

Extraordinary



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A BILL

FOR

AN ACT TO MAKE PROVISIONS FOR THE APPOINTMENT OF QUALIFIED
NIGERIANS AS CHIEF EXECUTIVE OFFICERS OF MULTI-NATIONAL
COMPANIES OPERATING IN NIGERIA AND FOR RELATED MATTERS, 2022

Sponsored by Hon. Farah Doctor Dagogoh

[] Commencement

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

- | | | |
|----|---|--|
| 1 | 1. As from the commencement of this Bill, any multi-national | Employment/
recruitment of
staff |
| 2 | company operating in Nigeria, in any field of development shall carry out its | |
| 3 | employment, recruitment or any form of engagement of its staff, permanent, | |
| 4 | temporary, casual or part time as provided by this Bill. | |
| 5 | 2. Without prejudice to the extant Federal Character Commission | Appointment of
Chief Executive
Officer of Multi-
National Company |
| 6 | Act or any relevant applicable legislation, any appointment for the position | |
| 7 | of Chief Executive Officer of any multi-national company shall be reserved | |
| 8 | for a qualified Nigerian with requisite knowledge, proven integrity, cognate | |
| 9 | experience and capacity to provide leadership in the industry. | |
| 10 | 3. Any multi-national company in Nigeria which contravenes the | Offences |
| 11 | provisions of this Bill through its officers or proxies, commits an offence | |
| 12 | and, shall, on conviction be liable to such penalty as may be prescribed by | |
| 13 | regulations issued under this Bill. | |
| 14 | 4. The Minister for Industry, Trade and Investment shall make | Regulations |
| 15 | regulations subject to approval of the National Economic Council to give | |
| 16 | effect to the provisions of this Bill. | |
| 17 | 5. The Federal High Court shall have jurisdiction to try any | |
| 18 | offence committed under this Bill. | Jurisdiction of
Courts |
| 19 | 6. This Bill may be cited as Multinational Companies | Citation |
| 20 | Appointment of Chief Executives (Regulatory) Bill, 2022. | |

EXPLANATORY MEMORANDUM

This Bill seeks to make provisions for the appointment of qualified Nigerians as Chief Executive Officers of Multi-National Companies Operating in Nigeria.

A BILL

FOR

AN ACT TO AMEND THE NIGERIAN OIL AND GAS INDUSTRY CONTENT DEVELOPMENT ACT, No.2 2010 TO MAKE PROVISIONS FOR THE APPOINTMENT OF QUALIFIED NIGERIANS AS CHIEF EXECUTIVE OFFICERS OF MULTINATIONAL OIL AND GAS COMPANIES OPERATING IN NIGERIA AND FOR RELATED MATTERS, 2022

Sponsored by Hon. Doctor Farah Dagogo

[] Commencement

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

- | | | |
|----|--|-----------------------------------|
| 1 | 1. The Nigerian Oil and Gas Industry Content Development Act | Amendment of
the Principal Act |
| 2 | No.2, 2010 in this Bill, referred to (as "the Principal Act"), is amended as set | |
| 3 | out in the Bill. | |
| 4 | 2. Section 5 of the Principal Act is amended by substituting for | Amendment of
Section 5 |
| 5 | section 5, a new "(clause"5")"- | |
| 6 | "5(1) The Board shall ensure that any appointment for the position | |
| 7 | of Chief Executive Officer of any multi-national Oil and Gas Company | |
| 8 | operating in Nigeria is reserved for a qualified Nigerian with knowledge, | |
| 9 | proven integrity, cognate experience and capacity to provide leadership in | |
| 10 | the industry. | |
| 11 | (2) The Board shall implement the provisions of this Bill to ensure | |
| 12 | a measurable and continuous growth of Nigerian content in oil and gas | |
| 13 | arrangements, projects, operations, activities or transactions in the Nigerian | |
| 14 | oil and gas industry". | |
| 15 | 3. Section 70 of the Principal Act is amended by inserting new | Amendment of
Section 70 |
| 16 | paragraph "(oo)" after the existing paragraph (o)- | |
| 17 | "(oo) ensure effective and strict compliance with the provisions of | |
| 18 | this Bill in respect of appointment of Chief Executive Officers of any | |

Citation 1 multinational Oil and Gas Company operating in Nigeria".
 2 **4.** This Bill may be cited as Nigerian Oil and Gas Industry Content
 3 Development Act (Establishment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Oil and Gas Industry Content Development Act, No. 2 2010 to make provisions for the appointment of qualified Nigerians as chief Executive Officers of Multinational Oil and Gas Companies operating in Nigeria.

A BILL

FOR

AN ACT TO ESTABLISH NATIONAL POLYTECHNICS COMMISSION TO
SUPERVISE, REGULATE AND CO-ORDINATE POLYTECHNICS EDUCATION IN
NIGERIA; AND FOR RELATED MATTERS

Sponsored by Hon. Doctor Farah Dagogo

[] Commencement

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

- 1 1.-(1) There is hereby established, a body to be known as the Establishment
2 National Polytechnics Commission (hereinafter called "the Commission"), of the National
3 which shall be a body corporate, with perpetual succession and a common Polytechnics
4 seal, and may sue and be sued in its corporate name. Commission
- 5 (2) The Headquarters of the Commission shall be in Abuja.
- 6 (3) The supplementary provisions contained in the Schedule to this
- 7 Act shall have effect with respect to the proceedings of the Commission and
- 8 the other matters mentioned therein.
- 9 2.-(1) The Commission shall consist of a chairman and the Membership of
10 following other members, that is- the Commission
- 11 (a) One representative each from the following Federal Ministry-
- 12 (i) Education;
- 13 (ii) Health; and
- 14 (iii) Finance;
- 15 (b) One representative of the Association of Polytechnic Rectors;
- 16 (c) six persons with wide knowledge and experience representing
- 17 both private and public sector interests, to be appointed on individual merit
- 18 and on a nationwide basis;
- 19 (d) One representative each of the following academic disciplines,
- 20 that is-

	1	(i) Agriculture;
	2	(ii) Environmental Sciences;
	3	(iii) Humanities, Social and Management Sciences;
	4	(iv) Engineering Sciences and Technology; and
	5	(v) Earth, Mineral and Natural Sciences;
	6	(e) The Executive Secretary, who shall serve as the Secretary of the
	7	Commission.
	8	(2) The chairman and the other members of the Commission shall be
	9	appointed by the President.
Tenure of office	10	3. -(1) Subject to the provisions of this Act, a person appointed to be a
	11	member of the Commission, not being a public officer, shall hold office for a
	12	period of four years and shall be eligible for reappointment for such other
	13	period four years and no more.
	14	(2) Any member, not being a public officer, may resign his
	15	appointment, by a letter addressed to the President.
	16	(3) Members of the Commission, not being public officers, shall be
	17	paid such remuneration and allowances as may be determined by the Revenue
	18	Allocation and Fiscal Commission.
Functions of the Commission	19	4. -(1) The functions of the Commission shall be to-
	20	(a) Advise the President and the Governors of the States, through the
	21	Minister, on the creation of new Polytechnics and other Diploma, etc. awarding
	22	institutions in Nigeria;
	23	(b) prepare, after consultation with all the State Governments, the
	24	Polytechnics, the National Manpower Board and such other bodies as it
	25	considers appropriate, periodic master plans for the balanced and coordinated
	26	development of all Polytechnics in Nigeria and such plans shall include-
	27	(i) The general programmes to be pursued by the Polytechnics, in
	28	order to ensure that they are fully adequate to meet national needs and
	29	objectives;
	30	(ii) Recommendations for the establishment and location of new

1 Polytechnics as and when considered necessary, and in accordance with the
2 Commission's approved guidelines;

3 (iii) Recommendations for the establishment of new academic
4 units in existing Polytechnics or the approval or disapproval of proposals to
5 establish such academic units;

6 (c) Make such other investigations relating to higher education as
7 the Commission may consider necessary in the national interest;

8 (d) make such other recommendations to the Federal and State
9 Governments, relating to Polytechnics and other National Diploma and
10 Higher National Diploma awarding institutions as the Commission may
11 consider to be in the national interest;

12 (e) inquire into and advise the Federal Government on the financial
13 needs, both recurrent and capital, of Polytechnic education in Nigeria and, in
14 particular, to investigate and study the financial needs of Polytechnic
15 research and ensure that adequate provision is made for this in the
16 Polytechnics;

17 (f) Receive block grants from the Federal Government and allocate
18 them to Federal Polytechnics, in accordance with such formula as may be
19 laid down by the Federal Government;

20 (g) take into account, in advising the Federal and State
21 Governments on Polytechnic finances, such grants as may be made to the
22 Polytechnics by State Governments and by persons and institutions in and
23 outside Nigeria;

24 (h) Collate, analyse and publish information relating to
25 Polytechnic education in Nigeria and from other sources, where such
26 information is relevant to the discharge of its functions under this Act;

27 (i) Undertake periodic reviews of the terms and conditions of
28 service of personnel engaged in the Polytechnics and to make
29 recommendations thereon to the Federal Government, where appropriate;

30 (j) Recommend to the visitor of a Polytechnic that a visitation be

1 made to such Polytechnic as and when it considers it necessary;

2 (k) Act as the agency for channeling all external aid to the
3 Polytechnics in Nigeria; and

4 (l) carry out such other activities as are conducive to the discharge of
5 its functions under this Act.

6 (2) The Minister may give the Commission directives of a general
7 character or relating generally to particular matters, with regard to the exercise
8 by the Commission of its functions under this Act, and it shall be the duty of the
9 Commission to comply with such directives.

Executive Secretary
of the Commission

10 **5.**-(1) There shall be appointed by the President an Executive
11 Secretary to the Commission, who shall have appropriate qualifications.

12 (2) The Executive Secretary shall be the chief executive officer of the
13 Commission and shall be responsible for the execution of the policy of the
14 Commission and the day- to-day running of the affairs of the Commission.

15 (3) The Executive Secretary shall hold office in the first instance for a
16 period of five years and shall be eligible for reappointment for such further
17 terms of five years as the President may determine.

18 (4) Subject to this section, the Executive Secretary shall hold office on
19 such terms as to emoluments and otherwise as may be specified in his
20 instrument of appointment.

Staff of the
Commission

21 **6.**-(1) The Commission may appoint a Deputy Executive Secretary
22 and such other persons to be officers and servants of the Commission, to assist
23 the Executive Secretary in the exercise of his functions.

24 (2) The remuneration and tenure of office of the Deputy Executive
25 Secretary and the other officers and servants of the Commission, shall be
26 determined by the Commission after consultation with the Minister
27 responsible for establishments.

28 (3) Notwithstanding the provisions of subsection (1) of this section,
29 the Deputy Executive Secretary or any of the other officers and servants of the
30 Commission, may be appointed by the Commission by way of transfer or

1 secondment from any of the public services in the Federation.

2 7.-(1) The Federal Civil Service Commission may, by order
3 published in the Federal Gazette, declare the office of any person employed
4 by the Commission to be a pensionable office for the purposes of the
5 Pensions Act.

Application of
Pensions Act

6 (2) Subject to subsections (3) and (4) of this section, the Pensions
7 Act shall, in its application by virtue of subsection (1) of this section to any
8 office, have effect as if the office were in the public service of the Federation
9 within the meaning of the Constitution of the Federal Republic of Nigeria
10 1999.

11 (3) For the purpose of the application of the Pensions Act and in
12 accordance with subsection (2) of this section-

13 (a) section 21 of that Act shall have effect as if, for the references to
14 the Minister, there were substituted references to the Commission; and

15 (b) The power under section 4 (2) of that Act shall be exercisable by
16 the Commission and not by any other authority.

17 (4) Nothing in the foregoing provisions shall prevent the
18 appointment by the Commission of a person to any office on terms which
19 preclude the grant of a pension or gratuity in respect of service in that office.

20 8.-(1) There shall be established by the Commission a fund to be
21 known as the National Polytechnics Commission Fund.

Establishment
of the National
Polytechnics
Commission Fund

22 (2) There shall be paid into the Fund established in pursuance of
23 subsection (1) of this section-

24 (a) such sums as may be made available to the Commission for the
25 purpose of making grants to the Polytechnics in pursuance of paragraphs (f)
26 and (g) of section 4 (1) of this Act; and

27 (b) such sums as may, from time to time, be credited to the Fund by
28 way of payment of the principal and interest on and other charges in respect
29 of any loan made out of the fund, and also interest from investments made
30 from the Fund.

1 (3) Disbursements from the Fund shall be made in accordance with
2 rules made under section 23 of the Finance (Control and Management) Act and,
3 without prejudice to the foregoing, rule (26) of the Public Funds of the
4 Federation (Disbursement) Rules, shall continue in force and have effect, as if
5 made under this subsection.

Maintenance of
separate fund by
the Commission

6 9.-(1) The Commission shall establish and maintain a separate fund
7 from which there shall be defrayed all expenditure incurred by the
8 Commission, except such expenditure as may be incurred by it pursuant to
9 section S of this Act.

10 (2) There shall be paid and credited to the fund established in
11 pursuance of subsection (I) of this section, such payments as may be made to it
12 by the Federal Government, for the running expenses of the Commission and
13 all other assets from time to time accruing to the Commission otherwise than in
14 pursuance of section S of this Act.

Expenditure of
the Commission

15 10. The Commission may, from time to time, apply the proceeds of
16 the fund established in pursuance of section 9 (I) of this section-

17 (a) To the cost of administration of the Commission;

18 (b) for reimbursing members of the Commission or members of any
19 committee set up by the Commission, for such expenses as may be expressly
20 authorized by the Commission, in accordance with the rates approved by the
21 President;

22 (c) to the payment of the salaries, fees or other remuneration or
23 allowances and pensions, superannuation allowances and gratuities, payable to
24 the officers and servants of the Commission, so however that no payment of
25 any kind under this paragraph (except such as may be expressly authorized as
26 aforesaid), shall be made to any person who is in receipt of emoluments from
27 the Government of the Federation or the Government of a State;

28 (d) For the maintenance of any properly vested in the Commission;
29 and

1 (c) For and in connection with all or any of its functions under this
2 Act.

3 **11.**-(1) The Commission shall submit to the Minister, not later than Annual estimates
4 31 October in each financial year, an estimate of its expenditure and income and accounts
5 (including payments to the National Polytechnics Commission Fund)
6 during the next succeeding financial year.

7 (2) The Commission shall keep proper accounts in respect of each
8 financial year (and proper records in relation thereto) and shall cause its
9 accounts to be audited as soon as may be after the end of each financial year
10 by the Auditor-General for the Federation.

11 **12.** The Commission shall prepare and submit to the President Annual report
12 through the Minister, not later than 30 June in each financial year a report in
13 such form as he may direct on the activities of the Commission during the
14 immediately preceding financial year, and shall include in such report a
15 copy of the audited accounts of the Commission for that year and the
16 Auditor-General's report thereon.

17 **13.**-(1) For the purpose of carrying out the functions conferred on Power to obtain
18 the Commission under this Act, the Executive Secretary or any other officer information
19 of the Commission authorized in that behalf-

20 (a) Shall have a right of access to all the records of any institution to
21 which this Act applies;

22 (b) May by notice in writing served on any person in charge of any
23 such institution require that person to furnish information on such matters as
24 may be specified in the notice.

25 (2) It shall be the duty of any person required to furnish information
26 pursuant to sub- section (1) of this section to comply with the notice within a
27 reasonable period of time.

28 (3) In this section, the reference to an institution is a reference to a
29 Polytechnic or any other degree-granting institution in Nigeria recognized
30 for that purpose by the Commission.

Regulations	1	14. The Minister may by regulations published in the Federal Gazette
	2	prescribe anything falling to be prescribed generally for the purposes of this
	3	Act.
Interpretation	4	15. In this Act, unless the context otherwise requires-
	5	"academic units" includes departments, faculties, schools, colleges, institutes,
	6	centres and all such academic divisions in the Polytechnics at the postgraduate,
	7	undergraduate, pre-degree and non-degree levels;
	8	"accreditation" means a system for recognising educational institutions and
	9	programmes offered in these institutions for a level of performance, integrity
	10	and quality which entitles them to the confidence of the educational
	11	community, the public they serve and employers of labour;
	12	"chairman" means the chairman of the National Polytechnics Commission;
	13	"Commission" means the National Polytechnics Commission established
	14	under section 1 of this Act;
	15	"Executive Secretary" means the person appointed as the Executive Secretary
	16	to the Commission in pursuance of section 5 (1) of this Act;
	17	"member" means a member of the Commission and includes the chairman;
	18	"Minister" means the Minister charged with responsibility for higher
	19	education.
Short title	20	16. This Bill may be cited as the National Polytechnics Commission
	21	Bill, 2022.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION, ETC.

3 *Proceedings*

4 1. Subject to this Act and section 27 of the Interpretation Act
5 (which provides for decisions of a statutory body to be taken by a majority of
6 its members and for the chairman to have a second or casting vote), the
7 Commission may make standing orders regulating the proceedings of the
8 Commission or any committee thereof.

9 2. Every meeting of the Commission shall be presided over by the
10 chairman or, if the chairman is unable to attend a particular meeting, the
11 members present at the meeting shall elect one of their number to preside at
12 the meeting.

13 3. The quorum at a meeting of the Commission shall consist of the
14 chairman (or, in an appropriate case, the person presiding at the meeting
15 pursuant to paragraph 2 of this Schedule) and five other members of whom
16 at least two shall be members appointed pursuant to paragraphs (a) and (c) of
17 section 2(1) of this Act.

18 4. Where upon any special occasion the Commission desires to
19 obtain the advice of any person on any particular matter, the Commission
20 may co-opt that person to be a member for as many meetings as may be
21 necessary, and that person while so co-opted shall have all the rights and
22 privileges of a member except that he shall not be entitled to vote.

23 *Committees*

24 5.-(1) Subject to its standing orders, the Commission may appoint
25 such number of standing and ad hoc committees as it thinks fit to consider
26 and report on any matter with which the Commission is concerned.

27 (2) Every committee appointed under the provisions of sub-
28 paragraph (1) of this paragraph shall be presided over by a member of the
29 Commission and shall be made up of such number of persons, not
30 necessarily members of the Commission, as the Commission may

1 determine in each case.

2 (3) The quorum of any committee set up by the Commission shall be
3 as may be determined by the Commission.

4 6. Where standing orders made pursuant to sub-paragraph I of this
5 paragraph provide for a committee of the Commission to consist of or co-opt
6 persons who are not members of the Commission, the committee may advise
7 the Commission on any matter referred to it by the Commission.

8 *Miscellaneous*

9 7. The fixing of the seal of the Commission shall be authenticated by
10 the signature of the chairman or of the Executive Secretary of the Commission.

11 8. Any contract or instrument which, if made by a person not being a
12 body corporate, would not be required to be under seal, may be made or
13 executed on behalf of the Commission by the Executive Secretary or by any
14 other person generally or specially authorized to act for the purpose by the
15 Commission.

16 9. Any document purporting to be a contract, instrument or other
17 document duly signed or sealed on behalf of the Commission shall be received
18 in evidence and, unless the contrary is proved, be presumed without further
19 proof to have been so signed or sealed.

20 10. The validity of any proceedings of the Commission or a
21 committee thereof shall not be affected-

22 (a) By any vacancy in the membership of the Commission; or

23 (b) By any defect in the appointment of a member of the Commission
24 or committee.

25 11. Any member of the Commission or a committee thereof who has
26 a personal interest in any contract or arrangement entered into or proposed to be
27 considered by the Commission or committee shall forthwith disclose his
28 interest to the Commission or committee and shall not vote on any question
29 relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish National Polytechnics Commission to Supervise, Regulate and Co-ordinate Polytechnics Education in Nigeria.

FOR

Sponsored by Hon. Julius O. Ihonvbere

[] Commencement

1 PART I - ESTABLISHMENT, FUNCTIONS, MEMBERSHIP OF THE
2 CHARTERED INSTITUTE OF CORPORATE AND BUSINESS MANAGEMENT,
3 GOVERNING COUNCIL

Establishment of the Chartered Institute of Corporate and Business Management of Nigeria

7 (1) The Institute:

8 (a) Shall be a body corporate with perpetual succession;

9 (b) shall have a common seal which shall be kept in such custody as

10 the council may, from time to time, authorize; and

11 (c) May sue or be sued in its corporate name.

12 (d) may acquire, hold, and dispose of any property, moveable or

13 immoveable.

Functions of the Institute

1 (b) secure, in terms of this Act, the establishment and maintenance of
2 a register of fellows, Members, Associates, of the Institute, and the publication
3 from time to time of a list of those Members;

4 (c) stimulate the science and practice of corporate affairs, business
5 management and development initiatives;

6 (d) promote research and development of curricular of training of its
7 members;

8 (e) promote the practice of Corporate Affairs and Business
9 Management in Nigeria;

10 (f) unite all holders of an/or foreign qualification(s) in Corporate
11 Affairs and Business Management disciplines in both public and private
12 Institutions;

13 (g) provide consultancy services to both private and public sector of
14 the Nigerian economy;

15 (h) hold conferences, workshops, seminars, symposia on Corporate
16 Affairs, Business Management, Business Development initiatives;

17 (i) do such other things that are incidental or supplementary to the
18 foregoing objects of the council.

