subject to the provisions of any seen standing orders, the
13 investigating panel may regulate its own procedure.

14 *Miscellaneous*

15 7.-(1) A person ceasing to be a member of the disciplinary
16 committee or the investigating panel shall be eligible for appointment as a
17 member of the disciplinary committee or investigating panel, as the case
18 may be.

19 (2) A person may, if otherwise eligible, be a member of both the
20 disciplinary committee and the investigating panel with respect to any case
21 shall act as a member of the disciplinary committee with respect to that case.

22 8. The disciplinary committee or the investigating panel may act
23 notwithstanding any vacancy in its membership; and the proceedings of
24 either body shall not be invalidated by any irregularity in the appointment of
25 a member of that body or subject to paragraph 7 (2) of this schedule, by
26 reason of the fact that any person who was not entitled to do so took part in
27 the proceedings of that body.

28 9. -(1) Any document authorized or required by virtue of the Act to
29 be served on the disciplinary committee or the investigating panel shall be
30 served on the Registrar.

- 1 10. Any expenses of the disciplinary committee or the investigating panel shall
- 2 be defrayed by the Institute.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Chartered Nigerian Institute for Industrial Security.

FEDERAL COLLEGE OF EDUCATION, NDUO EDUO, EKET
(ESTABLISHMENT) BILL, 2022
ARRANGEMENT OF SECTIONS

Section:

1. Establishment of Federal College of Education Nduo Eduo, Eket,
Akwa Ibom State
 2. Governing Council of the College
 3. Membership of the Council of the College
 4. Tenure of members of the Council
 5. Functions of the College
 6. Power of the Council
 7. Visitation
 8. The Academic Board and its functions
 9. Power of Minister
 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 officer
 15. Other employees of the College
 16. Pensions
 17. Selection Board
 18. Fund of the College
 19. Power to accept gifts
 20. Accounts and audit
 21. Annual reports
 22. Interpretation
 23. Citation
- Schedule

FOR

Sponsored Hon. Peter Akpatason

ENACTED by the National Assembly of the Federal Republic of

Establishment
of Federal College
of Education Nduo
Eduo, Eket, Akwa
Ibom State

Governing Council
of the College

18 respect to the Council as mentioned in the Schedule.

Membership
of the Council
of the College

- 1 **3.** The Council of the College shall consist of-
- 2 (a) a Chairman and other members to be appointed by the President;
- 3 (b) a representative of the Federal Ministry responsible for Education;
- 4 (c) a representative of the University of which the College is affiliated
- 5 for the purpose of moderation;
- 6 (d) two representatives of the Academic Board of the College;
- 7 (e) a representative of the National Commission for Colleges of
- 8 Education; and
- 9 (f) the Provost of the College.

Tenure of members
of the Council

- 10 **4.-(1)** A member of the Council, other than the ex-officio members,
- 11 shall hold office for a term of four years and subject to the provision of
- 12 subsection (2), shall be eligible for re-appointment for a further term of four
- 13 years and no more.
- 14 **(2)** The office of a member appointed under section 3 of this Act shall
- 15 become vacant if the-
- 16 (a) member resigns by notice in writing under his hand addressed to
- 17 the Minister; or
- 18 (b) Minister is satisfied that it is not in the interest of the College for
- 19 the member appointed to continue in office and notifies the member in writing
- 20 to that effect.

Functions of
the College

- 21 **5.** The functions of the College shall be to -
- 22 (a) provide full-time courses, teaching instruction and training in-
- 23 (i) technology, applied sciences, arts, social sciences, humanities and
- 24 management, and
- 25 (ii) such other fields of applied learning relevant to the needs of
- 26 development of Nigeria.
- 27 (b) conduct courses in education for qualified teachers;
- 28 (c) arrange conferences, seminars and workshops relative to the
- 29 functions of the College; and
- 30 (d) perform such other functions as in the opinion of the Council may

1 serve to promote the objectives of the College.