Membership
of the Institute

19 **3.-(1)** Subject to the provision of this Act, persons admitted into the
20 Institute, shall possess knowledge, experience and qualifications determined
21 from time to time by the board and may be enrolled in the category of:

22 (a) Fellows;

23 (b) Members;

24 (c) Associate Membership;

25 (d) Graduate Members;

26 (e) Student Members;

27 (f) Corporate or Institutional Members.

28 (2) Without prejudice to the last foregoing provisions of this Act,
29 persons registered as members of the Institute in terms of this Act, shall be
30 entitled to be enrolled:

1 (a) as Fellows, if they satisfy the Council that for the period of not
2 less than five years immediately preceding the date of their application in
3 that behalf that they:

- 4 (i) are fit and proper persons,
- 5 (ii) are holders of approved academic qualifications
- 6 (iii) have satisfied the Council in their dissertations,

7 (b) as Members, if they satisfy the Council that they have passed
8 the mandatory examinations conducted by the Council. hold equivalent
9 qualifications from recognized institutions of higher education and are
10 otherwise howsoever found to be fit and proper persons by the Council;

11 (c) as associate members, if for the period of not less than three
12 years immediately preceding the date of their application in that behalf that
13 they have been enrolled as graduate members and are otherwise fit and
14 proper persons, and as may be approved in the discretion of the council.

15 (3) The following are the order of precedence and designated Membership
16 titular abbreviations for: Privileges

17 (a) a Fellow of the Institute who shall have the right to use the
18 designatory letters F.CCBM immediately after his names;

19 (b) member of Chartered Institute of Corporate and Business
20 Management shall have the right to use the designatory letters M.CCBM;

21 (c) an Associate Member of the Institute who shall have the right to
22 use the designatory letters A.CCBM immediately after his names; and

23 4.-(1) The principal officers of the institutes shall be-

- 24 (a) the President;
- 25 (b) the Deputy President;
- 26 (c) the Vice President;
- 27 (d) the Registrar/Executive Secretary;
- 28 (e) the Deputy Registrar;
- 29 (f) Administration and Finance;
- 30 (g) Research, Training and Development;

Election of
Principal Officers
of the Institute

- 1 (h) Strategic Partnership and Inter-governmental Affairs;
- 2 (i) Academic Affairs and Professional Membership Development;
- 3 (j) Corporate and Communication strategy.
- 4 (2) The principal officers listed under subsection 4 (1) of this section
- 5 shall be financial members of the council in the grades of fellows, associate
- 6 members and shall be elected to office at the second Council meeting after
- 7 another term of two years, and no more.
- 8 (3) The president shall be the Chairman at the meetings of the
- 9 Institute, but in the event of his incapacity, death or inability to perform the
- 10 duties reposed on him under this subsection, the Vice President shall perform
- 11 such duties for the unexpired portion of the term of that president.
- 12 (4) If any of the officers listed under subsection (1) of this section
- 13 ceases to be a member of the Institute, such officer shall cease to hold any of the
- 14 offices designated thereof.
- 15 **5.-(1)** There shall be for the Institute, a governing body to be known as
- 16 "the Council" which shall have responsibility for the administration and
- 17 general management of the Institute.
- 18 (2) The Council established pursuant to subsection (1) of this section
- 19 shall consist of the following members, that is-
- 20 (a) the President of the Council, who shall be the chairman;
- 21 (b) the Vice-President of the Council, who shall be the Deputy-
- 22 Chairman.
- 23 (c) the Registrar;
- 24 (d) twelve members nominated by the Council from six geographical
- 25 zones of the Federation;
- 26 (e) two persons who shall be members of the Council, to represent
- 27 institutions of higher education in Nigeria offering courses leading to an
- 28 approved qualification, to be appointed in rotation;
- 29 (f) the immediate past President of the Council;
- 30 (g) one person each not below the rank of a director to represent the

Establishment
and Composition
of the Council

1 following Federal Ministries that is:

2 (i) Commerce,

3 (ii) Education,

4 (3) The provisions of the first schedule to this Act shall have effect
5 with respect to the supplementary provisions of the Council and the
6 qualification and tenure of the office of members of the Council, and the
7 matters therein mentioned.

8 **6.-(1)** There shall be appointed annually a Board of Fellows, to Appointment of
9 coordinate the activities of fellows of the Institute and to recommend to the Board of Fellows
10 Council on yearly basis admission of members to the fellows.

11 (2) The Board of fellows shall consist of persons who have been
12 duly elected as fellows of the Institute, and shall have a Chairman who shall
13 preside over the activities of the Board, subject to the approval of the
14 Council of the Institute.

15 **PART II - FINANCIAL PROVISIONS**

16 **7.-(1)** The Council shall establish and maintain a fund for the Establishment
17 Institute, the management and control of which shall be under the authority of fund and
18 of the Council, into which shall be paid- expenditure

19 (a) all monies received by the Institute in pursuance of the Act;

20 (b) all subscriptions, fees in pursuance of the Act;

21 (c) all monies raised for the purposes of the Institute by way of
22 gifts, donations, grants-in aid, testamentary dispositions from individuals,
23 bodies corporate or philanthropic organizations, non-otherwise however.

24 (2) The Council shall, from time to time, apply the proceeds of the
25 funds of the Council to-

26 (a) all expenditure incurred by the Council in the course of the
27 discharge of its functions under this Act;

28 (b) the remunerations and allowances of the Registrar and the other
29 staff of the Institute;

	1	(c) the maintenance of the premises and property owned and vested in
	2	the Council;
	3	(d) the payment of traveling allowance and such stipend for members
	4	of the Institute as may be approved by the Council; and
	5	(e) the payment of such other charges as may be reasonably incurred
	6	in the performance of the functions of the Institute and the Council.
Power to borrow money	7	8. -(1) the Council may, with the general consent of its members or in
	8	accordance with the general guidelines or authority given by the government of
	9	the federation, borrow, on behalf of the Council, by way of loan or overdraft
	10	from any source, any monies required by the Board to meet the obligations of
	11	the Council in other to perform its functions under this act, so however that
	12	such consent or authority shall be required where the sum or aggregate of the
	13	sums involved at any time does not exceed such amount as is for the time being
	14	projected in relation to the Institute in any particular year.
	15	(2) The Council may, subject to the provisions of this Act and
	16	conditions of Trust in respect of funds held or any property owned by the
	17	Institute, invest any but not all of its funds with the same consent or general
	18	authority.
Annual estimates account and audit	19	9. -(1) The chairman of the Council shall cause to be prepared not later
	20	than six months before the end of the year, estimates of recurrent and capital
	21	expenditure (if any) and income of the Institute during the next succeeding
	22	financial year which shall be presented to the annual general meeting of the
	23	Institute by the Council for approval.
	24	(2) The Council shall keep proper accounts and records in relation
	25	thereto, and shall prepare in respect of each financial year, a statement of
	26	account in such from as the chairman or the Council shall direct
	27	(3) The Council shall as soon as may be after the end of a financial
	28	year, cause the accounts of the Institute and those of the council to be audited by
	29	qualified auditors appointed from the list of auditors and in accordance with the
	30	guidelines laid down by the Auditor-General for the Federation.

(4) The auditors appointed pursuant to subsection (3) of this section shall, on completion of the audit of the accounts of the Institute and the Council for each financial year, prepared and submit to the Institute two reports, that is to say ...

(a) a general report setting out the observations and recommendation of the said auditors on the financial affairs of the institute and the Council for the year, and on any important matters which the auditors may consider necessary to bring to the notice of the Council; and

(b) a detailed report containing the observation and recommendations of the auditors on all aspects of the operations of the Institute and the Council.

PART III - THE REGISTRAR

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

Appointment and
duties of the
Registrar, etc.

(2) The Registrar appointed in terms of sub-section (1) of this section shall be the head of the administration of the Institute and Secretary to the Council.

(3) The Register shall consist of three parts of which the first part shall be in respect of fellows, the second part shall be in respect of full Members and the third part shall be in respect of Associate members.

(4) Subject to the following provisions of this subsection, the Board may make rules with respect to the form and keeping of the Register and making of entries therein and in particular-

(a) the making of applications for enrolment or registration, as the case may be;

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

(c) authorizing a registered person to have any qualification which is in relation to the relevant discipline of the profession of commercial administration, either an approved qualification or an accepted qualification

1 for the purposes of this Act, registered in relation to his name in addition to, as
2 he may elect, in substitution for other qualifications so registered;

3 (d) specifying from time to time the fees including subscription to be
4 paid to the Council in respect of the entry of names on the Register authorizing
5 the Registrar to refuse to enter a name on the Register until the fee specified for
6 the entry has been paid; and

7 (e) specifying anything falling to be specified under this section, but
8 rules made for the purposes of paragraph (l) of this subsection shall not come
9 into force until they are confirmed at a special meeting of the Institute
10 convened for that purpose, or at the next annual general meeting of the Council,
11 as the case may be.

12 (5) The registrar shall-

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

16 (b) remove from the register the name of any Registered person who
17 has died;

18 (c) record the names of the members of the Council who are in default
19 in the payment of annual subscriptions, dues or other charges for more than
20 twelve months, and take such action in relation thereto (including removal of
21 the names of the defaulters from the Register) as the Council may determine or
22 direct; and

23 (d) make from time to time any necessary alterations in the registered
24 particulars of registered persons.

25 (6) If the registrar-

26 (a) sends by post to any registered person a letter addressed to him at
27 his address on the Register enquiring whether the registered particulars relating
28 to him are correct and receives no reply to the letter within the period of six
29 months from the date of posting; and

30 (b) upon the expiration of the period specified in paragraph (a) of this

1 subsection, sends in like manner to the person in question a second similar
2 letter and received no reply to the letter within three months from the posting
3 of same, then the Registrar, may remove the particulars relating to the person
4 in question from the Register, and the Council may direct the Registrar to
5 restore to the appropriate part of the Register any particulars removed
6 therefrom under this subsection.

7 **11.-(1)** The Registrar shall:

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

11 (b) thereafter in each year to cause to be printed, published and put
12 on sale as aforesaid, rather a corrected edition of the Register since it was last
13 printed; and

14 (c) cause a print of each edition of the registers and of each list of
15 correction to be deposited at the principal offices of the Institute, and the
16 Council shall keep the Register and the list so deposited available at all
17 reasonable times for inspection by members of the Council.

18 (2) A document purporting to be print of an edition of the Register
19 published under and pursuant to this section by authority of the registrar, or
20 documents purporting to be prints of an edition so printed, shall (without
21 prejudice to any other mode of proof) be admissible in any proceeding as
22 evidence that any person specified in the document, or the documents read
23 together, as being registered was so registered at the date of the edition or of
24 list of corrections, as the case maybe, and that any person not so specified
25 was not so registered.

26 (3) Where in accordance with subsection (2) of this section, a
27 person is, in any proceeding, shown to have been, or not have been,
28 registered at a particular date, he/she shall, unless the contrary is proved, be
29 taken for the purposes of those proceedings as having at all material times
30 thereafter continued to be, or not to be, so registered.

Publication of
Registers and
list of Corrections

Registration of
Corporate and
Business Affairs
Management

1 **12.-(1)** Subject to the rules made by the Institute pursuant to section
2 10 (4) of this Act, a person shall be entitled to be enrolled or registered as a
3 professional if:

4 (a) he passes the qualifying examination for Membership conducted
5 by the Institute under this Act and completes the practical training prescribed;

6 (b) he holds as qualification granted outside Nigeria and for the time
7 being accepted by the Council and, if the Council so requires, satisfies the
8 Council that he had sufficient practical experience as a Corporate and Business
9 Affairs Management practitioner.

10 (2) Subject to the provision of this Act and to rules made pursuant to
11 section 10(4), a person shall be entitled to be registered if he satisfies the
12 Council that immediately before the appointed day he had not less than five
13 years of experience.

14 (3) An application for registration shall, in addition to evidence of
15 qualification, satisfy the Council that he is of good character;

16 (a) the he has attained the age of twenty-one year; and

17 (b) he has not been convicted of a criminal offence involving fraud or
18 dishonesty in Nigeria or elsewhere.

19 (4) The Board may in its discretion provisionally accept a
20 qualification presented in respect of an application for registration under this
21 section, or direct that the application be renewed within such period as may be
22 specified in the direction.

23 (5) Any entry directed to be made in the Register in terms of
24 subsection (4) of this section indicate that the Registration is provisional, and
25 no entry made in subsequence therefore shall be converted to, construed as, full
26 registration without explicit consent of the Council made in writing in that
27 behalf.

28 (6) The Council shall from time to time publish in the Federal
29 Government Gazette particulars of qualifications for the time being accepted
30 as aforesaid.

- 1 **13.**-(1) The Council may approve an institution for the purposes of Approval of
2 this Act and may for those purposes approve: Qualifications, etc.
- 3 (a) any course of training at any approved institution which for
4 persons who are seeking to become or are already Corporate and Business
5 Management practitioner, and which the Council considers as necessary to
6 confer on persons completing the course, sufficient knowledge and skill for
7 admission to the Institute;
- 8 (b) any qualification which, as a result of an examination taken in
9 conjunction with a course of training approved by the Institute under this
10 section, is granted to candidates reaching a standard at the examination
11 indicating in the opinion of the members of the Council that the candidates
12 have sufficient knowledge of Corporate and Business Affairs Management
- 13 (2) The Council may, if it thinks it fit withdraw any approval given
14 under this section in respect of any course, qualification or institution, but
15 before withdrawing such as an approval, the Council shall:
- 16 (a) give notice that it intends to do so to persons in Nigeria
17 appearing to the Council to be persons by whom the course is conducted or
18 the qualification is granted or the institution is controlled, as the case may
19 be;
- 20 (b) afford each such an opportunity of making representations to
21 the Council with regard to the proposal; and
- 22 (c) take into consideration any representation made as respects the
23 proposal in pursuance to paragraph (b) of this subsection.
- 24 (3) Where the approval of the Council under this section for a
25 course, qualification or institutions is withdrawn, the course, qualification
26 or institution shall not be treated as approved under this section, but the
27 withdrawal of any such approval shall not prejudice the registration or
28 eligibility for registration of any person who by virtue of the approval was
29 registered or eligible for registration immediately before the approval was
30 withdrawn.

1 (4) The giving or withdrawal of an approval under this section shall
 2 have effect from such date, either before or after the execution of the
 3 instrument signifying the giving or withdrawal of the proposal, as the Council
 4 may specify in that instrument, and the Council shall-

5 (a) Publish as soon as possible a copy of every such instrument in the
 6 Federal Government Gazette; and

7 (b) Not later than seven days before its publication, send a copy of the
 8 instrument to the Minister.

Supervision of
 Instructions, etc.
 Leading to approved
 qualifications

9 **14.-(1)** It shall be the duty of the members of the Council of the
 10 Institute to keep them informed of the nature of-

11 (a) the instructions given at approved institutions to persons attending
 12 approving training; and

13 (b) the examination as a result of which approved qualifications are
 14 granted, and for the purposes of performing that duty the Council of the
 15 Institute may appoint, either from among its own members or otherwise,
 16 person to visit approved institutions, or to attend such examination.

17 (2) It shall be the duty of the visitor appointed in term of the foregoing
 18 subsection of this section to report to the Council on ...

19 (a) The sufficiency of the instructions given to persons attending
 20 approved courses of training at institutions visited by him;

21 (b) The conduct and adequacy of the examinations observed by him;
 22 and

23 (c) Any other matters relating to the instruction or examinations on
 24 which the Board may, either generally or in particular case, request him to
 25 report, but no visitor shall interface with the giving of any instruction or the
 26 conduct of any examination.

27 (3) On receiving a report made in pursuance of this section, the Board
 28 may, if it fit, and shall if so required by the Institution, send a copy of the report
 29 to the person appearing before the Board to be in charge of the institution or
 30 which the Disciplinary Tribunal has cognizance under the following

1 provisions of this Act responsible for the examination to which the report
2 relates requesting that person to make an observation on the report of the
3 Council within such period as may be specified in the request, not being less
4 than one month beginning with the date of the request

5 PART V - PROFESSIONAL DISCIPLINE

6 **15.**-(1) There shall be a tribunal to be known as the Chartered Establishment,
7 Institute of Corporate and Business Affairs Management of Nigeria Composition, etc.
8 Disciplinary tribunal (in this Act, referred to as "Discipline Tribunal") which of the Disciplinary
9 shall be charged with the duty considering and determining any case Tribunal and
10 referred to it by the Investigating panel established pursuant to subsection Investigating Panel
11 (3) of this section, and any other case of panel, which the disciplinary
12 Tribunal has cognizance under the following provisions of this Act.

13 (2) The disciplinary Tribunal shall consist of the Chairman of the
14 Council and six other members of the Council.

15 (3) There shall be a body to be known as the Chartered Institute of
16 Corporate and Business Management of Nigeria Investigating Panel (in this
17 Act, referred to as "the Investigating Panel") which shall be charged with the
18 duty of:

19 (a) conducting a preliminary investigation into any case where it is
20 alleged that a member has misbehave in his capacity as a Corporate and
21 Business Management Practitioner or should for any other reason be the
22 subject of proceedings before the Disciplinary Tribunal; and

23 (b) deciding whether the case should be referred to the Disciplinary
24 Tribunal.

25 (4) The Investigating Panel shall be appointed by the Council and
26 shall consist of four members of the Council and a member of the Institute
27 who is not member of the Council.

28 (5) The provisions of the Second Schedule to this Act shall, so far Second Schedule
29 as applicable to the Disciplinary Tribunal and Investigating Panel
30 respectively, shall have effect with respect to the bodies.

Penalties for
unprofessional
conduct

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

3 **16.-(1)** Where:

4 (a) A member is judged by the Disciplinary Tribunal to be guilty of
5 infamous conduct in any professional respect;

6 (b) A member is convicted, by any court or Tribunal in Nigeria or
7 elsewhere having power to award imprisonment, of an offence or (whether or
8 not punishment with imprisonment) which in the opinion of the Disciplinary
9 Tribunal is incompatible with the status of a professional member; or

10 (c) The Disciplinary Tribunal is satisfied that the name of any person
11 has been fraudulently registered; the Disciplinary tribunal may, if it thinks fit,
12 give a direction reprimanding that person or ordering the Registrar to strike his
13 name off the relevant part of the Register.

14 (2) The Disciplinary Tribunal may, if it thinks if fit; defer its decision
15 as stated in subsection (1) of this section until a subsequent meeting of the
16 Disciplinary Tribunal but-

17 (a) No decision shall be deferred under this subsection for period
18 exceeding two years on the aggregate; and

19 (b) No person shall be a member of the disciplinary Tribunal for
20 purposes of reaching a decision which has been deferred or further deferred,
21 unless he was present as a member of the Disciplinary Tribunal when the
22 decision was deferred.

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

27 (4) When the Disciplinary tribunal gives a direction under subsection
28 (1) of this section, the Disciplinary Tribunal shall cause notice of the direction
29 to be served on the person to whom it relates.

30 (5) A person to whom such a direction relates may, at any time within

1 twenty-eight days from the date of the service on him of notice of the
2 direction, appeal against the direction to the Court of Appeal and the
3 Disciplinary Tribunal may appeal as respondent to the appeal and, for the
4 purpose of enabling directions to be given as to the costs of the appeal and of
5 proceedings before the court of Appeal, the Disciplinary Tribunal, shall be
6 deemed to be a party thereto whether or not it appears at the hearing of the
7 appeal.

8 (6) A decision of the Disciplinary Tribunal under subsection (1) of
9 this section, shall take effect where-

10 (a) No appeal under this section is brought against the direction
11 within the time limited for the appeal, on the expiration of that time;

12 (b) An appeal is brought and is withdraw or struck out for want of
13 prosecution or the withdrawal or striking out of the appeal;

14 (c) An appeal is brought and is not withdrawn or struck out as
15 aforesaid if and when the appeal is dismissed, and shall not take effect
16 except in accordance with the foregoing provisions of this subsection.

17 (7) A person whose name is struck off the Register in pursuance of a
18 direction of the Disciplinary Tribunal under this section, shall not be entitled
19 to be enrolled or registered again except in pursuance of a direction in that
20 behalf given the Disciplinary Tribunal on the application of that person, and
21 a direction under this section for the removal of a person's name from the
22 Register may prohibit an application under this subsection by that person
23 until the expiration of such period from the date of the direction (and where
24 he has duly made such an application, from the date of his last application) as
25 may be specified in the direction.

26 PART VI - MISCELLANEOUS AND SUPPLEMENTARY

27 17. A person shall be deemed to practice as a professional
28 Corporate and Business Management Practitioners if, in consideration of
29 remuneration receive or to be received, and whether by himself or in
30 partnership with any other person-

When a person
is deemed a
professional
Corporate and
Business
Management
Practitioner

	1	(a) He engages himself in the practice of Corporate and Business
	2	Management Practitioner or holds himself out; or
	3	(b) He renders professional service or assistance in or about matters of
	4	principle or detail relating to Corporate and Business Management; or
	5	(c) He renders any other service which may by regulation made by the
	6	Council, with the approval of the ministry, be designed as service constituting
	7	practice as a corporate and business management.
Rules as to Professional practicing fees	8	18. -(1) the Council may make rules for:
	9	(a) The training of suitable persons in Corporate and Business
	10	management methods and practice; and
	11	(b) The supervision and regulation of the engagement, training and
	12	transfer of such persons.
	13	(2) The Council may also make rules
	14	(a) Prescribing the amount and the due date for payment of the annual
	15	subscription, and for such purpose different amount may be prescribed by the
	16	rules according to whether the person as a fellow, associate member or
	17	member,
	18	(b) Restricting the right to practice in default of payment of the
	19	amount of annual subscription where the default continues for longer than such
	20	period as may be prescribed by the rules.
	21	(3) Rules when made under this section shall, if the Chairman of the
	22	Board so directs, be published in the Federal Government Gazette.
Provision of Library facilities, etc.	23	19. The Council shall:
	24	(a) Provide and maintain a library, comprising books and publication
	25	for the advancement of knowledge of corporate and business management, and
	26	such other books and publications as the Council may think necessary for that
	27	purpose;
	28	(b) Encourage research into corporate and business management
	29	methods and allied subjects to the extent that the Council may from time to time
	30	consider necessary;

- 1 **20.**-(1) if any person, for the purpose of procuring the registration Offences
2 of any name, qualification or other matter;
- 3 (a) Make a statement which he believes is false in a material
4 particular, or
- 5 (b) Recklessly makes a statement which is false in a material
6 particular, he shall be guilty of an offence.
- 7 (2) If, on or after the relevant date, any person not a member of the
8 Institute practices or holds himself out to practice as cost and management
9 accountants for or in expectation of reward or takes or uses any name, title,
10 addition or description implying that he is in practice as information
11 technologists, he shall be guilty of an offence provided that, in the case of a
12 person falling within section 17 of this Act-
- 13 (a) This subsection shall not apply in respect of anything done by
14 him during the period of three months mentioned in that section; and
- 15 (b) If within that period he duly applies for membership of the
16 Institute, then, unless within that period he is notified that his application has
17 not be approved, this subsection shall not apply in respect of anything done
18 by him between the end of that period and the date on which he is enrolled or
19 registered or is notified as aforesaid.
- 20 (3) If the registrar or any other person employed by or on behalf of
21 the Council willfully makes any falsification in any matter relating to the
22 register, he shall be guilty of an offence.
- 23 (4) A person guilty of an offence under this section be liable-
- 24 (a) On summary conviction, to a fine of an amount not exceeding
25 N50,000;
- 26 (b) On conviction on indictment, to a fine of an amount not
27 exceeding N100,000 or to imprisonment for a term not exceeding two years
28 or to both such fine and imprisonment-
- 29 (1) Where an offence under this section which has been committed
30 by a body corporate is proven to have been committed with the consent or

1 connivance of, or to be attributable to any neglect on the part of any director,
2 manager, secretary or other similar staff of the body corporate or any person
3 purporting to act in any such capacity, he as well as the body corporate, shall be
4 deemed to be guilty of that offence and shall be liable to be prosecuted and
5 punished according.

6 (2) In this section, :the relevant date" means the third anniversary of
7 the appointed day or such earlier date as may be prescribed for the purpose of
8 this section by order of the ministry published in the Federal Government
9 Gazette.

Regulations and
Rules

10 **21.**-(1) Any regulations made under this Act shall be published in the
11 Federal Government Gazette as soon as may be after they are made and a copy
12 of any such regulations shall be sent to the Ministry not later than seven days
13 before they are so published.

14 (2) Rules made for the purposes of this Act shall be subject to
15 confirmation by the Council at its next general meeting or at any special
16 meeting of the Council convinced for that purpose, and if then annulled shall
17 cease to have effect on the day after the date of annulment, but without
18 prejudice to anything done in pursuance or intended pursuance of any such
19 rules.

Interpretation

20 **22.** In this Act, unless the context otherwise requires, the following
21 words and expressions have the meanings respectively assigned to them, that
22 is-

23 "Institute" means the Institute of Corporate and Business Management of
24 Nigeria established under section 1 of this Act;

25 "Council" means the Council established as the governing body of the Council
26 under section 5 of this Act;

27 "Disciplinary Tribunal" means the Institute of Corporate and Business Affairs
28 Management of Nigeria Disciplinary Tribunal under section 15 (1) of this Act;

29 "fees" includes annual subscription;

30 "Investigation panel" means the Corporate and Business Affairs Management

1 ofNigeria Investigation Panel established under section 15 (3) of this Act;
2 "Member of the institute' means an enrolled Fellow, Member, Associate
3 member of the Institute; and
4 "membership of the Council" shall be construed accordingly;
5 "Ministry" means the Ministry charge with the responsibility
6 "President and Vice President" means respectively the office holder under
7 those names in the Council;
8 "Register" means the register maintained in pursuance of section 10 (2) of
9 this Act

10 **23.** This Bill may be cited as the Institute of Chartered Corporate Citation
11 and Business Affairs Management of Nigeria Bill, 2022.

1 SCHEDULES

2 FIRST SCHEDULE

3 *Section 5 (3)*

4 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5 *Qualifications and tenure of members*

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

9 (2) Any member of the Institute who ceases to be a member thereof
10 shall, if he is not also a member of the Council, cease to hold office on the
11 Council.

12 (3) Any elected member may by notice in writing under his hand
13 addressed to the president resign his office, and any appointed member may,
14 likewise resign his appointment.

15 (4) A person who retires from or otherwise ceases to be an elected
16 member of the Board shall be eligible again to become a member of the
17 Council, and any appointed member may be reappointed.

18 (5) Members of the Council shall at a meeting next before the annual
19 general meeting of the Institute arrange for five members of the Council
20 appointed or elected, and longest in office to retire at that annual general
21 meeting. Provided that if any of the members listed thereof is the Chairman of
22 the Institute or the Vice-president of the Institute, he shall remain a member of
23 the Council.

24 (6) Elections to the Institute shall be held in such manner as may be
25 prescribed by rules made by the Council, and until so prescribed shall be
26 decided by a secret balloting process.

27 (7) If for any reason there is a vacation of office by a member and-

28 (a) Such member was appointed by the Minister or any other body
29 corporate, the Minister or any such body corporate shall appoint another fit
30 person to occupy the office in which the vacancy occurs; or

1 (b) Such member was elected, the Council may, if the period
2 between the unexpired portion of the tenure of office and the next general
3 meeting of the Institute appears to warrant the prompt filling of the vacancy,
4 co-opt some fit person for such period as aforesaid.

5 *Powers of the Council*

6 2. The Board shall have powers to do anything which in its opinion
7 is calculated to facilitate the carrying on the activities of the Council.

8 *Proceeding of the Council*

9 3.-(1) Subject to the provisions of this Act, the Council may in the
10 name of the Institute make standing orders regulating the proceedings of the
11 Institute or of the Council, and in the exercise of its powers under this Act,
12 may set up committees in the general interest of the Council and make
13 standing orders therefore.

14 (2) Standing orders shall provide for decision to be taken by a
15 majority of the members, and, in the event of equality of votes, for the
16 President or the Chairman, as the case may be, to have a second or casting
17 vote.

18 (3) Standing orders made for a committee shall provide that the
19 committee report back to the Board on any matter not within its competence
20 to decide upon.

21 (4) The quorum of the Institute shall be nine, and the quorum of a
22 committee of the Council shall be as be fixed by the Council.

23 *Meeting of the Council*

24 5.-(1) The Board shall convene the annual general meeting of the
25 Council on the day as the Board may from time to time appoint in any
26 particular year, so however that if the meeting is not held within one year
27 after the previous annual general meeting, not more than fifteen months
28 shall elapse between the respective dates of the two meetings.

29 (2) A special meeting of the Council may be convened by the Board
30 at any time, and if not less than thirty members of the Institute require it by

1 notice in writing addressed to the General Secretary of the Institute setting out
2 the objects of the proposed meeting, the Chairman of the Board shall convene a
3 special meeting of the Council.

4 (3) The quorum of any general meeting of the Council shall be fifteen
5 members, and that of any special meeting of the Council shall be twenty-five
6 members.

7 *Meeting of the Council*

8 6.-(1) Subject to the provisions of any standing orders of the Institute,
9 the Council shall meet whenever it is summoned by the Chairman, and if the
10 Chairman is required to do so by notice in writing given to him by not less than
11 seven other members, he shall summon a meeting of the Council to be held
12 within seven days from the date on which the notice is given.

13 (2) At any meeting of the Council, the Chairman or in his absence the
14 Deputy Chairman shall preside; but if both are absent the members present at
15 the meeting shall appoint one of their members to preside at that meeting.

16 (3) Where the Council desires to obtain advice of any person on a
17 particular matter, the Council may co-opt him as member for such period as the
18 Council thinks fit, but a person who is a member by virtue of the provisions of
19 this subparagraph shall not be entitled to vote at any meeting of the Council and
20 shall not count towards a quorum.

21 (4) Notwithstanding anything in the foregoing provisions of this
22 paragraph, the first meeting of the Council shall be summoned by the Minister,
23 who may give such directions as he thinks fit as to the procedure which shall be
24 followed at the meeting.

25 *Committees*

26 7.-(1) The Board may appoint one or more committees to carry out on
27 behalf of the Council or the Institute, such functions as the Council may
28 determine.

29 (2) A committee appointed under this paragraph shall consist of the
30 number of persons determined by the Council, and a person other than a

1 member of the Council shall hold office on the committee in accordance
2 with the terms of the instrument by which he is appointed.

3 (3) Any recommendation of a committee of the Council shall be of
4 no effect until it is approved by the Council.

5 *Miscellaneous*

6 8.-(1) The fixing of the seal of the Council shall be authenticated by
7 the signature of the National President or of some other member of the
8 Institute authorized generally by the Council to act for that purpose.

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

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

17 9. The validity of any proceedings of the Council or the Institute or
18 of a committee of the Board shall not be affected by any vacancy in
19 membership, or of any defect in the appointment of a member of the Council
20 or of the Board or of a person to serve on the committee, or by reason that a
21 person not entitled to do so took part in the proceedings.

22 10. Any member of the Council or the Board, and any person
23 holding office on a committee of the Board, who has a personal interest by
24 the Board or a committee thereof, shall forthwith disclose his interest to the
25 President or to the Board, as the case may be, and shall not vote on any
26 question relating to the contract or arrangement

27 11. A person shall not by reason only of his membership of the
28 Council be required to disclose any interest relating solely to the audit to the
29 accounts of the Council.

1 SECOND SCHEDULE

2 *Section 15 (5)*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL
4 AND INVESTIGATING PANEL

5 *The Tribunal*

6 1. The quorum of the Tribunal shall be three of whom at least two
7 shall be professional commercial practitioners.

8 2.-(1) The Chief Justice of the Federation shall make rules as to the
9 selection of the members of the Tribunal for the purposes of any proceedings
10 and as to be the procedure to be followed and the rules of evidence to be
11 observed in proceedings before the Tribunal.

12 (2) The rules shall in particular provide-

13 (a) For securing that notice of the proceedings shall be given at such
14 time and at such manner as may be specified by the rules to the person who is
15 the subject of the proceeding;

16 (b) For determining who in addition to the aforesaid, shall be a party
17 to the proceedings;

18 (c) For securing that any party to the proceedings shall, if he so
19 requires, be entitled to be heard by the Tribunal;

20 (d) For enabling any party to the proceedings to be represented by a
21 legal practitioner;

22 (e) Subject to the provisions of section 16 (5) of this Act, as to the costs
23 of proceedings before the Tribunal;

24 (f) For requiring, in a case where it is alleged that the person who is
25 subject of the proceedings is guilty of infamous conduct in any professional
26 respect, that where the Tribunal adjudges that the allegation has not been
27 proved it shall record a finding that the person is not guilty of such conduct in
28 respect of the matters to which the allegation relates; and

29 (g) For publishing in the media notice of any direction of the Tribunal,

1 which has taken effect providing that a person's name shall be struck off a
2 Register.

3 3. For the purpose of any proceedings before the Tribunal, any
4 member of the Tribunal may administer oaths and any party to the
5 proceedings may sue through the Supreme Court writs of subpoena ad
6 testificandum and duces tecum, but no person appearing before the Tribunal
7 shall be compelled-

8 (a) To make any statement before the Tribunal tending to
9 incriminate himself;

10 (b) To produce any document under such a writ which he could not
11 be compelled to produce at the trial of an action.

12 4.-(1) For the purposes of advising the Tribunal on question of law
13 arising in proceeding before it, there shall in all such proceedings be an
14 assessor to the Tribunal who shall be appointed by the Council on the
15 nomination of the Chief Justice of Nigeria and shall be a legal practitioner of
16 not less than seven years standing.

17 (2) The Chief Justice of Nigeria shall make rules as to the functions
18 of assessors appointed under this, paragraph, and in particular such rules
19 shall contain provisions for securing-

20 (a) That where an assessor advises the Tribunal on any question of
21 law as to evidence, procedure or any matters specified in the rules, he shall
22 do so in the presence of every party or person presenting a party to the
23 proceedings who appears or, if the advise is tendered while the Tribunal is
24 deliberating in private, that every such party or person as aforesaid;

25 (b) That every such party or person as aforesaid shall be informed if
26 in any case the Tribunal does not accept the advise of the assessor on such a
27 question as aforesaid.

28 (3) An assessor may be appointed under this paragraph either
29 generally or for any particular Proceedings or class of proceedings, and shall

1 hold and vacate in accordance with the terms of the instrument by which he is
2 appointed.

3 *The panel*

4 5. The quorum of the panel shall be two.

5 6. (1) The Panel may, at any sitting of the panel attended by all
6 members of the panel, make standing orders with respect to the panel.

7 (2) Subject to the provisions of any such standing orders, the panel
8 may regulate its own procedure.

9 *Miscellaneous*

10 7.-(1) A person ceasing to be a member of the Tribunal or the panel
11 shall be eligible for reappointment as a member of that body.

12 (2) A person, if otherwise eligible, be a member of both the Tribunal
13 and the Panel, but no person who acted as a member of the panel with respect to
14 any case shall act as a member of the tribunal with respect to that case.

15 8. The Tribunal or the panel may act notwithstanding any vacancy in
16 its membership, and the proceedings of either body shall not be invalidated by
17 any irregularity in the appointment of a member of that, or (subject to
18 paragraph 7 (2) of this schedule) by reason of the fact that any person who was
19 not entitled to do so took part in the proceedings of that body.

20 9. Any document authorized or required by virtue of this Act to be
21 served on the Tribunal or the panel shall be served on the Registrar appointed in
22 pursuance of section 10 of this Act

23 10. Any expenses of the Tribunal or the panel shall be defrayed by the
24 Council.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Institute of Corporate and Business Management of Nigeria to provide for the control of its membership and to promote and foster the practice of the profession in the Federation.

A BILL

FOR

AN ACT TO AMEND SAME SEX MARRIAGE (PROHIBITION) ACT 2013 TO
PROHIBITION CROSS DRESSING AND FOR RELATED MATTERS

Sponsored by Hon. Muda Lawai Umar

[] Commencement

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

- | | | |
|----|--|-----------------------------------|
| 1 | 1. The Same Sex Marriage Act, 2013 (hereinafter referred to as the | Amendment of
the Principal Act |
| 2 | "Principal Act") is amended as set out in this Bill. | |
| 3 | 2. Section 4 is altered by inserting after the existing sub-clause (2), | Alteration of
Section 4 |
| 4 | new sub-clause (3): | |
| 5 | (3) Cross-dressing whether done publicly or in private is | |
| 6 | prohibited: | |
| 7 | Provided that this section of this Act shall not apply to cross | |
| 8 | dressings in the course of a stage play or in any bona fide public | |
| 9 | entertainment | |
| 10 | 3. Section 5 is amended by inserting after the existing Sub-clause | Alteration of
Section 5 |
| 11 | (3), a new Sub-clause (4): | |
| 12 | (4) A person engaged in cross dressing is guilty of an offense and | |
| 13 | liable to imprisonment for 6 months or to a fine of five hundred thousand | |
| 14 | Naira. | |
| 15 | 4. Section 7 of the principal Act is amended by introducing the | Alteration of
Section 7 |
| 16 | word "cross dressing" and defining same as: | |
| 17 | "Cross dressing" means the practice of wearing clothes usually worn by a | |
| 18 | person of the opposite sex. | |
| 19 | 5. The Bill may be cited as the Same Sex Marriage (Prohibition) | Citation |
| 20 | (Alteration) Bill, 2022. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Same Sex Marriage (Prohibition) Act to prohibit Cross Dressing.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF HEALTH TECHNOLOGY,
BENISHEIKH, KAGA LOCAL GOVERNMENT, BORNO STATE AND FOR
RELATED MATTERS

Sponsored by Hon. Usman Zannah

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE FEDERAL COLLEGE OF HEALTH

2 TECHNOLOGY BENISHEIKH AND ITS GOVERNING COUNCIL

3 1.-(1) There is established the Federal College of Health
4 Technology Benisheikh, Kaga Local Government, Borno State (in this Bill
5 referred to as the "College") which shall have such powers and exercise such
6 functions as are conferred on it by this Bill.

Establishment
of the Federal
College of Health
Technology,
Benisheikh, Kaga
Local Government,
Borno State

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

10 (3) The College may acquire, hold and dispose of movable and
11 immovable property for the purpose of its functions.

12 2. The objectives of the College shall be to:

Objectives of
the College

13 (a) Provide courses of study, training and research in health
14 technology leading to attainment or award of Certificates and Professional
15 Diploma as may be determined by the Governing Council;

16 (b) provide courses of instruction and other facilities for the pursuit
17 of learning in an health related subjects, and to make those facilities
18 available on proper terms to such persons as are equipped to benefit from
19 them;

20 (c) provide avenues for research in health related subjects and

	1	continuing education in health related subjects;
	2	(d) provide the basis for curriculum development in the areas of
	3	disease prevention, health restoration, promotion and protection as well as
	4	health education, information and communication; and
	5	(e) undertake other activities appropriate for the highest standard of a
	6	college.
Functions of the College	7	3.-(1) For the carrying out of its objects as specified in clause 2 of the
	8	Bill, the College shall have power to:
	9	(a) make rules and regulations under which persons may be admitted
	10	as students for any particular course in the College;
	11	(b) provide courses of instruction in academic and professional
	12	subjects for students of the College;
	13	(c) make provision for research and health information, particularly at
	14	the community or grass-root level;
	15	(d) hold examinations and award certificates and other distinctions to
	16	persons who have pursued a course of study approved by the College and have
	17	satisfied such other requirements as the college may specify;
	18	(e) establish on the recommendation of the Governing Council
	19	campuses, departments and other units of learning and research as the College
	20	may require;
	21	(f) produce health professionals of both National and International
	22	standards;
	23	(g) subject to clause 22 of this Bill, to acquire, hold, grant, charge or
	24	otherwise deal with or dispose of movable and immovable property wherever
	25	situate;
	26	(h) accept gifts, grants and donations, but without obligation to accept
	27	the same for a particular purpose, unless it approves the terms and conditions;
	28	(i) enter into contracts, establish trusts, act as trustee, solely or jointly
	29	with any other person, and employ and act through agents;
	30	(j) erect, provide, equip and maintain libraries, laboratories, lecture

1 halls, halls of residence, refectories, sports grounds, playing fields and other
2 buildings or things necessary, suitable or convenient for any of the objects of
3 the College;

4 (k) hold public lectures and undertake printing, publishing and
5 book selling;

6 (l) borrow, whether on interest or not, and indeed be, upon the
7 security of any or all of the property movable or immovable of the College,
8 such moneys as the Council may, from time to time in its discretion, find
9 necessary or expedient to borrow or to guarantee any loan, advance or credit
10 facility;

11 (m) make gifts for any charitable purpose;

12 (n) do anything which it is authorised or required by this Bill or by
13 any other Statute to do; and

14 (o) do all such acts or things, whether or not incidental to the
15 foregoing powers, as may advance the objects of the College.

16 (2) Subject to the provisions of this Bill and of the Statutes made
17 there under and without prejudice to Clause 9 (2) of this Bill, the powers
18 conferred on the College by sub-clause (1) of this Clause shall be
19 exercisable on behalf of the College by the Council or on any other manner
20 which may be authorised by this Bill.

21 **4.-(1)** The governance of the College and the direction of its affairs
22 shall vest in the Governing Council of the College (in this Bill referred to as
23 "the Council").

Governing Council
of the College

24 (2) Without prejudice to the generality of sub clause (1) of this
25 clause, it shall be the responsibility of the Council to consider and approve:

26 (a) the plan of activities of the College;

27 (b) the programme of studies, courses, and research to be
28 undertaken by the College;

29 (c) the annual estimates and expenditures of the College; and

30 (d) the investment plans of the College.