2 **6.** The Council shall have power to-

Power of the
Council

3 (a) hold examinations and grant National Certificates in Education
4 (NCE), Diplomas, professional certificates and other distinctions to
5 persons, who have pursued courses of study approved and accredited by the
6 National Commission for Colleges of Education;

7 (b) hold examinations in education for qualified teachers;

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

9 (d) demand and receive from any student or any other person
10 attending the College for the purpose of instruction, such fees as the Council
11 may with the prior approval of the Minister, from time to time determine;

12 (e) hold public lectures and undertake printing, publishing and
13 selling of books;

14 (f) award fellowships, medals, prizes and other titles;

15 (g) establish and maintain such schools and other teaching units
16 with the College or extra mural departments as the Council may from time to
17 time determine;

18 (h) erect, provide, equip and maintain such educational,
19 recreational and residential facilities as the College may require;

20 (i) create lectureships and other academic posts and offices and to
21 make appointments accordingly;

22 (j) receive and make gifts;

23 (k) enter into such contracts as may be necessary or expedient for
24 carrying into effect the objectives of the College;

25 (l) provide amenities for and make such other provision for the
26 welfare of the staff and students of the College;

27 (m) encourage and make provision for research in the College; and

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

Visitation	1	7.- (1) The Minister responsible for Education shall be the Visitor of the College.
	3	(2) The Visitor shall, at least, not less than once in every five years, conduct a visitation to the College or appoint a visitation panel consisting of not less than five experts to conduct the visitation-
	6	(a) for the purpose of evaluating the academic and administrative performance of the College; or
	8	(b) for such other purpose as the Visitor may deem fit.
The Academic Board and its functions	9	8.- (1) There is established for the College a Board known as the Academic Board which shall consist of the following members-
	11	(a) the Provost of the College as Chairman;
	12	(b) all Heads of Departments;
	13	(c) the College Bursar;
	14	(d) the College Librarian; and
	15	(e) not more than three members of the academic staff other than the heads of departments to be appointed by the Council.
	17	(2) The Academic Board shall be responsible for-
	18	(a) the direction and management of academic matters of the College including the regulation of admission of students, and award of certificates, scholarships, prizes and other academic distinction; and
	21	(b) discharging any other functions which the Council may from time to time delegate to it.
Power of Minister	23	9. The Minister may give to the Council directions of a general nature or relating generally to matters with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with such directions.
The Provost of the College	26	10.- (1) There shall be a Provost for the College who shall be appointed by the President on the recommendation of the Minister.
	28	(2) Where a vacancy occurs in the post of the Provost, the Council shall-
	30	(a) advertise the vacancy in a reputable, widely read newspaper in

1 Nigeria specifying-

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

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 of the
5 Minister.

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

8 (4) Subject to the general control of the Council the Provost shall
9 be the chief executive of the College and shall be charged with general
10 responsibility for matters relating to the management and operations of the
11 College.

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

14 **11.-(1)** There shall be for the College, two Deputy Provosts-

Deputy Provosts

15 (a) Deputy Provost (Academic); and

16 (b) Deputy Provost (Administration).

17 (2) The Council shall nominate the Deputy Provosts from among
18 the Chief Lecturers in the College in any of the following ways-

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

21 (b) on the recommendation of a Selection Board constituted for
22 that purpose; or

23 (c) on the nomination of the Provost.

24 (3) The Selection Board referred to in subsection 2 (b) shall consist
25 of-

26 (a) the Chairman of the Council;

27 (b) the Provost of the College;

28 (c) two members of the Academic Board; and

29 (d) two members of the Council not being members of the
30 Academic Board.

1 (4) (a) The Deputy Provost (Academic) shall-
 2 (i) assist the Provost in the performance of his functions in academic
 3 matters of the College;
 4 (ii) act as the Provost when the post of the Provost is vacant or if the
 5 Provost is, for any reason, absent or unable to perform his functions.

6 (b) The Deputy Provost (Administration) shall-
 7 (i) assist the Provost in administrative matters of the college; and
 8 (ii) perform such other functions as the Provost or the Council may
 9 assign to him.

10 (5) Each of the Deputy Provosts shall hold office for a term of two
 11 years and no more.

The Registrar
and other staff
of the College

12 **12.-(1)** There shall be a Registrar for the College to be appointed by
 13 the Council.

14 (2) The Registrar shall keep the records and conduct the
 15 correspondence of the Council.

16 (3) The Registrar shall be the Secretary to-

17 (a) the Council;

18 (b) the Academic Board of the Council; and

19 (c) any committee of the Council.

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

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

Other principal
officers of the
College

24 **13.-(1)** There shall be for the College in addition to the Registrar-

25 (a) the Bursar, and

26 (b) the College Librarian,

27 who shall be appointed by the Council.

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

1 (3) The College Librarian shall be responsible to the Provost for the
2 administration of the College library and coordination of the library services
3 in the teaching units of the College.

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

6 **14.** A principal officer of the College may resign his appointment-
7 (a) in case of the Provost by notice to the Visitor; and
8 (b) in any other case by advise to the Council.