Membership of the Council of the College	1	5.-(1) The Council of the College shall consist of a chairman and the
	2	following members, to be appointed by the Minister:
	3	(a) a representative of the Federal Ministry responsible for Health;
	4	(b) a representative of the alumni association of the College;
	5	(c) three persons appointed on individual merit on a nationwide basis
	6	who should have wide experience of service in the public or private sector;
	7	(d) two representatives of the Academic Board of the College; and
	8	(e) the Provost of the College.
	9	(2) Persons to be appointed to the Council shall be persons of proven
	10	integrity, knowledgeable and familiar with the affairs and tradition of the
	11	College.
Tenure of office of members of the Council	12	6.-(1) A member of the Council (other than an ex-officio member)
	13	shall hold office for a term of three years and subject to the provisions of sub
	14	clause (2) of this clause, shall be eligible for reappointment for a further period
	15	of three years.
	16	(2) A member of the Council shall cease to hold office if:
	17	(a) the member resigns his office by notice in writing under his hand,
	18	addressed to the Minister; or
	19	(b) the Minister is satisfied that it is not in tile interest of the College
	20	for the person appointed to continue in office and notifies the member in
	21	writing to that effect.
Powers of the Council	22	7.-(1) For the carrying out of the functions of the College, the Council
	23	shall have power to:
	24	(a) provide amenities for and make such other provision for the
	25	welfare of the staff of the College;
	26	(b) make gifts for any charitable purpose;
	27	(c) invest the funds of the College in securities specified by law or in
	28	such other securities in Nigeria as may be approved by the Minister;
	29	(d) borrow money within Nigeria in such manner and upon such
	30	security as the Minister may from time to time authorise;

1 (e) enter into such contracts as may be necessary or expedient for
2 carrying into effect the objectives of the College;

3 (f) recruit staff of the right caliber and determine the career
4 structure of such staff;

5 (g) establish and maintain teaching units within the College or
6 departments as the Council may, from time to time, decide;

7 (h) institute and award fellowships, medals, prizes and other titles;

8 (i) mount exhibitions and displays designed to foster an
9 appreciation of trends in and the scope and requirements of education;

10 (j) erect, provide, equip and maintain such educational,
11 recreational and residential facilities as the College may require;

12 (k) create lectureships and other academic posts and offices and to
13 make appointments;

14 (l) encourage and make provision for research in the College; and

15 (m) do such acts and things whether or not incidental to the
16 foregoing powers as may advance the objects of the College.

17 **8.-(1)** The Minister of Health shall be the Visitor of the College. Visitation

18 (2) The Visitor shall, at least once in every five years, conduct a
19 visitation of the College or appoint a visitation panel consisting of not less
20 than five experts to conduct the visitation:

21 (a) for the purpose of evaluating the academic and administrative
22 performance of the College; or

23 (b) for such other purpose or in respect of any other affairs of the
24 College as the Visitor may deem fit.

25 **9.-(1)** There shall be established for the College a Board to be The Academic
26 known as the Academic Board which shall consist of the following Board and its
27 members: functions

28 (a) the Provost of the College who shall be the chairman;

29 (b) all heads of departments;

30 (c) the College Librarian; and

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

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

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

7 (b) making periodic reports on such academic matters to the Council
8 as the Council may from time to time direct; and

9 (c) discharging any other functions which the Council may from time
10 to time delegate to it.

Power of Minister
to give directions
to the Council

11 **10.** Subject to the provisions of this Bill, the Minister may give to the
12 Council directions of a general character or relating generally to matters of
13 policy with regard to the exercise by the Council of its functions under this Bill
14 and it shall be the duty of the Council to comply with such directions.

The Provost
of the College

15 **11.-(1)** There shall be a Provost of the College (in this Bill referred to
16 as lithe Provost") who shall be appointed by the Minister, in accordance with
17 the provisions of this clause.

18 (2) Where a vacancy occurs in the office of Provost, the Council shall:

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

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

22 (ii) the terms and conditions of service applicable to the post;

23 and thereafter draw up a short list of suitable candidates for consideration;

24 (b) constitute a search team consisting of:

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

27 (ii) two members of the academic Board not below the rank of chief
28 lecturer;

29 (iii) two members of the academic community of the College not
30 below the rank of chief lecturer to be selected by the Council, to identify and

1 draw up a short list of suitable persons who are not likely to apply for the post
2 for any reason whatsoever.

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

4 (a) the chairman of the Council;

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

7 (c) two members of the Academic Board not below the rank of
8 chief lecturer, who were not members of the search team, shall consider the
9 candidates and persons on the short lists drawn up under sub clause (2) of
10 this clause through an examination of their curriculum vitae and interaction
11 with them and recommend through the Council to the Minister, three
12 candidates for his consideration.

13 (4) The Minister shall appoint as Provost one of tile candidates
14 recommended to him under the provisions of sub clause (3) of this clause.

15 (5) The Provost:

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

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

21 **12.-(1)** There shall be for the college a Deputy Provost. Deputy Provost

22 (2) The Council shall appoint the Deputy Provost from among the
23 chieflecturers in the College in one of the following ways, that is:

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

26 (b) on the recommendation of a Selection Board constituted under
27 this clause for that purpose; or

28 (c) on the nomination of the Provost.

29 (3) The Selection Board referred to in sub clause (2) of this clause
30 shall:

- 1 (a) consist of:
- 2 (i) the chairman of the Council;
- 3 (ii) the Provost;
- 4 (vii) two members of the Council not being members of the Academic
- 5 Board;
- 6 (iv) two members of the Academic Board; and
- 7 (b) make such inquiries as it deems fit before making the
- 8 recommendation required under that sub clause.
- 9 (4) The Deputy Provost shall:
- 10 (a) assist the Provost in the performance of his functions;
- 11 (b) act in the place of the Provost when the office of Provost is vacant
- 12 or if the Provost is, for any reason, absent or unable to perform his functions as
- 13 Provost; and
- 14 (c) perform such other functions as the Provost or the Council may,
- 15 from time to time, assign to him.
- 16 (5) The Deputy Provost:
- 17 (a) shall hold office for two years from the date of appointment and on
- 18 such terms and conditions as may be specified in the letter of appointment; and
- 19 (b) may be reappointed for one further period of two years and no
- 20 more.
- 21 **13.-(1)** The Council of the College shall appoint a Registrar to the
- 22 College (hereinafter referred to as the Registrar") who shall keep the records
- 23 and conduct the correspondence of the Council and shall perform such other
- 24 duties as the Council and the Provost may from time to time direct.
- 25 (2) The Registrar shall, in addition to other duties conferred on him by
- 26 or under this Bill, be the secretary to the Council, the Academic Board and any
- 27 committee of the Council and in his absence, the Councilor any such
- 28 committee may appoint some other person to act as secretary, and he shall not
- 29 vote on any question before the Councilor count towards a quorum.
- 30 (3) A Registrar:

The Registrar
and other staff
of the College

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

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

6 (4) Where, on the commencement of this clause, a Registrar
7 appointed before the commencement of this clause has held office:

8 (a) for five years or less, the person shall be deemed to be serving
9 the first term of office and may be reappointed for a further term of five
10 years;

11 (b) for more than five years but less than ten years, the person shall
12 complete the maximum period of ten years and thereafter relinquish the
13 post; and

14 (c) for ten years or more, the Council may allow the person to serve
15 as Registrar for a further period of one year only and thereafter he shall
16 relinquish the office.

17 **14.** A principal officer may resign the appointment:

Resignation of
appointment of
principal officers

18 (a) in the case of the Provost, by notice to the Visitor; and the
19 Bursar; and

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

21 **15.** The Council may appoint such other persons to be employees
22 of the College as the Council may determine to assist the Provost and the
23 principal officers of the College in the performance of their functions under
24 this Bill.

Other staff of
the College

25 **16.-(1)** There shall be, for the College, a Selection Board which
26 shall consist of:

Selection Board
for other principal
officers

27 (a) the chairman of the Council;

28 (b) the Provost;

29 (c) four members of the Council not being members of the
30 Academic Board; and

	1	(d) two members of the Academic Board.
	2	(2) The functions, procedure and other matters relating to the
	3	Selection Board constituted under sub clause (1) of this clause, shall be as the
	4	Council may, from time to time, determine .
Pensions	5	17.-(1) Service in the College shall be approved service for the
	6	purposes of the Pensions Act and, accordingly, officers and other persons.
	7	employed in the College shall in respect of their service in the College be
	8	entitled to pensions, gratuities and other retirement benefits as are prescribed in
	9	the Act, however nothing in this Bill shall prevent the appointment of a person
	10	to any office on terms which preclude the grant of a pension and gratuity in
	11	respect of that office.
	12	(2) For the purposes of the application of the provisions of the
	13	Pensions Act, any power exercisable by a Minister or other authority of the
	14	Government of the Federation (other than the power to make regulations under
	15	clause 23) shall be exercisable by the College and not by any other person or
	16	authority.
	17	PART II - FINANCIAL PROVISIONS
Establishment of fund of the College	18	18.-(1) The Council shall establish and maintain a fund which shall be
	19	applied towards the promotion of the objectives specified in this Bill.
	20	(2) There shall be paid and credited to the fund established under sub
	21	clause (1) of this clause:
	22	(a) such sums as may from time to time be granted to the Council by
	23	the Federal Government through the National Commission for Colleges of
	24	Education;
	25	(b) all moneys raised for the purposes of the Council by way of gifts,
	26	grants-in-aid or testamentary disposition; and
	27	(c) all subscriptions, fees and charges for services rendered by the
	28	Council and all other sums that may accrue to the Council from any source.
	29	(3) The Council shall submit to the Minister, through the National
	30	Commission for Colleges of Education, not later than three months before the

1 end of each financial year or at such other time as he may direct, an estimate
2 of its revenue and expenditure for the next succeeding financial year.

3 **19.**-(1) he Council may accept gifts of land, money or other Power to accept
gifts
4 property upon such terms and conditions if any, as may be specified by the
5 person making the gift.

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

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

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

17 **PART III - MISCELLANEOUS AND SUPPLEMENTARY**

18 **22.**-(1) For the purpose of providing offices and premises Offices and
premises
19 necessary for the performance of its functions, the Council may:

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

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

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

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

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

1 (3) Subject to the provisions of sub clause (1) of this clause, where it is
2 proved during the enquiry that any student of the College has been guilty of
3 misconduct, the Provost may, without prejudice to any other disciplinary
4 powers conferred on him by this Bill or any regulations made there under
5 direct:

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

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

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

13 (d) that the student be expelled from the College.

14 (4) Where there is temporarily no Provost or where the Provost
15 refuses to apply any disciplinary measures, the Council may, either directly or
16 through some other staff, apply such disciplinary actions as are specified in sub
17 clause (3) of this clause to any student of the College who is guilty of
18 misconduct.

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

26 (6) The fact that an appeal Oil a direction is brought in pursuance of
27 sub clause (5) of this clause shall not affect the operation of the direction while
28 the appeal is pending.

29 (7) The Provost may delegate his powers under this clause of a

1 disciplinary committee consisting of such members of the College as he may
2 nominate.

3 (8) Nothing in this clause shall be construed as preventing the
4 restriction or termination of a student's activities at the College otherwise
5 than on the ground of misconduct.

6 (9) the direction under sub clause (3) (a) of this clause may be
7 combined with a direction under sub clause (3) (b) of this clause,

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

10 **24.** In this Bill:

Interpretation

11 "Appropriate authority" means any person, body or authority authorized by
12 law to act in a specific or general capacity in relation to a subject matter;

13 "Campus" means any campus which may be established by the College;

14 "Chairman" means the chairman of the Council;

15 "Council means the Governing Council of the College established by clause
16 4 of this Bill;

17 "Provost" means the Provost of a College appointed under clause 9 of this
18 Bill;

19 "Functions" includes powers and duties;

20 "Minister" means the Minister charged with responsibility for matters
21 relating to health;

22 "Member" means a member of the Council including the chairman.

23 **25.** This Bill may be cited as the Federal College of Health
24 Technology, Benisheikh, Borno State (Establishment, Etc.) Bill, 2022.

Citation

1 SCHEDULE

2 [Clause 4]

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 committee,
6 other than ex- officio members, such remuneration and allowances as may
7 from time to time be determined by the Minister.

8 2. Where a vacancy occurs in respect of the membership specified in
9 clause 3 (1) (d) and 3 (2) (d), it shall be filled by the appointment of a successor
10 to hold office for the remainder of the term of office of his predecessor in office
11 and such 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 the 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 of
20 not less than six members, convene a meeting of the Council.

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

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

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

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

3 *Miscellaneous*

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

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Health Technology Benisheikh, Borno State to ensure access to education in health technology, to provide full-time courses of teaching, instruction and training in health technology; and also make provision for the appointment of a Provost and the officials of the College to carry out the administration of the College.

A BILL

FOR

AN ACT TO AMEND THE NATIONAL AGRICULTURAL LAND DEVELOPMENT
AUTHORITY ACT CAP. N4, LAWS OF THE FEDERATION OF NIGERIA, 2004
FOR THE PURPOSES OF MANAGING AND DEVELOPING FARM
SETTLEMENTS, INCREASING MEMBERSHIP OF THE GOVERNING BOARD,
EXPANDING FUNCTIONS; AND FOR RELATED MATTERS

Sponsored by Hon. Adejare Samuel Babatunde

[] Commencement

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

- | | | |
|----|---|---------------|
| 1 | 1. The National Agricultural Land Development Authority Act | Amendment of |
| 2 | Cap, N4, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as | Cap. N4, LFN, |
| 3 | "the Principal Act") is amended as set out in this Bill, | 2004 |
| 4 | 2. Section I of the Principal Act is amended by inserting the words | Amendment of |
| 5 | "and farm settlements" in line 2, immediately after the word "Land", | Section 1 |
| 6 | 3. Section 2 (I) of the Principal Act is amended by substituting for | Amendment of |
| 7 | paragraph (a). new paragraph "(a)"- | Section 2 |
| 8 | "(a) a representative each from the geo-political zones;" | |
| 9 | 4. Section 3 of the Principal Act is amended by substituting for | Amendment of |
| 10 | Paragraph (a). new paragraph "(a)"- | Section 3 |
| 11 | "(a) provide and manage farm settlements schemes to enhance | |
| 12 | food security, improve Agricultural value-chains and provide gainful | |
| 13 | employments" | |
| 14 | 5. Section 6 (e) of the Principal Act is amended by inserting the | Amendment of |
| 15 | words "farm settlement schemes" in line 2 immediately after the word | Section 6 |
| 16 | 6. Section 13 (3) of the Principal Act is amended by substituting | Amendment of |
| 17 | for Paragraph (a), new paragraph "(a)"- | Section 13 |
| 18 | "(a) assisting the Authority to establish. manage and give feedback | |

	1	from time to time on farm settlements schemes with timely reports on
	2	challenges encountered and suggestions on ways to mitigate such:'
Amendment of Section 21	3	7. Section 21 of the Principal Act is amended by inserting a definition
	4	for “farm settlements schemes” -
	5	“farm settlements schemes means enclosed farm estates replete with
	6	basic infrastructures, amenities and inhabitants who are dedicated to farming,
	7	harvesting, value-chain production amongst others"
Citation	8	8. This Bill may be cited as the National Agricultural Land
	9	Development Authority (Amendment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Agricultural Land Development Authority Act Cap. N4, Laws of the Federation of Nigeria, 2004 for the purpose of managing and developing farm settlements, increase membership of the governing board, expanding functions, among other things.

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION (TECHNICAL)
AJEGUNLE, OGUN STATE AND FOR RELATED MATTERS

Sponsored by Hon. Ibrahim A. Isiaka

[] Commencement

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

1 PART I - ESTABLISHMENT OF FEDERAL COLLEGE OF EDUCATION

2 (TECHNICAL) AJEGUNLE, OGUN STATE

3 1.-(1) There is hereby established to Federal College of Education
4 (Technical) Ajegunle, Ogun State specified in the First Schedule to this Act
5 (in this Act collectively referred to as "College") which shall have such
6 powers and exercise such functions as are conferred on them by this Act.

Establishment
of Federal College
of Education
(Technical) Ajegunle,
Ogun State

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

11 2.-(1) The governance of Federal College of Education
12 (Technical) Ajegunle, Ogun State and the direction of its affairs shall vest in
13 the Governing Council of the College concerned (in this Act referred to as
14 "the Council").

Governing Council
of Federal College
of Education
(technical) Ajegunle,
Ogun State

15 (2) Without prejudice to the generally of subsection (1) of this
16 section, it shall be the responsibility of the Council to consider and approve:

17 (a) The plan of activities of the College;

18 (b) The programme of studies, courses, and research to be
19 undertaken by the Federal College of Education (Technical) Ajegunle, Ogun
20 State;

21 (c) The annual estimates of the College; and

	1	(d) The investment plans of the College.
Membership of the Council of each College	2	3. The Council of Federal College of Education (Technical) Ajegunle,
	3	Ogun State shall consist of a chairman and the following other members, to be
	4	appointed by the president:
	5	(a) A representative of the Federal Ministry of Education;
	6	(b) A representative of the Nigerian Society of Engineers;
	7	(c) A representative of the universities of Technology who in the case
	8	of degree awarding Colleges, shall come from the university to which the
	9	Colleges are affiliated for the purpose of moderation;
	10	(d) Three person of note in the areas of science and of technical
	11	education, one of whom shall be a woman, to be appointed by the President;
	12	(e) A representative of the National Commission for Women;
	13	(f) A representative of the alumni association of the College;
	14	(g) Two representatives of the Academic Board of the College;
	15	(h) A representative of the National Commission for Colleges of
	16	Education; and
	17	(i) The provost of the college.
Tenure of office of members of the Council	18	4.-(1) A member of the Council (other than an ex-officio member)
	19	shall hold office for a term of three years and subject to the provisions of
	20	subsection (2) of this section, shall be eligible for re - appointment for a further
	21	period of three years.
	22	(2) The office of a member appointed under sections 3 (1) (d) and 3 (2)
	23	of this Act shall become vacant if-
	24	(a) The member resigns his office by notice in writing under his hand,
	25	addressed to the Minister, or
	26	(b) The Minister is satisfied that it is not in the interest of the College
	27	for the person appointed to continue in office and notifies the member in
	28	writing to the effect.
	29	5. The functions of Federal College of Education (Technical)
Functions of Federal College of Education (Technical) Ajegunle, Ogun State	30	Ajegunle, Ogun State shall be:

1 (a) To provide full-time courses in teaching, instruction and
2 training-

3 (i) in technology, applied Science, commerce, arts, social Science,
4 humanities and management; and

5 (ii) in such other fields of applied learning relevant to the needs of
6 the development of Nigeria in the areas of industrial and agricultural
7 production and distribution and for research in the development and
8 adaptation of techniques as the Council may from time to time determine,

9 (b) To conduct courses in education for qualified teachers;

10 (c) To arrange conferences, seminars and workshops relative to the
11 fields of learning specified in paragraph (a) of this section; and

12 (d) To perform such other functions as in the opinion of the Council
13 may serve to promote the objectives of the College.

14 **6.-(1)** For the carrying out of the functions of the College, the
15 Council shall have power to-

Powers of the
Council

16 (a) Hold examination and grant diplomas, professional certificates
17 and other distinctions to persons who have pursued a course of study
18 approved and accredited by the National Commission for Colleges of
19 Education;

20 (b) Demand and receive from any student or any other person
21 attending the College for the purpose of instruction such fees as the Council
22 may, with the prior approval for the Minister, from time to time determine;

23 (c) Hold public lectures and undertake printing, publishing and
24 bookselling;

25 (d) Make gifts for any charitable purpose;

26 (e) Hold examinations in education for qualified teachers;

27 (f) Provide amenities for and make such other provision for the
28 welfare of the staff of the College;

29 (g) Invest the funds of the College in securities specified by law or
30 in such other securities in Nigeria as may be approved by the Minister;

1 (h) Borrow money within Nigeria in such manner and upon such
2 security as the minister may from time to time authorize;

3 (i) Enter into such contracts as may be necessary or expedient for
4 carrying into effect the objectives of the College;

5 (j) Recruit staff of the right caliber and determine the career structure
6 of such staff;

7 (k) Establish and maintain such schools and other teaching units
8 within the College or extramural departments as the Council may, from time to
9 time, decide;

10 (l) Institute and award fellowships, medals, prizes and other titles;

11 (m) Mount exhibitions and displays designed to foster an
12 appreciation of trends in and the scope and requirements of education;

13 (n) Erect, provide, equip and maintain such educational recreational
14 and residential facilities as the College may require;

15 (o) Create lectureships and other academic posts and offices and to
16 make appointments thereto;

17 (p) Encourage and make provision for research in the College; and

18 (q) Do such acts and things whether or not incidental to the foregoing
19 powers as may advance the objects of the College.

20 (2) The power of the Council to establish further schools within the
21 College shall be exercisable by order and not otherwise.

Visitation

22 7.-(1) The Minister of Education shall be the Visitor of the College.

23 (2) The Visitor shall, not less than once in every five years, conduct a
24 visitation of the College or appoint a visitation panel consisting of not less than
25 five experts to conduct the visitation:

26 (a) For the purpose of evaluating the academic and administrative
27 performance of the College; or

28 (b) For such other purpose or in respect of any other affairs of the
29 College as the visitor may deem fit.

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

- 4 (a) The Provost of the College who shall be the chairman;
5 (b) All heads of departments;
6 (c) The College Librarian; and
7 (d) Not more than two members of the academic staff other than
8 heads of departments to be appointed by the Council.

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

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

- 13 (b) Making periodic reports on such academic matters to the
14 Council as the Council may from time to time direct;

- 15 (c) Discharging any other functions which council may from time
16 to time delegate to it.

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

21 **10.-(1)** There shall be a Provost of the College (in this Act referred The Provost of
22 to as "the Provost") who shall be appointed by the President, in accordance the College
23 with the provisions of this section.

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

- 26 (a) Advertise the vacancy in a reputable journals or a widely read
27 newspaper in Nigeria specifying:

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

- 29 (ii) The terms and conditions of service applicable to the post: and
30 thereafter draw up a short list of suitable candidates for consideration;

1 (b) Constitute a search team consisting of:

2 (i) A member of the Council not being a member of the Academic
3 Board, as chairman;

4 (ii) Two members of the academic Board not below the rank of Chief
5 Lecturer;

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

10 (3) A joint council and Academic Selection Board consisting of:

11 (a) The chairman of the council;

12 (b) Two members of the Council not being members of the Academic
13 Board;

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

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

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

26 (6) The Provost:

27 (a) shall hold office for a period of four year beginning with the
28 effective date of his appointment and on such terms and conditions as may be
29 specified in his letter of appointment; and

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

3 **11.-(1)** There shall be for the college a Deputy Provost. Deputy Provosts

4 (2) The council shall appoint the Deputy Provost from among the
5 chief lecturers in the College in one of the following ways, that is-

6 (a) From a list of three candidates in order of preference, submitted
7 by the Provost; or

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

10 (c) On the nomination of the Provost.

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

13 (a) Consist of:

14 (i) The chairman of the council,

15 (ii) The provost:-

16 (iii) Two members of the council not being members of the
17 Academic Board;

18 (iv) Two members of the Academic Board, and

19 (b) Make such inquiries as it deems fit before making the
20 recommendation required under that section for that purpose; or

21 (c) On the nomination of the Provost.

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

24 (a) Consist of:

25 (i) The chairman of the council;

26 (ii) The Provost;

27 (iii) Two members of Council not being members of the Academic
28 Board;

29 (iv) Two members of the Academic Board; and

30 (b) Make such inquiries as it deems fit before making the

1 recommendation required under that subsection.

2 (4) The Deputy Provost shall:

3 (a) Assist the Provost in the performance of his functions;

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

7 (c) Perform such other functions as the provost or the council may,
8 from time to time assign to him.

9 (5) The Deputy Provost:

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

13 (b) May be reappointed for one further period of two years and no
14 more.

The Registrar
and other staff
of the College

15 **12.-(1)** The Council of the College shall appoint a Registrar to such
16 College (hereinafter referred to as the Registrar") who shall keep the records
17 and conduct the correspondence of the Council and shall perform such other
18 duties as the Council and subject thereto as the Provost may from time to time
19 direct.

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

25 (3) A Registrar:

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

29 (b) May be reappointed for one further period of five years and no
30 more.

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

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

5 (b) For more than five years but less than ten years, he shall
6 complete the maximum period for ten years and thereafter relinquish his
7 post and be assigned other duties in the Colleges;

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

11 13.-(1) There shall be for the College the following principal
12 officers in addition to the Registrar, that is: Other principal
officers of the
College

13 (a) The Bursar; and

14 (b) The College Librarian.

15 Who shall be appointed by the Council on the recommendation of the
16 Selection Board constituted under section 10D of this Act.

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

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

23 (4) A Bursar or Librarian:

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

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

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

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

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

6 (c) For tern years or more, the council may allow him to serve in that
7 capacity for a further period of one year only and thereafter he shall relinquish
8 his post and be assigned other duties in the College.

Resignation of
appointment of
principal officers

9 **14.** A principal officers may resign his appointment:

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

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

Other employees
of the College

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

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

Selection Board
for other principal
officers

20 **16.-(1)** There shall be, for the College, a selection Board which shall
21 consist of-

22 (a) The chairman of the council;

23 (b) The Provost;

24 (c) Four members of the council not being members of the Academic
25 Board; and

26 (d) Two members of the Academic Board.

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

1 **17.**-(1) It is hereby declared that service in the College shall be Pensions
2 approved service for the purpose of the Pensions Act and accordingly,
3 officers and other persons employed in each College shall in respect of their
4 service in the College be entitled to pensions, gratitudes and other
5 retirement benefits as are prescribed there under, so however that nothing in
6 this Act shall prevent the appointment of a person to any office on terms
7 which preclude the grant of a pension and gratuity in respect of that office.

8 (2) For the purposes of the application of the provisions of the
9 Pensions Act, any power exercisable thereunder by a Minister or other
10 authority of the Government of the Federation (other than the power to make
11 regulations under section 23 thereof) shall be exercisable by the college and
12 not by any other person or authority.

13 **18.**-(1) The Council shall establish and maintain a fund which shall Establishment
of fund of the
College
14 be applied towards the promotion of the objectives specified in this Act.

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

17 (a) Such sums as may from time to time be granted to the Council
18 by the Federal Government through the National Commission for College
19 of Education;

20 (b) All moneys raised for the purpose of the Council by way of
21 gifts, grants - in-aid or testamentary disposition; and

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

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

28 **19.**-(1) The Council may accept gifts of land, money or other Power to accept
gifts
29 property upon such terms and conditions if any, as may be specified by the
30 person making the gift.

	1	(2) The Council shall not accept any gift if the conditions attached by
	2	the person making the gift are inconsistent with the functions of the Council.
Accounts and audit	3	20. The Council shall keep proper accounts of its receipts, payments,
	4	assets and liabilities and shall in respect of each year cause the account to be
	5	audited.
Annual reports	6	21. The Council shall as soon as may be after the expiration of each
	7	financial year, prepare and submitted to the Minister a report of its activities
	8	during the immediately preceding financial year and shall include in the report
	9	a copy of the audited accounts of the College for that year and of the auditor's
	10	report on the accounts.
Offices and premises	11	22.-(1) For the purpose of providing offices and premises necessary
	12	for the performance of its functions, the Council may-
	13	(a) Purchase any interest in or take on lease any land; and
	14	(b) Build, equip and maintain offices and premises.
	15	(2) The council may, with the approval of the Minister, sell any
	16	interest in or lease any land, offices or premises held by it and no longer
	17	required for the performance of its functions.
Discipline of students	18	23.-(1) The Council may make rules providing for the Provost to
	19	conduct enquires into alleged breaches of discipline (including lack of
	20	diligence) by students and such rules may make different provisions for
	21	different circumstances.
	22	(2) The rules shall provide for the procedure and rules of evidence to
	23	be followed at enquires under this section.
	24	(3) Subject to the provisions of subsection (1) of this section, where it
	25	is proved during the enquiry that any student of the College has been guilty of
	26	misconduct, the provost may, without prejudice to any other disciplinary
	27	powers conferred on him by this Act or any regulations made.
	28	Thereunder, direct-
	29	(a) That the student shall not, during such period as may be specified
	30	in the direction, participate in such activities of the College, or make use of

1 such facilities of the College, as he may specify; or

2 (b) That the activities of the student shall during such period as may
3 be specified in the direction, be restricted in such manner as may be so
4 specified; or

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

7 (d) That the student be expelled from the College.

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

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

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

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

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

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

	1	of this section may be combined with a direction under subsection (3) (b) of this
	2	section.
	3	(10) In all cases under this section, the decision of the Council shall be
	4	final unless reversed by the Minister on appeal by the student.
Interpretation t	5	24. In this Act, unless the context otherwise requires:-
	6	"Chairman" means the chairman of the Council;
	7	"College" means the Federal College of Education (Technical Ajegunle, Ogun
	8	State specified in the First Schedule to this Act and "Colleges" shall be
	9	construed accordingly;
	10	"Council" means the Governing Council of any of the Colleges established by
	11	or pursuant to section 2 of this Act;
	12	"Provost" means the Provost of a College appointed under section 9 of this Act;
	13	"Functions" includes powers and duties;
	14	"Minister" means the Minister charged with responsibility for matters relating
	15	to education;
	16	"Members" means a member of the Council including the chairman.
Short title	17	25. This Bill may be cited as the Federal College of Education
	18	(Technical) Ajegunle, Ogun State (Establishment) Bill, 2022.

1 FIRST SCHEDULES

2 PRINCIPAL OFFICERS OF THE COLLEGE

3 *The Provost of the college*

4 1. There shall be the Provost of the College who shall be the Chief
5 Accounting Officer of the college and be appointed by the President in
6 accordance to the section (9) of this Act.

7 *The Deputy Provost of the college*

8 2. There shall be the Deputy Provost of the College who shall be
9 responsible for the following:

10 (a) Assist the Provost in the performance of his function;

11 (b) Act in place of provost when the post of provost is vacant or if
12 the provost is for any reason absent or unable to perform his function as
13 provost;

14 (c) Perform such other functions that the provost or council may,
15 time to time assign to him.

16 *The Registrar of the college*

17 3.-(1) There shall be a registrar of the college who shall keep the
18 records and conduct the correspondence of the council and shall perform
19 such other duties as the council and subject thereto as the provost may from
20 time to time direct.

21 (2) The Registrar shall, in addition to other duties conferred on him
22 by or under this Act, be the secretary to the council, the Academic Board and
23 any committee of the person to act as secretary, and he shall not vote on any
24 question before the council

25 *The Bursar of the College*

26 4. There shall be a Bursar of the College who shall be the Chief
27 Financial Officer of the College and be responsible to the Provost for the
28 day-to-day administration and control of the financial affairs of the college.

29 *The college Librarian*

30 5. There shall be a college Librarian who shall be responsible to he

1 the Provost for the administration of the College Library and the coordination
2 of the Library services in the teaching units of the College.

3 SECOND SCHEDULE

4 (Section 2(3))

5 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

6 *Terms of services*

7 1. There may be paid to the members of the Council or any committee,
8 other than ex- officio members, such remuneration or allowances as may from
9 time to time be determined by the President.

10 2. Where a vacancy occurs in respect of the membership specified in
11 section 3 (1) (d) and 3 (2) (d), it shall be filled by the appointment of a successor
12 to hold office for the remainder of the term of office of his predecessor in office
13 and such successor shall represent the same interest as his predecessor.

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

17 *Proceedings*

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

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

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

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

30 (5) The quorum of the Council shall be one half of the total members

1 of the Council, at least one of whom shall be a member appointed by the
2 President.

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

5 *Miscellaneous*

6 5-(1) The fixing of the seal of the College shall be authenticated by
7 the signature of the chairman, provost and some other members of the
8 Council authorized generally or especially by the Council to act for that
9 purpose.

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to upgrade Government Technical College, Ajegunle to Federal College of Education (Technical) Ajegunle, Ogun State, whose function among other things shall be to provide full-time course for teaching, instruction and training in technology, applied science, commerce, arts, social sciences, humanities and management and to carry out research in the development and adaptation of techniques; and also make provision for the appointment of a Provost and the officials of college to carry out the administration and the discipline of students of the college.

FOR

Sponsored by Hon. Obinna Chidoka

[] Commencement

1 PART I - ESTABLISHMENT OF ULTRA-MODERN MUSEUM OF
2 NATIONAL UNITY, ABUJA

Establishment
of the Ultra-Modern
Museum of National
Unity, Abuja

Objects of the Ultra-Modern Museum of National Unity, Abuja

(d) to appreciate the collections and research findings of the National Museum of the Nigeria, as well as technical and museological skills and knowledge, are disseminated through exhibitions, publications,

Membership and
tenure of office

1 and educational, training, outreach, technical assistance and other public
2 programs;

3 (e) to show case the cultural heritage of Nigeria; and

4 (f) to implements and serves as a regulatory and enforcement agency
5 with respect to a series of cultural laws, and is responsible for various culturally
6 significant properties, sites and reservations throughout the country.

7 **3.-(1)** The Museum shall consist of a Chairman to be appointed by
8 the National Council of Ministers on the recommendation of the Minister and
9 the following other members, that is-

10 (a) five persons to be appointed by the National Council of Ministers
11 on the recommendation of the Minister, being persons who by reason of their
12 ability, experience or specialised knowledge in-

13 (i) education,

14 (ii) culture,

15 (iii) natural history,

16 (iv) science and technology, and

17 (v) science,

18 are capable of making useful contributions to the work of the museum;

19 (b) nine representatives of the States to be appointed in rotation, so
20 however that no State shall have more than one representative at any one time;
21 and

22 (c) the Director-General..

23 (2) The Minister may appoint one of the members of the Commission
24 referred to in paragraph (a) of subsection (1) of this section to be the Deputy
25 Chairman of the Museum for such period as the Minister may determine, so
26 however that a Deputy Chairman who ceases to be a member shall also cease to
27 be Deputy Chairman.

28 (3) Subject to subsection (4) of this section, of this section, a person
29 appointed as a member of the Museum (not being an ex officio member) shall
30 hold office for three years and shall be eligible for re-appointment for one

1 further period of three years.

2 (4) The appointing authority may terminate the appointment of a
3 member (not being an ex- officio member) on grounds of misbehaviour or
4 inability to discharge the duties of his office by reason of physical or mental
5 incapacity.

6 (5) The supplementary provisions contained in the First Schedule
7 to this Act shall have effect with respect to the proceedings of the Museum
8 and other matters therein mentioned.

9 4.-(1) The functions of the Museum shall be-

Functions of the
Museum

10 (a) to administer national museums and monuments;

11 (b) to establish and maintain national museums and other outlets

12 for or in connection with, but not restricted only to the following, that is-

13 (i) science and technology,

14 (ii) warfare,

15 (iii) African Black,

16 (v) Arts and crafts,

17 (vi) Architecture,

18 (vii) Natural history, and

19 (viii) Educational services;

20 (c) to make recommendations to any State Government of other
21 person or authority concerning the establishment and management of
22 museums and the preservation of monuments, not being national museums
23 and monuments declared to be national and monuments; and

24 (d) to approve any museum, which is privately established and
25 maintained, for the purposes of this Act and at any time withdraw such
26 approval.

27 (2) The ultra-modern museum of national unity would manages
28 and develops the national reference collections in the areas of cultural
29 heritage (fine arts, anthropology and archaeology) and natural history
30 (botany, zoology, geology, and paleontology), and carries out permanent

1 research programs in biodiversity, geological history, human origins etc.

2 (3) For the purposes of the proper discharge of its functions under this
3 Act, the ultra-modern museum of national unity-

4 (a) shall have power to acquire and dispose of any interests in land or
5 other property; and

6 (b) may by agreement of the owner of any antiquity undertake or
7 make arrangements for the maintenance of any such antiquity on such terms
8 and conditions as may be approved by the museum.

Declaration of
nation museums

9 5.-(1) The museums specified in the Second Schedule to this Act are
10 hereby declared to be ultra-modern museum of national unity for purpose of
11 this Act.

12 (2) The Minister may, as and when national museums are declared as
13 prescribed by law, amend the Second Schedule to this Act accordingly.

14 *Staff of the Museum*

Director-General
of the Museum

15 6.-(1) There shall be an officer of the Museum to be known as the
16 Director-General who shall be appointed by the National Council of Ministers
17 on the nomination of the Museum.

18 (2) The Director-General shall be the chief executive of the Museum
19 and shall hold office on such terms and conditions as may be specified in his
20 letter of appointment or on such other terms and conditions as may be
21 determined from time to time.

Appointment
of Secretary,
Directors and
other staff of the
Museum

22 7.-(1) There shall be appointed by the museum the following officers,
23 that is-

24 (a) an Administrative secretary;

25 (b) a Director of Museums and Monuments; and

26 (c) a Director of Research and Training.

27 (2) The Administrative Secretary shall be responsible to the Director-
28 General for the day-to-day administration and for the finances of the Museum.

29 (3) The Director of Museums and Monuments shall be responsible to
30 the Director-General for the upkeep and general maintenance of museums and

1 monuments under the control or management of the Museum, and the
2 collection of stock for such museums and identification of antiquities to be
3 declared as monuments.

4 (4) The Director of Research and Training shall be responsible to
5 the Director-General for co-ordinating research staff and research projects
6 of the Museum the collection of stock for such museums and identification
7 of antiquities to be declared as monuments.

8 (5) There may be appointed from time to time by the Museum such
9 other staff as may be required for the purposes of the efficient performance
10 of the functions conferred on the Museum under or pursuant to this Act.

11 8.-(1) Notwithstanding the provisions of the Pensions Act, it is Service in the
12 hereby declared that service in the Museum shall be approved service for the Museum to be
13 purposes of that Act and accordingly, the employees of the Museum shall in pensionable
14 respect of their service in the Museum be entitled to such pensions,
15 gratuities and other retirement benefits as are enjoyed by Federation, so
16 however that nothing in this section shall prevent the appointment of a
17 person to any office in the Museum on terms which preclude the grant of a
18 pension, gratuity or other retirement benefits in respect of that office.

19 (2) For the purpose of the application of the provisions of the
20 Pensions Act in accordance with this section-

21 (a) Section 3(1)(a) and 21 of that Act shall have effect as if
22 references therein to the Minister they were substituted references to the
23 Museum; and

24 (b) the power under Sections 3(1)(b) and 4(2) of that Act shall be
25 exercisable by the Commission and not by any other authority.

26 *Financial Provisions*

27 9.-(1) The Museum shall establish and maintain a fund which shall Establishment
28 be applied towards the promotion of the objective specified in this Act. of fund by the
Museum

29 (2) There shall be paid and credited to the fund established
30 pursuant to subsection (1) of this section-

	1	(a) such sums as may be provided in each financial year to the
	2	Museum by the Federal Government;
	3	(b) fees charged for services rendered by the Museum; and
	4	(c) subject to section 9(2) of this Act, all sums accruing to the
	5	Museum by way of gifts testamentary disposition, endowment or contributions
	6	from philanthropic persons or organisations or otherwise howsoever.
Power to accept gifts	7	10. -(1) The Museum may accept gifts of any antiquity, monument or
	8	museum or of any land, money, loan, building, work of art or other property
	9	connected with its functions under or pursuant to this Act upon such trusts and
	10	conditions, if any, as may be specified by the person or organisation making the
	11	gift.
	12	(2) The Museum shall not accept any gift if the conditions attached
	13	by the person or organisation making the gift to the acceptance thereof are
	14	inconsistent with the functions of the Museum.
Borrowing powers, etc.	15	11. -(1) The Museum may, with the consent of the Minister or in
	16	accordance with any general authority given in that behalf by the Federal
	17	Government, borrow by way of loan or overdraft from any source any sums
	18	required by the Museum for meeting its obligations and discharging its
	19	functions under this Act.
	20	(2) The Museum may, subject to the provisions of the Act and the
	21	conditions of any trust created in respect of any property, invest all or any of its
	22	funds with the like consent or general authority.
	23	(3) The Museum may invest any surplus funds of the Museum in such
	24	specified as may be approved by the Minister, so however that in respect of any
	25	securities specified in the Trustee Investments Act, no such consent shall be
	26	necessary.
Annual estimates, accounts and audits	27	12.-(1) The Museum shall cause to be prepared not later than 31st
	28	December in each year, an estimate of the expenditure and income of the
	29	Museum during the next succeeding financial year and when so prepared, it shall
	30	be submitted to the Minister for approval.

1 (2) The Museum shall cause to be kept proper accounts of the
2 Museum and proper records in relation thereto and when certified by the
3 proper records in relation thereto and when certified by the Museum such
4 accounts shall be audited as provided in subsection (3) of this section.

5 (3) The accounts of the Museum shall be audited as soon as may be
6 after end of each financial year by auditors appointed by the museum with
7 the approval of the National Council of Ministers and the fees of the auditors
8 and the expenses of the audit generally shall be paid from the funds of the
9 Museum.

10 (4) Before appointing auditors as provided in subsection (3) of this
11 section, the museum shall consult the Minister of Finance.

12 PART II - DECLARATION OF ANTIQUITIES AS NATIONAL
13 MONUMENTS. ETC.

14 *National Monuments*

15 13.-(1) For the purposes of the discharge of its functions under this
16 Act, the Museum may- Special powers
of the Museum

17 (a) for the purpose of discovering antiquities in any area, carry out
18 excavation with the knowledge of the State Government concerned;

19 (b) by agreement with the owner of any antiquity (other than a
20 monument) undertake its maintenance or any other measures which the
21 Museum would have power to undertake if such antiquity were a national
22 monument;

23 (c) if the Museum considers it expedient that any antiquity (other
24 than a monument) should be preserved in a museum, and with the
25 knowledge of the State Government concerned, arrange for the purchase or
26 loan of the antiquity and its removal to a national or other approved
27 museum;

28 (d) enter upon any land where archaeological excavations or other
29 operations are being carried on, and inspect same.

30 (2) The powers conferred on the Museum under this section may be

	1	exercised on its behalf by any person or authority authorised either generally or
	2	specially by the Museum in that behalf.
Power to maintain other monuments	3	14. The Museum may with the consent of the owner of a monument,
	4	or if it appears to the Museum that the monument is in danger of decay,
	5	destruction or removal or damage from neglect or injudicious treatment,
	6	maintain such monument and may-
	7	(a) have access at all reasonable time to the monument for the purpose
	8	of inspection it and doing such acts as may be required for maintenance
	9	thereof; and
	10	(b) where practicable remove the monument or any part of it for the
	11	purposes of repair or protection for such period as may be agreed between the
	12	owner thereof and the Museum.
Public access to monuments	13	15. The public shall have access to a monument to such extent
	14	including where applicable the payment of such fees as may be provided in
	15	rules made by the Museum with the consent of the Minister.
Compensation to monuments	16	16.-(1) Where an antiquity has been declared to be a national
	17	monument as provided in this Act, the owner thereof shall be entitled to
	18	compensation for the value at the date of such declaration and thereafter any
	19	estate, right, title and interest in and to such antiquity shall be extinguished.
	20	(2) In case of dispute as to the amount of compensation payable under
	21	this section such dispute shall be referred to a court of competent jurisdiction in
	22	the area concerned.
Offences in relation to monuments	23	17. -(1) Any person who, save as it is provided in this Act, wilfully
	24	destroys, defaces, alters, removes or excavates any monument, shall be guilty
	25	of an offence and shall be liable on conviction to a fine of N2,000 or twice the
	26	value of such monument (whichever is higher) or to imprisonment for twelve
	27	months or to both such fine and imprisonment.
	28	(2) Any person who without lawful authority destroys, defaces, alters
	29	or removes any notice, mark or sign, denoting any monument or any fence,
	30	covering or other thing erected or provided for the maintenance of a

1 monument, shall be guilty of an offence and liable on conviction to fine or
2 N1,000 or to imprisonment for six months or the both such and
3 imprisonment.