Resignation of
appointment of
principal officer

9 **15.-(1)** The Council may appoint other persons to be employees of
10 the College as the Council may deem necessary to assist the Provost and the
11 principal officers in the performance of their functions.

Other employees
of the College

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

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

Pensions
Act No. 4, 2014

20 **17.-(1)** There shall be a Selection Board for the College which shall
21 consist of-

Selection Board

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) shall be determined from
29 time to time by the Council.

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

1 "College" means the Federal College of Education Nduo Eduo, Eket
2 established under section 1 of this Bill;

3 "Council" means the Governing Council of the College established under
4 section 2 of this Act;

5 "function" includes power and duties;

6 "Minster" means the Minster charged with the responsibility for education;

7 "Member" means a member of the Council including the Chairman;

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

10 **23.** This Bill may be sited as the Federal College of Education, Citation
11 Nduo Eduo, Eket (Establishment) Bill, 2022.

1 SCHEDULE

2 *Section 2 (3)*

3 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

4 *Terms of Service*

5 1. There may be paid to the members of the Council or any of its
6 committees, other than ex- officio members, such remuneration and
7 allowances as may be determined by the President.

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

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

15 *Proceedings*

16 4.-(1) The Council shall meet for the conduct of business at such
17 times, places and on such days as the Chairman may appoint but shall meet not
18 less than once every four months.

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

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

25 (4) The quorum of the Council shall be one-half of the total members
26 of the Council, at least, one of whom shall be a member appointed by the
27 President.

28 (5) Decision of the Council shall be made on approval by a simple
29 majority of members.

1 *Miscellaneous*

2 5.-(1) The affixing of the seal of the College shall be authenticated
3 by the signatures of the Chairman, Provost and of some other members of
4 the Council Authorised by the Council to act for that purpose.

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

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

EXPLANATION MEMORANDUM

This Bill seeks to establish the Federal College of Education, Nduo Eduo, Eket, Akwa Ibom State as institution to offer full-time courses leading to the award of National Certificates of Education, Diplomas etc.

A BILL

FOR

AN ACT TO ESTABLISH THE BUREAU OF DEFENSE LOGISTICS CHARGED WITH THE RESPONSIBILITY OF PROVIDING LOGISTICS, ACQUISITION AND TECHNICAL SUPPORT FOR THE ARMY, NAVY, AIR FORCE AND SIMILAR MILITARY FORMATIONS AND FOR RELATED MATTERS

Sponsored by Sulaiman Abubakar Gumi

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE BUREAU OF DEFENSE LOGISTICS

2 1.-(1) There is hereby established a body to be known as the Bureau Establishment
3 of Defense Logistics (hereafter in this Bill referred to as "the Bureau"). of the Bureau of
Defence Logistics

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

6 2. The objectives of the Bureau are: Objects, etc. of
the Bureau

7 (a) Restore and strengthen the armed forces and military
8 formations readiness and lethality;

9 (b) Provide immediate action in supporting troops engaged in any
10 possible operation;

11 (c) Strengthen alliances and attract new partnerships through
12 leveraging on joint logistics enterprise, inter-agency, industry, partners and
13 allied nations;

14 (d) Enhance supply chain including financial and process
15 excellence;

16 (e) Anticipate and position solutions for troop's requirements by
17 combining big data, predictive analytics, automation, artificial intelligence,
18 sustained supply chain visibility and continuous communication.

17 4.-(1) There is established the National Council on Defense Logistics
18 (hereafter in this Bill referred to as "the Council") consisting of-

19 (a) a chairman who shall be the Minister responsible for Defense;
20 (b) National Security Adviser ;
21 (c) the Director General of the Department of State Security;
22 (d) The Director General of the National Intelligence Agency;
23 (e) The Director General Defence Intelligence Agency;
24 (f) the Director General of the Bureau of Public Procurement;
25 (g) The Minister responsible for Finance;
26 (h) The Central Bank Governor;
27 (i) Representatives of-

28 (i) the Nigeria Army not below the rank of Major General;
29 (ii) the Nigeria Air force not below the rank of Air Vice Marshal;
30 (iii) the Nigeria Navy not below the rank of Rear Admiral;

1 (j) the Director-General of the Bureau.

2 (2) The Bureau shall provide the Secretariat for the Council.

3 (3) Notwithstanding the provisions of sub-clause (1) of this clause,
4 the Council may co-opt any person to attend its meeting but the person so
5 co-opted shall not have a casting vote or be counted towards quorum.