4 (3) Nothing in the foregoing provisions of this section shall be
5 construed as prohibiting the doing by the holder of a mining title of any act in
6 relation to a monument or a thing erected or provided for the maintenance of
7 a monument which is within the area to which a mining title relates if-

8 (a) such act is authorised by the mining title; and

9 (b) the mining title was granted or become effective before the date
10 on which the monument was so declared; and

11 (c) the holder has given the Museum at least three months notice in
12 writing of his intention to do such act.

13 PART III - MISCELLANEOUS AND SUPPLEMENTARY

14 18. The Museum shall, not later than 30th June in each year, Annual reports
15 submit to the National Council of Ministers through the Minister a report on
16 the activities of the Museum and its administration during the immediately
17 preceding year and shall include in such report the audited accounts of the
18 Museum.

19 19.-(1) Subject to the provisions of this Act, the Museum may Staff regulation
20 make staff regulations relating generally to the conditions of service of the
21 employees of the Museum and, without prejudice to the generality of the
22 foregoing, such regulations may provide for-

23 (a) the appointment, promotion and disciplinary control (including
24 dismissal) of employees of the Museum; and

25 (b) appeals by such employees against dismissal or other
26 disciplinary measures, and until such regulations are made, any instruments
27 relating to the conditions of officers in the public service of the Federation
28 shall, with such modifications as may be necessary, be applicable to the
29 employees of the museum.

30 (2) Staff regulations made under subsection (1) of this section

	1	shall not have effect until approved by the Minister; and when so approved they
	2	may not be published in the Federal Gazette but the Museum shall cause them
	3	to be brought to the notice of all affected persons in such manner as it may, from
	4	time to time, determine.
Regulations	5	20. Subject to the other provisions of this Act, the Minister with the
	6	approval of the National Council of Ministers, may make regulations generally
	7	for the purposes of this Act and the due administration thereof.
Interpretation	8	21. In this Act, unless the context otherwise requires-
	9	"museum" means as a non-profit permanent institution in the service of the
	10	society and its development, open to the public which acquire, conserve,
	11	research, communicate and exhibit tangible and intangible heritage of
	12	humanity and its environment for the purpose of education, study and
	13	enjoyment. This definition clearly states that the functions of the museum
	14	include, acquisition of objects/collection of objects, conservation of objects,
	15	carrying out research on objects, exhibition of objects to the public and
	16	documentation of objects;
	17	"accredited agent" means the Director-General or any employee of the
	18	Commission authorised in writing by the Museum or any person or body in any
	19	State authorised in writing by the Minister to act for the Museum in the State
	20	concerned;
	21	"antiquity" means-
	22	(a) any object of archaeological interest or land in which any such
	23	object was discovered or is believed to exist; or
	24	(b) any relic of early human settlement or colonisation; or
	25	(c) any work of art or craft work, including any statue; model, clay
	26	figure, figure cast or rust metal, carving, house post, door, ancestral figure,
	27	religious mask, staff, drum, bolt, ornament, utensil, weapon, armour, or craft
	28	work is of indigenous origin and-
	29	(i) was made or fashioned before the year 1918; or
	30	(ii) is of historical, artistic or scientific interest and is or has been used

1 at any time in the performance and for purposes of any traditional ceremony,
2 and in the case of any object or relic mentioned in paragraph (a) or (b) of this
3 section includes for the purposes of this Act any land adjacent thereto which
4 in the opinion of the Museum, a State Government or, as for the purpose of
5 maintaining the same or the amenities thereof or for providing or facilitating
6 access thereto, or for the exercise of proper control or management with
7 respect thereto;

8 "approved museum" means a museum approved by the Federal Government
9 under section 3 of this Act;

10 "the Museum" means the Ultra-Modern Museum of National Unity
11 established under section 1 of this Act;

12 "local government" means any local government council established by law
13 in any State of the Federation;

14 "maintenance" in relation to an antiquity, includes the fencing, repairing and
15 covering of any antiquity and the doing of any other act or thing which may
16 be required for the purpose of repairing the antiquity or protecting it from
17 decay or injury, and "maintain" shall be construed accordingly;

18 "the Minister" means the Minister charged with responsibility for
19 antiquities, museums and national monuments;

20 "mining title" means any licence, right or lease granted under the provisions
21 of the Minerals Act, the Quarries Act and the Petroleum Act or under the
22 provisions of any other enactment regulating or authorising the winning of
23 solid or other minerals;

24 "monument" or "national monument" means any antiquity declared to be
25 such under section 13 of this Act;

26 "object" of archaeological interest" means-

27 (a) any fossil remains man or of animals found in association with
28 man; or

29 (b) any side trace or ruin of an ancient habitation, working place,
30 midden or scared place; or

1 (c) any cave or other natural shelter or engraving, drawing, painting,
2 or inscription on rock or elsewhere; or

3 (d) any stone object or implement believed to have been used or
4 produced by early man; or

5 (e) any ancient structure, erection, memorial, causeway, bridge, cairn,
6 tumulus, grave, shrine, excavation, well, water tank, artificial hole, monolith,
7 grove of stores, earthwork, wall, gateway or fortification; or

8 (f) any antique tool or object of metal, wood, stone, clay, leather,
9 textile, basket wear of other material, which is (or are) of archaeological
10 interest;

11 which is (or are) of archaeological interest;

12 "owner" includes a joint owner invested with powers of management in respect
13 of an antiquity on behalf of himself and other joint owners and any agent or
14 trustee exercising such powers and the attorney of any such person.

Short title

15 **22.** This Bill may be cited as the Ultra-Modern Museum of National
16 Unity, Abuja (Establishment) Bill, 2022.

1 SCHEDULES

2 FIRST SCHEDULE

3 SUPPLEMENTARY PROVISIONS RELATING TO THE MUSEUM PROCEEDINGS

4 1. Subject to this Act and section 27 of the Interpretation Act
5 (which provides for decisions of a statutory body to be taken by a majority of
6 its members and for the person presiding to have a second or casting vote),
7 the Museum may make standing orders regulation the proceedings of the
8 Museum or any committee thereof.

9 2. Every meeting of the Museum shall be presided over by the
10 Chairman or in his absence by any Deputy Chairman appointed pursuant to
11 section 2(2) of this Act but in the absence of both the members present at the
12 meeting shall elect one of their number to preside at the meeting.

13 3. The quorum at a meeting of the Museum shall consist of the
14 Chairman (or in an appropriate case the person presiding at the meeting
15 pursuant to paragraph (2) of this Schedule) and eight other members of
16 whom at least two shall be members appointed pursuant to paragraph (a) of
17 section 2(1) of this Act.

18 4. Where upon any special occasion the Museum desires to obtain
19 the advice of any person on any particular matter, the Museum may co-opt
20 that person to be a member for as many meetings as may be necessary, and
21 that person while so co-opted shall have all the rights and privileges of a
22 member except that he shall not be entitled to vote.

23 *Committees*

24 5. -(1) Subject to its standing order, the Museum may appoint such
25 number or standing and ad hoc committees as it thinks fit to consider and
26 report on any matter with which the Museum is concerned.

27 (2) Every committee appointed under the foregoing provisions of
28 this paragraph shall be presided over by a member of the Museum and shall
29 be made up of such number of other person, not necessarily members of the
30 Museum, as the Museum may determine in each case.

(3) The quorum of any committee set up by the Museum shall be as may be determined by the Museum.

3 6. Where standing orders made pursuant to paragraph 1 of this
4 Schedule provide for a committee of the Museum to consist of or co-opt
5 persons who are not members of the Museum may advise the Museum on any
6 matter referred to it by the Museum.

7 *Miscellaneous*

7. The fixing of the seal of the Museum shall be authenticated by the signature of the Chairman or of the Director-General of the Museum.

8. Any contract or instrument which, if made by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Museum by the Director-General or by any other person generally or specially authorised to act for that purpose by the Museum n.

15 9. Any document purporting to be a contract, instrument or other
16 document duly signed or sealed on behalf of the Museum shall be received in
17 evidence and shall, unless the contrary is prove, be presumed without further
18 proof to have been so signed or sealed.

19 10. The validity of any proceedings of the Museum or of a committee
20 there of shall not be affected-

21 (a) by any vacancy in the membership of the Museum or of a
22 committee thereof; or

23 (b) by any defect in the appointment of a member of the Museum or
24 any committee thereof.

25 11. Any member of the Museum or a committee thereof who has a
26 personal interest in any contract or arrangement entered into or proposed to be
27 considered by the Museum or committee thereof shall forthwith disclose his
28 interest to the Museum or the committee and shall not vote on any question
29 relating to the contract or arrangement.

30 12. No member of the Museum shall be personally liable for any act

1 or omission done or made in good faith while engaged on the business of the
2 Museum.

3 SECOND SCHEDULE

4 NATIONAL MUSEUMS

- 5 1. National Museum, Lagos
- 6 2. National Museum, Jos
- 7 3. National Museum, Kaduna
- 8 4. Nation Museum, Oron
- 9 5. National Museum, Benin
- 10 6. National Museum, Owo
- 11 7. Ife Museum, Ile-Ife
- 12 8. Esie Museum, Esie
- 13 9. Kano Museum, (Gidan Makama), Kano.

EXPLANATORY MEMORANDUM

This Bill seeks to establish an Ultra-Modern Museum of National Unity in Abuja and to manages and develops the national reference collections in the areas of cultural heritage (fine arts, anthropology and archaeology) and natural history (botany, zoology, geology, and paleontology), and carries out permanent research programs in biodiversity, geological history, human origins etc.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL
INSTITUTE FOR ARTIFICIAL INTELLIGENCE AND ROBOTIC STUDIES, LAGOS
STATE AND FOR RELATED MATTERS

Sponsored by Hon Rotimi Agunsoye

[] Commencement

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

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

2 1.-(1) There is hereby established an Institute to be known as the
3 National Institute for Artificial Intelligence and Robotic Studies (in this Act
4 referred to as "the Institute") which shall have such powers and exercise
5 such functions as are conferred on it by this Act.

Establishment
of National Institute
for Artificial
Intelligence and
Robotic Studies

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

10 (3) The object of the Institute shall be:

11 (a) to encourage the advancement of learning and to hold out to all
12 persons without distinction of race, creed, sex, political conviction, the
13 opportunity of acquiring a higher education in Artificial Intelligence and
14 Robotic Studies;

15 (b) to develop and offer academic and professional programmes
16 leading to the award of Professional Certificates, National Diplomas and
17 Higher National Diplomas which emphasize planning, adaptive, technical,
18 maintenance, developmental and productive skills in technology and to
19 contribute to the scientific transformation of digital learning in Nigeria;

20 (c) to act as agent and catalysts through training, research and

1 innovation for the effective utilization and exploitation of the global cutting
2 edge technology;

3 (d) to identify the technological deficiencies and needs of Nigeria and
4 to find solutions to them within the context of overall national development;

5 (e) to provide and promote sound basic scientific training as a
6 foundation for the development of Artificial Intelligence and allied disciplines,
7 taking into account indigenous culture, the need to enhance national unity, the
8 need to vastly increase the practical content of student training and adequate
9 preparation of graduates for self-employment in science and technology and
10 allied professions:

11 (f) to promote and emphasize teaching, research and other emerging
12 technologies aimed at transforming the Nigerian digital economy in line with
13 the National Digital Economy Policy and Strategy (NDEPS);

14 (g) to create a thriving ecosystem for innovation driven technology,
15 job creation and national development; and

16 (h) to undertake any other activity appropriate for Institutions of
17 Technology.

Governing Board
of the Institute

18 **2.-(1)** The affairs and running of the Institute shall vest in the
19 Governing Board of the Institute (in this Act referred to as the Board).

20 (2) Without prejudice to the generality of subsection (1) of this
21 section, it shall be the responsibility of the Board to consider and approve:

22 (a) the objectives and plan of activities of the Institute;

23 (b) the programme of studies, courses and research to be undertaken
24 by the Institute;

25 (c) the annual estimates of the Institute;

26 (d) the investment plan of the Institute.

27 (3) The Provisions of the First Schedule to this Act shall have effect
28 with respect to the Board as specified therein.

Membership of
the Board

29 **3.-(1)** The Board shall consist of a Chairman and the following other

1 members to be appointed by the Minister of Communications and Digital

2 Economy:

3 (a) a representative of the Federal Ministry responsible for
4 Education;

5 (b) a representative of the Federal Ministry responsible for
6 Communications and Digital Economy;

7 (c) a representative of the National Board for Technical Education
8 (NBTE);

9 (d) a representative of the National Information Technology
10 Development Agency (NITDA);

11 (e) three persons appointed on individual merit on a nationwide
12 basis with wide experience of service in the public or private sector;

13 (f) two representatives of the Academic Board of the Institute;

14 (g) the Director-General of the Institute

15 **4.-(1)** A member of the Board (other than an ex-officio member) Tenure of office
of members of the
Board
16 shall hold office for a term of four years and shall be eligible for
17 reappointment for a further period of three years and no more.

18 (2) Any member of the Board other than an ex-officio member may
19 by notice to the Board resign his appointment.

20 (3) Any vacancy occurring in the membership of the Board shall be
21 filled by the appointment of a successor who shall represent the same
22 interest as his predecessor for the remainder of the term of the predecessor.

23 **5.-(1)** For the carrying out of its objects as specified in section 1 of Powers of the
Board
24 this Act, the Board shall have power to:

25 (a) hold examinations and award diplomas, professional
26 certificates and other distinctions to persons who have pursued a course of
27 study approved and accredited by the National Board for Technical
28 Education (NBTE) and have satisfied such other requirements as the Board
29 may lay down;

30 (b) demand and receive from any student or any other person

1 attending the Institute for the purpose of instruction such fees as the Board may,
2 with the approval of the Minister, from time to time determine;

3 (c) to exercise disciplinary control over members of the staff of the
4 Institute;

5 (d) prescribe the terms and conditions of service including salaries,
6 allowances, pensions and other remunerations, for all members of the staff of
7 the Institute;

8 (e) encourage and make provisions for research in the Institute;

9 (f) erect, provide, equip and maintain libraries, lecture halls, hall of
10 residence, refectories, sports grounds, playing fields and such other buildings
11 or things as may be necessary, suitable or required;

12 (g) enter into such contracts as may be necessary or expedient for
13 carrying into effect the provisions of this Act;

14 (h) acquire and hold such movable or immovable property as may be
15 necessary or expedient for carrying into effect the provisions of this Act and for
16 the same purpose may sell, lease, mortgage or otherwise, alienate or dispose of
17 any property acquired;

18 (i) do anything which in its opinion is calculated to facilitate the
19 carrying out of the objects of the Institute and to promote its best interest;

20 (j) accept gifts, legacies and donations, but without obligation to
21 accept same for a particular purpose unless it approves the terms and
22 conditions attaching thereto;

23 (k) institute and award fellowships, scholarships, medals, prizes and
24 other titles;

25 (l) borrow money within Nigeria in such manner and upon such
26 security as the Minister may from time to time authorize;

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

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

1	6.-(1) The Minister shall be the Visitor of the Institute.	Visitation
2	(2) The Visitor shall, not less than once in every five years conduct	
3	a visitation of the Institute or appoint a visiting panel consisting of not less	
4	than five experts to conduct the visitation:	
5	(a) for the purpose of evaluating the academic and administrative	
6	performance of the Institute; or	
7	(b) for such other purpose or in respect of any other affairs of the	
8	Institute as the Visitor may deem fit.	
9	7. Subject to the provisions of this Act, the Minister may give to	Power of the
10	the Board directions of a general character or relating generally to matters of	Minister to give
11	policy with regard to the exercise by the Board of its functions under this Act	directions to the
12	and it shall be the duty of the Board to comply with such directions.	Board
13	8.-(1) There shall be established for the Institute the Academic	The Academic
14	Board which shall consist of the following members:	Board and its
15	(a) the Director-General of the Institute who shall be the Chairman;	functions
16	(b) the Deputy Director-General;	
17	(c) all Heads of Departments;	
18	(d) the Librarian;	
19	(e) not more than two members of the academic staff other than	
20	Heads of Departments to be appointed by the Board.	
21	(2) The Academic Board shall be responsible for:	
22	(a) the direction and management of academic matters of the	
23	Institute including the regulation of admission of students, the award of	
24	certificates, scholarships, prizes and other academic distinctions;	
25	(b) making periodic reports on such academic matters to the	
26	Academic Board as the Board may from time to time direct;	
27	(c) discharging any other functions which the Board may delegate	
28	to it.	
29	9.-(1) There shall be for the Institute a Director-General (in this Act	The Director-
30	referred to as the Director-General) who shall be appointed by the Minister	General of the Institute

1 in accordance with the provisions of this section.

2 (2) Where a vacancy occurs in the post of Director-General, the Board
3 shall:

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

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

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

9 (b) constitute a search team consisting of:

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

12 (ii) two members of the Academic Board not below the rank of chief
13 lecturer;

14 (iii) two members of the Academic Community of the Institute not
15 below the rank of chief lecturer to be selected by the Board, to identify and
16 draw up a short list of suitable persons who are not likely to apply for the post
17 for any reason whatsoever,

18 (3) a Joint Board and Academic Selection Board consisting of:

19 (a) the Chairman of the Board;

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

22 (c) two members of the Academic Board not below the rank of chief
23 lecturer, who were not members of the search team, shall consider the
24 candidates and persons on the short lists drawn up under subsection (2) of this
25 section through an examination of their curriculum vitae and interaction with
26 them and recommend through the Board to the Minister, three candidates for
27 his consideration.

28 (4) The Minister shall appoint as Director one of the candidates
29 recommended to him under the provisions of subsection (3) of this section.

30 (5) Subject to this Act and the general control of the Council, the

1 Director shall be the chief executive of the Institute and shall be charged
2 with general responsibility for matters relating to the day to day
3 management operations of the Institute.

4 (6) The Director:

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

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

10 **10.-(1)** There shall be for the Institute a Deputy Director General.

Deputy Director-
General

11 (2) The Board shall appoint the Deputy Director General from
12 among the chief lecturers in the Institute in one of the following ways, that
13 is:

14 (a) from a list of three candidates in order of preference, submitted
15 by the Director General;

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

18 (c) on the nomination of the Director General.

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

21 (i) the Chairman of the Board;

22 (ii) the Director General;

23 (iii) two members of the Board not being members of the Academic
24 Board;

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

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

28 (4) The Deputy Director General shall:

29 (a) Assist the Director General in the performance of his functions;

30 (b) Act in the place of the Director General when the post of

1 Director General is vacant or if the Director General is, for any reason, absent
2 or unable to perform his functions as Director General; and

3 (c) Perform such other functions as the Director General or the Board
4 may from time to time, assign to him.

5 (5)The Deputy Director General:

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

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

The Registrar and
other staff of the
Institute

10 **11.**-(1) The Board shall appoint a Registrar to the. Institute
11 (hereinafter referred to as "the Registrar") who shall keep the records and
12 conduct the correspondence of the Board and shall perform such other duties as
13 the Board and subject thereto as the Director may from time to time direct.

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

19 (3) The Registrar:

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

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

Other Principal
Officers of the
Institute

25 **12.**-(1) There shall be for the Institute the following principal officers
26 in addition to the Registrar, that is:

27 (a) the Bursar;

28 (b) the Librarian;

29 (c) the Head of Works; and

30 (d) the Head of Medical and Health Services, who shall be appointed

1 by the Board on the recommendation of the Selection Board constituted
2 under section 10(3) of this Act.

3 (2) The Bursar shall be the chief financial officer of the Institute
4 and be responsible to the Director General for the day to day administration
5 and control of the financial affairs of the Institute.

6 (3) The Librarian shall be responsible to the Director General for
7 the administration of the Library and the coordination of the library services
8 in the teaching units of the Institute.

9 (4) The Head of Works shall be responsible to the Director General
10 for the maintenance of the Institute buildings, minor works, transport and
11 supervision of the construction projects.

12 (5) The Head of Medical and Health Services shall be responsible
13 to the Director General for the supervision of the medical and health
14 facilities of the Institute.

15 (6) The Principal Officers mentioned in subsection (i):

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

19 (b) may be reappointed for a further period of four years and no
20 more.

21 (7) Any question as to the scope of the responsibilities of the
22 Principal Officers shall be determined by the Director General.

23 **13.-(1)** A principal officer may resign his appointment:

Resignation of
appointment of
Principal Officers

24 (a) in the case of the Director General, by notice in writing to the
25 Visitor; and

26 (b) in any other case, by notice in writing to the Board.

27 **14.-(1)** The Board may appoint such other persons to be staff of the
28 Institute as the Board may determine, to assist the Director General and the
29 Principal Officers in the performance of their functions under this Act.

Other employees
of the Institute

30 (2) Subject to the provisions of this Act, the remuneration, tenure

	1	of office and conditions of service of the employees of the Institute shall be
	2	determined by the Board.
Selection Board for other Principal Officers	3	15. -(1) There shall be for the Institute, s Selection Board which shall
	4	consist of:
	5	(a) the Chairman of the Board;
	6	(b) the Director General;
	7	(c) four members of the Board who are not members of the Academic
	8	Board; and
	9	(d) two members of the Academic Board.
	10	(2) The functions, procedure and other matters relating to the
	11	Selection Board constituted under subsection (1) of this section shall be as the
	12	Board may from time to time determine.
Pensions	13	16. -(1) It is hereby declared that service in the Institute shall be
	14	approved service for the purposes of the Pensions Reform Act and accordingly,
	15	officers and other persons employed in the Institute shall in respect of the
	16	service in the Institute be entitled to pensions, gratuities and other retirement
	17	benefits as are prescribed thereunder, so however that nothing in this Act shall
	18	prevent the appointment of a person to' any office on terms which preclude the
	19	grant of a pension and gratuity in respect of that office.
	20	(2) For the purposes of the application of the provisions of the
	21	Pensions Reform Act, any power exercisable thereunder by the Minister or
	22	other authority of the Government of the Federation (other than the power to
	23	make regulations) shall be exercisable by the College and not by any other
	24	person or authority.
	25	PART II - FINANCIAL PROVISIONS
Establishment of fund of the Institute	26	17. -(1) The Board shall establish and maintain a fund which shall be
	27	applied towards the promotion of the objectives specified in this Act.
	28	(2) There shall be paid and credited to the fund established under
	29	subsection (1) of this section:
	30	(a) such sums as may from time to time be granted to the Board by the

1 Federal Government through the National Board for Technical Education
2 (NBTE);

3 (b) all monies raised for the purposes of the Board by way of gifts,
4 grants-in-aid or testamentary disposition; and

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

7 (3) The Board shall submit to the Minister, through the National
8 Board for Technical Education (NBTE) not later than three months before
9 the end of each financial year or at such other time as he may direct, an
10 estimate of its revenue and expenditure for the next succeeding financial
11 year.

12 **18.** The Board shall keep proper accounts of its receipts, payments, Accounts and
audit
13 assets and liabilities and shall in respect of each year cause the accounts to be
14 audited.

15 **19.** The Board shall as soon as may be after the expiration of each Annual reports
16 financial year, prepare and submit to the Minister, a report of the activities of
17 the Institute during the immediately preceding year, and shall include in the
18 report a copy of the audited accounts of the Institute for that year and the
19 auditor's report on the accounts.

20 **PART III - MISCELLANEOUS AND SUPPLEMENTARY**

21 **20.-(1)** For the purpose of providing offices and premises Offices and
premises
22 necessary for the performance of its functions, the Board may:

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

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

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

28 **21.-(1)** The Board may make rules providing for the Director to Discipline of
students
29 conduct enquiries into alleged acts of misconduct (including lack of
30 discipline) by students and such rules may make different provisions for

1 different circumstances.

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

4 (3) Notwithstanding anything to the contrary contained in any other
5 enactment, where it appears to the Board that any student of the Institute has
6 been guilty of misconduct, the Board may, without prejudice to any other
7 disciplinary powers conferred on it by regulations direct that:

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

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

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

15 (d) the student be expelled from the Institute.

16 (4) Where the post of the Director is vacant or where the Director
17 refuses to apply any disciplinary measures, the Board may either directly or
18 through some other staff apply such disciplinary actions as are specified in
19 subsection (1) to any student of the Institute who is considered guilty of
20 misconduct.

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

28 (6) The fact that an appeal from a direction is pending under
29 subsection (5) shall not affect the operation of the direction while the appeal is
30 pending.

1 (7) The Director may delegate his powers under this section to a
2 disciplinary committee of such members of the Institute as he may
3 nominate.

4 (8) Nothing in this section shall be construed as preventing the
5 restriction or termination of a student's activity at the Institute otherwise
6 than on the grounds of misconduct.

7 (9) It is hereby declared that the direction under subsection (3) (a)
8 may be combined with a direction under subsection (3) (b).

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

11 **22.** In this Act, unless the context otherwise requires: Interpretation

12 "Chairman" means chairman of the Board;

13 "Board" means the Governing Board of the Institute established by or
14 pursuant to section 2 of this Act;

15 "Director" means the Director of the Institute appointed under section 9 of
16 this Act;

17 "Powers" include functions and duties;

18 "Minister" means the Minister charged with responsibility for matters
19 relating to Communications and Digital Economy;

20 "Member" means a member of the Board including the chairman.

21 **23.** This Bill may be cited as the National Institute for Artificial Short title
22 Intelligence and Robotic Studies (Establishment) Bill, 2022.

1 SCHEDULES

2 FIRST SCHEDULE

3 *[Section 2(3).]*

4 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

5 *Terms of service*

6 1. There may be paid to the members of the Board or any committee,
7 other than ex-officio members, such remuneration and allowances as may from
8 time to time be determined by the Minister.

9 2. The Board may act notwithstanding any vacancy in its membership
10 or any defect in the appointment of a member or the absence of a member.

11 *Proceedings*

12 3.-(1) The Board shall meet for the conduct of business at such times,
13 place and on such days as the chairman may appoint but shall meet not less than
14 once every four months.

15 (2) The Chairman may at any time and shall, at the request in writing
16 of not less than five members, convene a meeting of the Board.

17 (3) At any meeting of the Board, the Chairman shall preside but in his
18 absence, members present shall elect one of their members to preside at the
19 meeting.

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

24 (5) The quorum of the Board shall be one half of the total members of
25 the Board, at least one of whom shall be a member appointed by the Minister.

26 (6) Decisions of the Board shall be made on approval by a simple
27 majority of members.

28 *Miscellaneous*

29 4.-(1) The fixing of the seal of the Institute shall be authenticated by
30 the signature of the Chairman, Director and of some other members of the

1 Board authorized generally or specially by the Board to act for that purpose.

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the National Institute for Artificial Intelligence and Robotic Studies, Lagos State to identify the technology needs of Nigeria and to find solutions to them within the context of national development.

A BILL

FOR

AN ACT TO AMEND THE EVIDENCE ACT OF 2011, CAP E14, LAWS OF THE
FEDERATION OF NIGERIA TO BRING ITS PROVISIONS IN LINE WITH GLOBAL
TECHNOLOGICAL ADVANCEMENTS IN EVIDENCE TAKING WHICH SHALL BE
APPLICABLE TO ALL JUDICIAL PROCEEDINGS IN OR BEFORE COURTS IN
NIGERIA, AND FOR RELATED MATTERS

Sponsored by Hon. Ifeanyi Chudy Momah, Hon. Ugonna Ozunigbo

[] Commencement

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

- | | | |
|--|---|--|
| <p>1 1. The Evidence Act 2011 (in this Bill referred to as "the Principal</p> <p>2 Act") is amended as set out in this Bill</p> | <p>2. Section 84(2) of the Principal Act is amended by:</p> <p> (a) In subsection (2)(a), inserting after the word 'document', the</p> <p> words 'or electronic records;</p> <p> (b) By substituting the existing Subsection (2)(b) for a new</p> <p> subsection (2)(b)-</p> <p> (b) during the said period, information of the kind contained in the</p> <p> electronic record or of the kind from which the information so contained is</p> <p> derived was regularly fed into the computer in the ordinary course of the said</p> <p> activities.</p> <p> (c) In subsection (2) (c), inserting after the word 'document', the</p> <p> words 'or electronic record;</p> <p> (d) In subsection (2) (d), by including after the word 'statement' the</p> <p> words 'or electronic record'.</p> | <p>Amendment of
the Evidence Act
2011</p> <p>Amendment of
Section 84(2) of
the Principal Act</p> |
| <p>16 3. Section 84(4) of the Principal Act is amended by:</p> <p>17 (i) In subsection (4)(a), inserting after the word 'document', the</p> <p>18 words 'or electronic record';</p> | | <p>Amendment of
Section 84(4) of
the Principal Act</p> |

	1	(ii) In subsection (4)(b) inserting after the word 'document', the words
	2	'or electronic record'.
Amendment of Section 84(5) of the Principal Act	3	4. Section 84(5) of the Principal Act is amended by:
	4	(I) In subsection (5)(c), by inserting after the word 'documents' the
	5	words 'or electronic records'.
Insertion of Section 84A in the Principal Act	6	5. Where any law provides that information or any other matter shall
	7	be in writing or in the typewritten or printed form, then, notwithstanding
	8	anything contained in such law, such requirement shall be deemed to have been
	9	satisfied if such information or matter is:
	10	(a) rendered or made available in an electronic form; and
	11	(b) accessible so as to be usable for a subsequent reference.
Insertion of Section 84B in the Principal Act	12	6. Notwithstanding anything contained in this Act, any information
	13	contained in an electronic record which is printed on a paper, stored, recorded
	14	or copied in optical or magnetic media or cloud computing or database
	15	produced by a computer shall be deemed to also be a document, if the
	16	conditions mentioned in this section are satisfied in relation to the information
	17	and computer in question and shall be admissible in any proceedings, without
	18	further proof or production of the original, as evidence or any contents of the
	19	original or of any fact stated therein of which direct evidence would be
	20	admissible.
Insertion of Section 84C in the Principal Act	21	7. Subject to the provisions of this section any person may
	22	authenticate an electronic record by affixing his digital signature on same.
	23	(2) A person may authenticate any electronic record by such digital
	24	signature or electronic authentication technique which is:
	25	(a) Considered reliable; or
	26	(b) As may be specified by this Act.
	27	(3) For the purpose of this Sub-section 2 of this Section, any digital
	28	signature or electronic authentication technique will be considered reliable if:
	29	(a) The signature creation data or the authentication data are, within
	30	the context in which they are used, linked to the signatory or, as the case may

1 be, the authenticator and of no other person;

2 (b) Any alteration to the digital signature made after affixing such
3 signature is detectable;

4 (c) Any alteration to the information made after its authentication
5 by the digital signature is detectable; and

6 (d) It fulfils such other conditions which may be prescribed.

7 **8.**-(1) Except in the case of a secure digital signature, if the digital
8 signature of any person is alleged to have been affixed to an electronic
9 record, the fact that such digital signature is the digital signature of the
10 person must be proved.

Insertion of
Section 84D in
the Principal Act

11 (2) A digital signature shall be deemed to be secure if:

12 (i) the signature creation data, at the time of affixing the signature,
13 was under the exclusive control of the signatory and no other person; and

14 (ii) the signature creation data was stored and affixed in such
15 exclusive manner as may be prescribed.

16 **9.** Section 93 of the Principal Act is amended by:

Amendment of
Section 93 of the
Principal Act

17 (i) In subsection (2), by including after the word 'electronic
18 signature' the words 'or digital signature';

19 (ii) In subsection (3), by including after the word 'electronic
20 signature' the words 'or digital signature'.

21 **10.** Section 108 of the Principal Act is amended by inserting after
22 the existing provision, a new subsection (2):

Insertion of
Section 108(2) in
the Principal Act

23 (2) Notwithstanding Sub-section 1, where the affidavit is deposed
24 to electronically before any person duly authorized to take affidavits, a copy
25 of same shall be filed at the court registry and may be recognized for any
26 purpose in the court.

27 **11.** Section 109 of the Principal Act is amended by including after
28 the word 'Nigeria', the words 'whether in person or through audio-visual
29 means'

Amendment of
Section 109 of the
Principal Act

Amendment of Section 110 of the Principal Act	1	12. Section 110 of the Principal Act is amended by including after the
	2	word 'before', the words 'whether in person or through audio-visual means'
Amendment of Section 119 of the Principal Act	3	13. Section 119 is amended:
	4	In subsection (2), by inserting after the existing paragraph (b), a
	5	paragraph (bb)
	6	"(bb) If the affidavit is taken via audio-visual means, then the
	7	electronic record must state which audio-visual method was used and the date
Insertion of Section 255(2) in the Principal Act	8	on which it was used."
	9	14. Section 255 of the Principal Act is amended by inserting after the
	10	existing provision, a new subsection (2):
	11	(2) Where any law provides that any such rule, regulation,
	12	notification, or any other matter be published in the Official Gazette, then, such
Amendment of Section 258 of the Principal Act	13	requirement shall be deemed to have been satisfied if such rule, regulation,
	14	notification, or any other matter is published in the Official Gazette or
	15	Electronic Gazette
	16	15. In this Act:
	17	(a) Audio-visual communication means being able to see, hear and
	18	communicate with another individual in real time, using electronic means;
	19	(b) Cloud computing means the delivery of different services through
	20	the Internet, including data storage, servers, databases, networking, and
	21	software;
	22	(c) Computer means any device for storing and processing
	23	information, including mobile phones, and any reference to information being
	24	derived from other information is a reference to its being derived from it by
	25	calculation, comparison, or any other process;
	26	(d) Digital Signature means an electronically generated signature
	27	which is attached to an electronically transmitted document to verify its
	28	contents and the sender's identity;
	29	(e) Electronic Gazette means official Gazette published in the
	30	electronic form;

1 (f) Electronic Record means data, record or data generated, image
2 or sound stored, received, or sent in an electronic form or microfilm;

3 (g) Electronic signature means authentication of any electronic
4 record by a subscriber by means of the electronic technique specified in the
5 second schedule and includes digital signature;

6 (h) Magnetic media includes but not limited to cassettes tapes, hard
7 disks, floppy disks, video, and computer tapes;

8 (i) Optical media as in DVD, CD and Blu-ray.

9 **16.** This Bill may be cited as the Evidence Act (Amendment) Bill, Citation
10 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Evidence Act of 2011, Cap E14, Laws of the Federation of Nigeria to bring its provisions in line with global technological advancements in evidence taking which shall be applicable to all judicial proceedings in or before Courts in Nigeria.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF HEALTH TECHNOLOGY
YALA, CROSS RIVER STATE AND FOR RELATED MATTERS

Sponsored by Hon. Jude Ogbeche Ngaji

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE FEDERAL COLLEGE OF HEALTH
2 TECHNOLOGY YALA, CROSS RIVER STATE AND
3 ITS GOVERNING COUNCIL

4 1.-(1) There is established the Federal College of Health
5 Technology Yala, Cross River State (in this Bill referred to as the "College")
6 which shall have such powers and exercise such functions as are conferred
7 on it by this Bill.

Establishment
of the Federal
College of Health
Technology Yala,
Cross River State

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

11 (3) The College may acquire, hold and dispose of movable and
12 immovable property for the purpose of its functions.

13 2. The objectives of the College shall be to:

Objectives of
the College

14 (a) Provide courses of study, training and research in health
15 technology leading to attainment or award of Certificates and Professional
16 Diploma as may be determined by the Governing Council;

17 (b) provide courses of instruction and other facilities for the pursuit
18 of learning in an health related subjects, and to make those facilities
19 available on proper terms to such persons as are equipped to benefit from
20 them;

21 (c) provide avenues for research in health related subjects and

Functions of
the College

- 1 continuing education in health related subjects;
- 2 (d) provide the basis for curriculum development in the areas of
- 3 disease prevention, health restoration, promotion and protection as well as
- 4 health education, information and communication; and
- 5 (e) undertake other activities appropriate for the highest standard of a
- 6 college.
- 7 **3.-(1)** For the carrying out of its objects as specified in clause 2 of the
- 8 Bill, the College shall have power to:
- 9 (a) make rules and regulations under which persons may be admitted
- 10 as students for any particular course in the College;
- 11 (b) provide courses of instruction in academic and professional
- 12 subjects for students of the College;
- 13 (c) make provision for research and health information, particularly at
- 14 the community or grass-root level;
- 15 (d) hold examinations and award certificates and other distinctions to
- 16 persons who have pursued a course of study approved by the College and have
- 17 satisfied such other requirements as the college may specify;
- 18 (e) establish on the recommendation of the Governing Council
- 19 campuses, departments and other units of learning and research as the College
- 20 may require;
- 21 (f) produce health professionals of both National and International
- 22 standards;
- 23 (g) subject to clause 22 of this Bill, to acquire, hold, grant, charge or
- 24 otherwise deal with or dispose of movable and immovable property wherever
- 25 situate;
- 26 (h) accept gifts, grants and donations, but without obligation to accept
- 27 the same for a particular purpose, unless it approves the terms and conditions;
- 28 (i) enter into contracts, establish trusts, act as trustee, solely or jointly
- 29 with any other person, and employ and act through agents;
- 30 (j) erect, provide, equip and maintain libraries, laboratories, lecture

1 halls, halls of residence, refectories, sports grounds, playing fields and other
2 buildings or things necessary, suitable or convenient for any of the objects of
3 the College;

4 (k) hold public lectures and undertake printing, publishing and
5 book selling;

6 (l) borrow, whether on interest or not, and indeed be, upon the
7 security of any or all of the property movable or immovable of the College,
8 such moneys as the Council may, from time to time in its discretion, find
9 necessary or expedient to borrow or to guarantee any loan, advance or credit
10 facility;

11 (m) make gifts for any charitable purpose;

12 (n) do anything which it is authorised or required by this Bill or by
13 any other Statute to do; and

14 (o) do all such acts or things, whether or not incidental to the
15 foregoing powers, as may advance the objects of the College.

16 (2) Subject to the provisions of this Bill and of the Statutes made
17 there under and without prejudice to Clause 9 (2) of this Bill, the powers
18 conferred on the College by sub-clause (1) of this Clause shall be
19 exercisable on behalf of the College by the Council or on any other manner
20 which may be authorised by this Bill.

21 4.-(1) The governance of the College and the direction of its affairs Governing Council
22 shall vest in the Governing Council of the College (in this Bill referred to as
23 "the Council").

24 (2) Without prejudice to the generality of sub clause (1) of this
25 clause, it shall be the responsibility of the Council to consider and approve:

26 (a) the plan of activities of the College;

27 (b) the programme of studies, courses, and research to be
28 undertaken by the College;

29 (c) the annual estimates and expenditures of the College; and

30 (d) the investment plans of the College.

Membership of the Council of the College	1	5.-(1) The Council of the College shall consist of a chairman and the
	2	following members, to be appointed by the Minister:
	3	(a) a representative of the Federal Ministry responsible for Health;
	4	(b) a representative of the alumni association of the College;
	5	(c) three persons appointed on individual merit on a nationwide basis
	6	who should have wide experience of service in the public or private sector;
	7	(d) two representatives of the Academic Board of the College; and
	8	(e) the Provost of the College.
	9	(2) Persons to be appointed to the Council shall be persons of proven
	10	integrity, knowledgeable and familiar with the affairs and tradition of the
	11	College.
Tenure of office of members of the Council	12	6.-(1) A member of the Council (other than an ex-officio member)
	13	shall hold office for a term of three years and subject to the provisions of sub
	14	clause (2) of this clause, shall be eligible for reappointment for a further period
	15	of three years.
	16	(2) A member of the Council shall cease to hold office if:
	17	(a) the member resigns his office by notice in writing under his hand,
	18	addressed to the Minister; or
	19	(b) the Minister is satisfied that it is not in tile interest of the College
	20	for the person appointed to continue in office and notifies the member in
	21	writing to that effect.
Powers of the Council	22	7.-(1) For the carrying out of the functions of the College, the Council
	23	shall have power to:
	24	(a) provide amenities for and make such other provision for the
	25	welfare of the staff of the College;
	26	(b) make gifts for any charitable purpose;
	27	(c) invest the funds of the College in securities specified by law or in
	28	such other securities in Nigeria as may be approved by the Minister;
	29	(d) borrow money within Nigeria in such manner and upon such
	30	security as the Minister may from time to time authorise;

1 (e) enter into such contracts as may be necessary or expedient for
2 carrying into effect the objectives of the College;

3 (f) recruit staff of the right caliber and determine the career
4 structure of such staff;

5 (g) establish and maintain teaching units within the College or
6 departments as the Council may, from time to time, decide;

7 (h) institute and award fellowships, medals, prizes and other titles;

8 (i) mount exhibitions and displays designed to foster an
9 appreciation of trends in and the scope and requirements of education;

10 (j) erect, provide, equip and maintain such educational,
11 recreational and residential facilities as the College may require;

12 (k) create lectureships and other academic posts and offices and to
13 make appointments;

14 (l) encourage and make provision for research in the College; and

15 (m) do such acts and things whether or not incidental to the
16 foregoing powers as may advance the objects of the College.

17 **8.-(1)** The Minister of Health shall be the Visitor of the College. Visitation

18 (2) The Visitor shall, at least once in every five years, conduct a
19 visitation of the College or appoint a visitation panel consisting of not less
20 than five experts to conduct the visitation:

21 (a) for the purpose of evaluating the academic and administrative
22 performance of the College; or

23 (b) for such other purpose or in respect of any other affairs of the
24 College as the Visitor may deem fit.

25 **9.-(1)** There shall be established for the College a Board to be The Academic
26 known as the Academic Board which shall consist of the following Board and its
27 members: functions

28 (a) the Provost of the College who shall be the chairman;

29 (b) all heads of departments;

30 (c) the College Librarian; and

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

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

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

7 (b) making periodic reports on such academic matters to the Council
8 as the Council may from time to time direct; and

9 (c) discharging any other functions which the Council may from time
10 to time delegate to it.

Power of Minister
to give directives
to the Council

11 **10.** Subject to the provisions of this Bill, the Minister may give to the
12 Council directions of a general character or relating generally to matters of
13 policy with regard to the exercise by the Council of its functions under this Bill
14 and it shall be the duty of the Council to comply with such directions.