6 (4) The Chairman and other members of the Council shall be
7 appointed by the President.

8 (5) Subject to sub-clause (1) of this clause, a member of the
9 Council being:

10 (a) the holder of an elective office under the Constitution of
11 Nigeria, shall hold office for a period he remains so elected and no more; and

12 (b) the Director-General of the Bureau, shall hold office on such
13 terms and conditions as may be specified in his letter of appointment.

14 **5. The Council shall:**

Functions of the
Council

15 (a) subject to clause 2, consider and approve the activities of the
16 Bureau;

17 (b) consider and approve policies on defense logistics;

18 (c) approve the appointment of the Directors of the Bureau;

19 (d) receive and consider, for approval, the audited accounts of the
20 Bureau of Defense Logistics; and

21 (e) approve changes associated with defense logistics to adapt to
22 improvements in modern technology;

23 (f) give such other directives and perform such other functions as
24 may be necessary to achieve the objectives of this Bill.

25 PART III - STAFF OF THE BUREAU

26 **6.-(1)** There shall be for the Bureau, a Director-General who shall
27 be appointed by the President, on the recommendation of the Council after
28 competitive selections.

Director-General
and staff of the
Bureau

29 (2) The Director-General shall be:

30 (a) a serving or retired military personnel not below the rank of a

- 1 Brigadier General or its equivalent in the armed forces;
2 (b) the Chief Executive and accounting officer of the Bureau;
3 (c) responsible for the execution of the policy and day to day
4 administration of the affairs of the Bureau; and
5 (3) The Director-General shall hold office:
6 (a) for a term of 4 years in the first instance and may be re-appointed
7 for a further term of 4 years and no more; and
8 (b) on such terms and conditions as may be specified in his letter of
9 appointment.
10 (4) Without prejudice to the provisions of this Bill, the Director-
11 General of the Bureau may be removed from office at the instance of the
12 President on the basis of gross misconduct of financial impropriety, fraud, and
13 manifested incompetence proven by the Council.
- Principal Officers
of the Bureau
- 14 7.-(1) The Council shall appoint the principal officers for the Bureau
15 after competitive selection process.
16 (2) The principal officers appointed under clause 9 (1) shall each have
17 the requisite qualification and experience required for the effective
18 performance of the functions of their respective Departments and the Bureau as
19 specified under this Bill.
20 (3) The Council shall have power to modify the operational structure
21 of the Bureau as may be necessary to enhance the Bureau's duties and functions
22 under this Bill.
- Other Staff of
the Bureau
- 23 8.-(1) The Council may appoint such officers and other employees as
24 may, from time to time, deem necessary for the purposes of the Bureau.
25 (2) Subject to the Pension Reform Act, the terms and conditions of
26 service (including remuneration, allowances, benefits and pensions) of
27 officers and employees of the Bureau shall be as determined by the Council.
28 (3) Without prejudice to the generality of sub-section of this clause,
29 the Council shall have power to appoint either on transfer or on secondment
30 from any public service in the Federation, such number of employees as may,

1 be required to assist the Bureau in the discharge of any of its functions under
2 the Bill and persons so employed, shall be remunerated (including
3 allowances) as the Council may consider appropriate.

4 **9.**-(1) The Council may, subject to the provisions of this Bill and Staff Regulations
5 within six months of the inauguration, make staff regulations relating
6 generally to the conditions of service of the employees of the Bureau and
7 without prejudice to the foregoing, such regulations may provide for:

8 (a) the appointment, promotion and disciplinary control (including
9 dismissal) of employees of the Bureau; and

10 (b) appeals by such employees against dismissal or other
11 disciplinary measures.

12 (2) Until such regulations are made, any instrument relating to the
13 conditions of service of officers in the civil service of the federation shall be
14 applicable.

15 **10.** Employees of the Bureau shall be entitled to pensions, and Pension
16 other retirement benefits as prescribed under the Pension Act. Provisions

17 **11.**-(1) The Bureau shall establish and maintain a Fund, to be Funds of the
18 approved by the Council into which shall be paid and credited: Bureau

19 (a) the sums appropriated by the National Assembly for the
20 running of the Bureau;

21 (b) all subventions, fees and charges for services rendered or
22 publications made by the Bureau; and

23 (c) all other assets which may, from time to time, accrue to the
24 Bureau.

25 (2) The Bureau shall charge its fund to meet all its expenditure.