The Power of
the College

15 **11.-(1)** There shall be a Provost of the College (in this Bill referred to
16 as *lithe* Provost") who shall be appointed by the Minister, in accordance with
17 the provisions of this clause.

18 (2) Where a vacancy occurs in the office of Provost, the Council shall:

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

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

22 (ii) the terms and conditions of service applicable to the post;

23 and thereafter draw up a short list of suitable candidates for consideration;

24 (b) constitute a search team consisting of:

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

27 (ii) two members of the academic Board not below the rank of chief
28 lecturer;

29 (iii) two members of the academic community of the College not
30 below the rank of chief lecturer to be selected by the Council, to identify and t

1 draw up a short list of suitable persons who are not likely to apply for the post
2 for any reason whatsoever.

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

4 (a) the chairman of the Council;

5 (b) two members of too Council not being members of the
6 Academic Board:

(c) two members of the Academic Board not below the rank of chief lecturer, who were not members of the search team, shall consider the candidates and persons on the short lists drawn up under sub clause (2) of this clause through an examination of their curriculum vitae and interaction with them and recommend through the Council to the Minister, three candidates for his consideration.

13 (4) The Minister shall appoint as Provost one of tile candidates
14 recommended to him under the provisions of sub clause (3) of this clause.

15 (5) The Provost:

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

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

21 **12.-(1)** There shall be for the college a Deputy Provost. Deputy Provost

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

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

26 (b) on the recommendation of a Selection Board constituted under
27 this clause for that purpose; or

28 (c) on the nomination of the Provost.

29 (3) The Selection Board referred to in sub clause (2) of this clause
30 shall:

- 1 (a) consist of:
- 2 (i) the chairman of the Council;
- 3 (ii) the Provost;
- 4 (vii) two members of the Council not being members of the Academic
- 5 Board;
- 6 (iv) two members of the Academic Board; and
- 7 (b) make such inquiries as it deems fit before making the
- 8 recommendation required under that sub clause.
- 9 (4) The Deputy Provost shall:
- 10 (a) assist the Provost in the performance of his functions;
- 11 (b) act in the place of the Provost when the office of Provost is vacant
- 12 or if the Provost is, for any reason, absent or unable to perform his functions as
- 13 Provost; and
- 14 (c) perform such other functions as the Provost or the Council may,
- 15 from time to time, assign to him.
- 16 (5) The Deputy Provost:
- 17 (a) shall hold office for two years from the date of appointment and on
- 18 such terms and conditions as may be specified in the letter of appointment; and
- 19 (b) may be reappointed for one further period of two years and no
- 20 more.
- 21 **13.-(1)** The Council of the College shall appoint a Registrar to the
- 22 College (hereinafter referred to as the Registrar") who shall keep the records
- 23 and conduct the correspondence of the Council and shall perform such other
- 24 duties as the Council and the Provost may from time to time direct.
- 25 (2) The Registrar shall, in addition to other duties conferred on him by
- 26 or under this Bill, be the secretary to the Council, the Academic Board and any
- 27 committee of the Council and in his absence, the Councilor any such
- 28 committee may appoint some other person to act as secretary, and he shall not
- 29 vote on any question before the Councilor count towards a quorum.
- 30 (3) A Registrar:

The Registrar
and other staff
of the College

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

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

6 (4) Where, on the commencement of this clause, a Registrar
7 appointed before the commencement of this clause has held office:

8 (a) for five years or less, the person shall be deemed to be serving
9 the first term of office and may be reappointed for a further term of five
10 years;

11 (b) for more than five years but less than ten years, the person shall
12 complete the maximum period of ten years and thereafter relinquish the
13 post; and

14 (c) for ten years or more, the Council may allow the person to serve
15 as Registrar for a further period of one year only and thereafter he shall
16 relinquish the office.

17 **14.** A principal officer may resign the appointment:

Resignation of
appointment of
Principal Officers

18 (a) in the case of the Provost, by notice to the Visitor; and the
19 Bursar; and

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

21 **15.** The Council may appoint such other persons to be employees
22 of the College as the Council may determine to assist the Provost and the
23 principal officers of the College in the performance of their functions under
24 this Bill.

Other staff of
the College

25 **16.-(1)** There shall be, for the College, a Selection Board which
26 shall consist of:

Selection Board
for other Principal
Officers

27 (a) the chairman of the Council;

28 (b) the Provost;

29 (c) four members of the Council not being members of the
30 Academic Board; and

1 (d) two members of the Academic Board.

2 (2) The functions, procedure and other matters relating to the
3 Selection Board constituted under sub clause (1) of this clause, shall be as the
4 Council may, from time to time, determine.

Pensions

5 17.-(1) Service in the College shall be approved service for the
6 purposes of the Pensions Act and, accordingly, officers and other persons.
7 employed in the College shall in respect of their service in the College be
8 entitled to pensions, gratuities and other retirement benefits as are prescribed in
9 the Act, however nothing in this Bill shall prevent the appointment of a person
10 to any office on terms which preclude the grant of a pension and gratuity in
11 respect of that office.

12 (2) For the purposes of the application of the provisions of the
13 Pensions Act, any power exercisable by a Minister or other authority of the
14 Government of the Federation (other than the power to make regulations under
15 clause 23) shall be exercisable by the College and not by any other person or
16 authority.

17 PART II - FINANCIAL PROVISIONS

Establishment
of fund of the
College

18 18.-(1) The Council shall establish and maintain a fund which shall be
19 applied towards the promotion of the objectives specified in this Bill.

20 (2) There shall be paid and credited to the fund established under sub
21 clause (1) of this clause:

22 (a) such sums as may from time to time be granted to the Council by
23 the Federal Government through the National Commission for Colleges of
24 Education;

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

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

29 (3) The Council shall submit to the Minister, through the National
30 Commission for Colleges of Education, not later than three months before the

1 end of each financial year or at such other time as he may direct, an estimate
2 of its revenue and expenditure for the next succeeding financial year.

3 **19.**-(1) he Council may accept gifts of land, money or other Power to accept
gifts
4 property upon such terms and conditions if any, as may be specified by the
5 person making the gift.

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

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

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

17 **PART III - MISCELLANEOUS AND SUPPLEMENTARY**

18 **22.**-(1) For the purpose of providing offices and premises Offices and
premises
19 necessary for the performance of its functions, the Council may:

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

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

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

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

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

1 (3) Subject to the provisions of sub clause (1) of this clause, where it is
2 proved during the enquiry that any student of the College has been guilty of
3 misconduct, the Provost may, without prejudice to any other disciplinary
4 powers conferred on him by this Bill or any regulations made there under
5 direct:

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

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

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

13 (d) that the student be expelled from the College.

14 (4) Where there is temporarily no Provost or where the Provost
15 refuses to apply any disciplinary measures, the Council may, either directly or
16 through some other staff, apply such disciplinary actions as are specified in sub
17 clause (3) of this clause to any student of the College who is guilty of
18 misconduct.

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

26 (6) The fact that an appeal Oil a direction is brought in pursuance of
27 sub clause (5) of this clause shall not affect the operation of the direction while
28 the appeal is pending.

29 (7) The Provost may delegate his powers under this clause of a

1 disciplinary committee consisting of such members of the College as he may
2 nominate.

3 (8) Nothing in this clause shall be construed as preventing the
4 restriction or termination of a student's activities at the College otherwise
5 than on the ground of misconduct.

6 (9) the direction under sub clause (3) (a) of this clause may be
7 combined with a direction under sub clause (3) (b) of this clause,

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

10 **24.** In this Bill: Interpretation

11 "Appropriate authority" means any person, body or authority authorized by
12 law to act in a specific or general capacity in relation to a subject matter;

13 "Campus" means any campus which may be established by the College;

14 "Chairman" means the chairman of the Council;

15 "Council means the Governing Council of the College established by clause
16 4 of this Bill;

17 "Provost" means the Provost of a College appointed under clause 9 of this
18 Bill;

19 "Functions" includes powers and duties;

20 "Minister" means the Minister charged with responsibility for matters
21 relating to health;

22 "Member" means a member of the Council including the chairman.

23 **25.** This Bill may be cited as the Federal College of Health Citation
24 Technology Yala, Cross River State (Establishment, Etc.) Bill, 2022.

1 SCHEDULE

2 [Clause 4]

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 committee,
6 other than ex- officio members, such remuneration and allowances as may
7 from time to time be determined by the Minister.

8 2. Where a vacancy occurs in respect of the membership specified in
9 clause 3 (1) (d) and 3 (2) (d), it shall be filled by the appointment of a successor
10 to hold office for the remainder of the term of office of his predecessor in office
11 and such 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 the 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 of
20 not less than six members, convene a meeting of the Council.

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

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

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

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

3 *Miscellaneous*

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

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Health Technology Yala, Cross River State to ensure access to education in health technology, to provide full-time courses of teaching, instruction and training in health technology; and also make provision for the appointment of a Provost and the officials of the College to carry out the administration of the College.

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION (TECHNICAL)
OGOJA, CROSS RIVER STATE. AND FOR RELATED MATTERS, 2022

Sponsored by Hon. Jude Ogbeche Ngaji

[] Commencement

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

- 1 **1.**-(1) There is hereby establish the Federal College of Education
2 (Technical) Ogoja, Cross River State (Herein after referred to as the
3 College). Establishment of Federal College of Education (Technical) Ogoja, Cross River State
- 4 (2) The College shall be a body corporate with Education perpetual
5 succession and common seal and shall take power to acquire and dispose of
6 interest in movable and immovable properties.
- 7 (3) The College may sue and be used in its corporate name.
- 8 (4) Objectives of the college shall be:
- 9 (a) Encourage the advancement of learning and to hold out to all
10 Persons without distinction of race, creed, sex or political conviction of the
11 Opportunity of acquiring higher and liberal education;
- 12 (b) Provide technical courses of instruction and other facilities for
13 the pursuit of learning in all its branches, and to make those facilities
14 available on proper terms to such persons as are equipped to benefit from
15 them.
- 16 **2.**-(1) The governance and direction of the College affairs shall rest
17 in the governing council of the college (in the Bill referred to as "the
18 Council"). Governing Council of the College
- 19 (2) The Council shall have the responsibility to consider and
20 approve:
- 21 (a) the programme of studies to be undertaken in the College;

	1	(b) the annual estimate of the College; and
	2	(c) the investment plan of the College.
	3	(3) the provision of the schedule of this bill shall have effect with
	4	respect to the Council as mentioned herewith
Membership of the Council in the College	5	3.-(1) The council of the College shall consist of:
	6	(a) a chairman and other members to be appointed by the President;
	7	(b) a representative of the Federal Ministry of Education;
	8	(c) A representative of the University of which the college is affiliated
	9	to for the purpose of moderation;
	10	(d) Two representatives of the academic board of the college;
	11	(e) A representative of the National Commission for the Colleges of
	12	Education; and
	13	(f) The provost of the college.
Tenure of Members of the College	14	4.-(1) A member of the council (other than the ex-official members)
	15	shall hold office for the term of four years and subject to the provision of sub-
	16	Section (2) of this section shall be eligible for re-appointment for a further
	17	period of four years and also move.
	18	(2) The office of a member appointed under section 3 of this bill shall
	19	become vacant if:
	20	(a) The member resigns in office by notice of writing under his hand
	21	addressed to the Minister; or
	22	(b) The minister is satisfied that it is not in the interest of the college
	23	for the person appointed to continue in office and notifies the member 20 in
	24	writing to that effect may serve to promote the objective of the College.
Powers of the Council	25	5. The council of the college shall have power to:
	26	(a) Hold examinations and grant Degree, NCE, Diploma,
	27	professional Certificates and other distinction to persons, who have pursued
	28	courses of study approved and accredited by the National Commission for
	29	Colleges of Education (NCCE);
	30	(b) hold examination in education for qualified teachers;

- 1 (c) Recruit staff and determine structure of such staff;
- 2 (d) Demand and receive from any student or any other person
- 3 attending the college for the purpose of construction such fees as the Council
- 4 may with the prior approval of the Minister, from time to time determine;
- 5 (e) Hold public lectures and undertake printing, publishing and
- 6 bookselling;
- 7 (f) Award fellowship, medals, prize, prizes and other titles;
- 8 (g) Establish and maintain such schools and other teaching units
- 9 with the college or extra moral department as the councils may time to time
- 10 determine;
- 11 (h) Erect, provide, equip, and maintain such educational
- 12 recreational and residential facilities as the College may require;
- 13 (i) Create lectureship and other academic post and offices and to
- 14 make appointment thereof;
- 15 (j) Receive grants and give gifts;
- 16 (k) Enter into such contracts as may be necessary or expedients for
- 17 carrying into effect the objectives of the college;
- 18 (l) Provide amenities for and make such other provision for the
- 19 welfare of the staff and students of the college;
- 20 (m) encourage and make provision for research in the college;
- 21 (n) Do such acts and things whether or not incident to the foregoing
- 22 powers as may advance the objects of the college.
- 23 **6.-(1)** the minster responsible for education shall be the visitor of
- 24 the college the college:
- 25 (2) The visitor shall, not less than once in every five year conduct a
- 26 Visitation to the college or appoint a visitation panels consist of not less than
- 27 five experts to conduct the visitation;
- 28 (a) for the purpose of evaluating the academic and administrative
- 29 performance of the college; or
- 30 (b) for such other purpose as the visitors may deem fit.

The Visitor

The Academic Board and its functions	1	7.-(1) There shall be established for the college a board to be known as
	2	the academic Board which shall consist of the following members:
	3	(a) The power of the college as the chairman;
	4	(b) all heads of departments;
	5	(c) the College librarian; and
	6	(d) not more than three members of the Academic staff other than the
	7	heads of department to be appointed by the council.
	8	(2) The Academic Board shall be responsible for:
	9	(a) The Direction and management of academic and academic matters
	10	of the college including the regulation of admission of student, the award of
	11	certificate scholarship, prize and other academic distinction;
	12	(b) discharging other functions which the council may from time to
	13	time delegate to it.
Power of Minister	14	8. The Minister may give to the directions of the general character or
	15	relating generally to matters with regard to the exercise by the council of its
	16	functions and it shall be the duty of the council to comply with such directions.
The Provost of the College	17	9.-(1) There shall be a provost for the college therein referred to as the
	18	provost) who shall be appointed by the president on the recommendation of the
	19	Ministers.
	20	(2) where a vacancy occurs in the post of the provost, the council
	21	shall:
	22	(a) Advertise the vacancy in reputable widely read newspaper in
	23	Nigeria specifying:
	24	(i) The qualities of the person who may apply for the post;
	25	(ii) The terms and conditions of the service applicable to the post and
	26	thereafter draw up a short list of suitable candidates for examination of the
	27	Minister.
	28	(3) The President shall appoint a provost from one of the candidates
	29	recommended by the minister.
	30	(4) subject to the general control of the council if the provost shall be

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

4 (5) The provost shall hold offices for a period of five (5) years only
5 and on such terms and conditions as may be specified in his letter of
6 Appointment.

7 **10.**-(1) There shall be for the college two Deputy Provosts namely: Deputy Provost

8 (a) Deputy Provost (Academic) and the Deputy Provost
9 (Administration).

10 (2) The council shall appoint the deputy provost from among the
11 chief Lecturers in the college in any of the following way, that is:

12 (a) from a list of five candidates in order of preference, submitted
13 by the provost;

14 (b) On the recommendation of selection Board constituted for their
15 purpose; or

16 (c) On the nomination of the provost.

17 (3) The selection Board referred to in sub section 2 (b) of this
18 section shall consist of:

19 (i) The Chairman of the council;

20 (ii) The Provost of the college;

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

22 (iv) Two members of the council not being members of the
23 academic board.

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

25 (i) Assist the provost in the performance of his function in
26 academic matters of the college;

27 (ii) Acts as the provost when the post of the provost is vacant or if
28 the Provost is for reasons absent or unable to perform his function

29 (b) The Deputy Provost (administration) shall:

30 (i) Perform such other function as the provost or the council may

	1	from time to time assign to him.
	2	(5) each of the deputy provost shall hold offices for a period of two
	3	years no more.
The Registrar and other staff of the College	4	11. -(1) there shall be a registrar for the college to be appointed by the
	5	council.
	6	(2) The registrar shall keep the records and conduct the
	7	correspondence of the council.
	8	(3) The registrar shall be the secretary to:
	9	(a) The council;
	10	(b) The Academic Board of the council;
	11	(c) Any committee of the council.
	12	(4) The registrar may perform any duty as may be assigned to him by
	13	the council or the provost.
	14	(5) The registrar shall hold office for a period of five years and no
	15	more.
Other Principal Officers of the College	16	12. -(1) There shall be for the college in addition to the registrar:
	17	(a) The Bursar; and
	18	(b) The college Librarian who shall be appointed by the council.
	19	(2) The Bursar shall be the chief financial officer of the college and be
	20	responsible to the provost for the day-to-day administration and control of the
	21	financial affairs of the college.
	22	(3) The college Librarians shall be responsible to the provost for the
	23	administration of the college library and the coordinator of the library services
	24	in the teaching units of the college.
	25	(4) The Bursar and the college librarian shall each hold office for a
	26	period of five years and no more.
Resignation of appointment of Principal Officer	27	13. A principal officer of the college may resign his appointment:
	28	(a) in case of the provost by notice to the visitor for; and
	29	(b) in any other case by advise to the council.

- 1 **14.**-(1) the council may appoint other persons to be employees of Other employees
2 the college as the council may deem to assist the provost and the principal of the College
3 officers in the performance of their functions.
- 4 (2) The remuneration tenure of office and condition of services of
5 the employee of the college shall be determined by the council in
6 conjunction with the Federal Civil Services Commission.
- 7 **15.** Service in the college shall be approved services for the Pensions
8 purpose of the pension's reform and accordingly, officers and other persons
9 employed in the college shall be entitled to pension; gratuity and other
10 retirement benefits as may be prescribed in their respect we letters of
11 appointment.
- 12 **16.**-(1) These shall be selection Board for: Selection Board
13 The college which shall consist of: for other Principal
14 (a) The chairman of the council; Officers
15 (b) The provost;
16 (c) Four members of the council not being members of the
17 academics Board; and
18 (d) Two members of the Academic Board.
- 19 (2) The functions, procedure and other matters relating to the
20 selection Board constituted under subsection (1) of this section shall be
21 determined from time to time by the council.
- 22 **17.**-(1) The College shall establish and maintain a fund which shall Fund of the
23 be applied towards the promotion of the objectives of this Bill. College
24 (2) There shall be paid and credited to the fund established under
25 subsection (1) of this section;
26 (a) Such sums as may from time to time be granted by the federal
27 Government through the National Commission for Colleges of Education;
28 (b) all monies raised by the council by the way of gift, grants in aid
29 or test monetary disposition; and
30 (c) all subscription fees and charges for services rendered by the

	1	council and all other sums that may accrue to the council from any sources.
	2	(3) The council shall submit to the minster, through the National
	3	Commission for Colleges of Education not later than three months before the
	4	end of each financial year or at such other time as he may direct an estimate of
	5	its revenue and expenditure for the next succeeding financial year.
Power to accept gifts	6	18.-(1) The college may accept gifts or loan, money or of other
	7	property upon such terms and condition, of any as may be specified by the
	8	person making the gifts.
	9	(2) the college shall not accept any gift of the conditioned attached to
	10	the gifts are inconsistent with the functions of the college.
Account and Audit	11	19. The College shall keep proper accounts of its recievedments,
	12	payments assets and liabilities and shall in respect of each year cause the
	13	account to be audited
Annual reports	14	20. The council shall as soon as may be after the expiration of each
	15	Financials year, prepare and submit to the minister report of its activities during
	16	the immediate proceeding financial year and shall include in the report a copy
	17	of the audited accounts of the college for that year and of the auditor's report of
	18	the accounts.
Interpretation	19	21. In this Bill:
	20	“Chairman” means the chairman of the council;
	21	“College” means the Federal College of Education (Technical) Ogoja, Cross
	22	River State are established under Section (1) of this Bill;
	23	“Council” means the governing Council of the college established under
	24	section 2 of this Bill;
	25	“Function” includes power and duties;
	26	“Minster” means the minster charged with responsibility of education;
	27	“Member” means a member of the council including the chairman;
	28	“Provost” means the provost of the college established under section 10 of this
	29	Bill.

22. This Bill may be sited as the Federal College of Education (Technical) Ogoja, Cross River State (Establishment) Bill, 2022. Citation

SCHEDULE

[Section 2(3)]

SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC

Terms of service

1. There may be paid to the members of the councilor any Committee, other than ex officio members, such remuneration and Allowance may from time to time be determine by the president

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

3. The council may act notwithstanding any vacancy in its Membership or any defect in the appointment of a member or the absence of a member.

Proceedings

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

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

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

(4) The Quorum of the Council shall be one of the total members of the council, at least one of whom shall be a member appointed by the President.

1 (5) decision of the council shall be made on approval by a simple
2 Majority of members.

3 *Miscellaneous*

4 5.-(1) The fixing of the seal of the college shall be authenticated by the
5 Signatures of the chairman, provost and of some other members of the council
6 Authorized generally or specially by the council to act for that purpose.

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Education (Technical) Ogoja, Cross River State and to provide Full-time Courses Teaching instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management.