26 (3) The Council may make regulations for the Bureau:

27 (a) specifying the manner in which assets or the fund of the Bureau
28 are to be held, and regulating the making of payment into and out of the fund;
29 and

30 (b) requiring the keeping of proper accounts and records for the

1 purposes of the fund in such form as may be specified in the rules.

2 (4) The Bureau may, from time to time, apply the proceeds of the fund
3 for:

4 (a) the cost of administration of the Bureau;

5 (b) the payments of salaries, fees and other remuneration, employees
6 of the Bureau or experts or professionals appointed by the Bureau;

7 (c) the maintenance of any property acquired by or vested in the
8 Bureau; and

9 (d) any matter connected with all or any of the functions of the Bureau
10 under this Bill; and

11 (f) any expenditure connected with all or any of the functions of the
12 Bureau under this Bill.

Financial Year
Budgeting and
Annual Report

13 **12.**-(1) The financial year of the Bureau shall be the same as that of the
14 Federal Government.

15 (2) Not later than 6 months before the end of the financial year, the
16 Bureau shall submit to the Council an estimate of its expenditure and projected
17 income during the next succeeding year.

18 (3) The Bureau shall keep proper accounts and records of its receipts,
19 payments, assets and liabilities and shall in respect of each financial year
20 prepare a statement of account in such form as the Council may direct.

21 (4) The Bureau shall within 6 months after the end of the financial
22 year to which the accounts relate cause the accounts to be audited in accordance
23 with guidelines supplied by the Auditor-General of the Federation.

24 (5) The Bureau shall at the end of each financial year, prepare and
25 submit to the Council a report in such form as shall accurately capture all the
26 activities of the Bureau during the preceding year and shall include in the report
27 a copy of the audited accounts of the Bureau of that year.

Legal proceedings

28 **13.**-(1) Subject to the provisions of this Bill, no suit shall be
29 commenced against the Bureau before the expiration of 30 days after written
30 notice of an intention to commence the suit shall have been served upon the

1 Bureau by the intending plaintiff or his agent; and the notice shall clearly
2 and explicitly state:

- 3 (a) the cause of action;
4 (b) the particulars of the claim;
5 (c) the name and address of legal practitioner of the intending
6 plaintiff; and
7 (d) the relief being sought.

8 (2) The Director-General of the Bureau, its officers, employees or
9 agents shall not personally be subject to any action, claim or demand by, or
10 liable to any person in respect of anything done or omitted to be done in
11 exercise of any functions or power conferred by this Act upon the Bureau, its
12 Director-General, officers, employees or agents.

13 (3) A member of the Bureau or the Director-General or any officer
14 or employee of the Bureau shall be indemnified out of the assets of the
15 Bureau against any liability incurred by him in defending any proceeding,
16 whether civil or criminal, if the proceeding is brought against him in his
17 capacity as a member, Director-General, officer or other employee of the
18 Bureau.

19 (4) A notice, summons or other documents required or authorized
20 to be served upon the Bureau under the provisions of this Bill or any other
21 law or enactment may be served by delivering it to the Director-General or
22 by sending it by registered post and addresses to the Director-General at the
23 principal office of the Bureau.

24 PART IV - MISCELLANEOUS

25 14. The Minister may give the Bureau or the Director General such
26 directives of a general nature or relating generally to matters of policy with
27 regards to the exercise of its of his functions as he may consider necessary
28 and it shall be the duty of the Bureau or the Director General to comply with
29 the directives or cause them to be complied with.

Directives by
the Minister etc.

Regulations by the Council	1	15. The Council may make such regulations as in its opinion are
	2	necessary or expedient for giving full effect to the provisions of the Bill and for
	3	the due administration of its provision.
Interpretation	4	16. In this Bill-
	5	"Armed Forces" means the Air force, Army and Navy;
	6	"Bureau" means the Bureau of Defense Logistics established in clause 1 under
	7	this Bill;
	8	"Council" means the National Council on Defense Logistics established in
	9	clause 4 under this Bill;
	10	"Director General" means the Director General of the Bureau appointed in
	11	clause 6 under this Bill;
	12	"Military formation" means any combatant force or formation established
	13	under or jointly between the Air force, Army and Navy;
	14	"Minister" means the Minister responsible for Defense;
Citation	15	17. This Bill may be cited as the Defense Logistics Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Bureau of Defense Logistics charged with the responsibility of providing Logistics, Acquisition and Technical Support for the Army, Navy, Air Force and Similar Military Formations.