

*Extraordinary*



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# A BILL

## FOR

AN ACT PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH THE FEDERAL HOSPITAL AND INFECTIOUS DISEASES CENTRE, UGBA, LOGO BENUE STATE AND FOR RELATED MATERS

*Sponsored by Hon. Richard Gbande*

[     ] Commencement

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

- |   |  |
|---|--|
| <p>1                    <b>1.</b>-(1) There IS hereby established Federal Hospital and Infectious</p> <p>2                    Diseases Centre Ugba, Logo (in this Act referred to as "Federal Hospital,</p> <p>3                    Ugba, Logo") and Federal Hospital shall serve as the Medical Centre</p> <p>4                    Subject to the provisions of this Act.</p>  | <p>Establishment<br/>of Federal Hospital<br/>and Infectious<br/>Diseases Centre<br/>Ugba, Logo</p> |
| <p>5                    (2) The Federal Hospital and Infectious Diseases Centre:</p> <p>6                    (a) Shall be a body corporate;</p> <p>7                    (b) May sue and be sued in its corporate name</p> <p>8                    © Shall have perpetual secession and a common seal.</p>   |  |
| <p>9                    <b>2.</b> There is hereby established for the management of Federal</p> <p>10                   Hospital, a Board of Management (in this Act referred to as "Board"), which</p> <p>11                   shall be constituted and have the functions and powers set out in this Act.</p>   | <p>Establishment<br/>of Board of<br/>Management of<br/>Medical Centre</p>                          |
| <p>12                   <b>3.</b>-(1) The Board shall consist of:</p> <p>13                   (a) chairman;</p> <p>14                   (b) the Chief Medical Director;</p> <p>15                   (c) the Director of Clinical Services;</p> <p>16                   (d) the Director of Infectious Diseases;</p> <p>17                   (e) the Director of Finance &amp; Administration;</p> <p>18                   (f) the Director of Maintenance;</p> <p>19                   (g) A representative of the president;</p> <p>20                   (h) the Federal Ministry of Health;</p> | <p>Composition of<br/>the Board</p>  |

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

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

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

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

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

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

Allowances of  
Members

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

15 6.-(1) The Board shall:

16 (a) equip, maintain and operate the Hospital so as to provide  
17 facilities for diagnosis, curative, promotive and rehabilitative services in.  
18 medical treatment;

Functions of the  
Board

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

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

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

30 (3) Subject to this Act, the Board shall perform such other

Powers of the  
Board

1 functions which in its opinion are calculated to facilitate the carry out of its  
2 functions under this Act.

3 **7.** The Board shall have power to:

4 (a) Provide the general policies and guidelines relating to major  
5 expansion Programmes of the Medical Center;

6 (b) provide facilities for the training of medical students of associate  
7 universities and Colleges;

8 (c) Manage and superintend the affairs of the Federal Hospital Ugba,  
9 Logo;

10 (d) subject to the provisions of this Act, make, alter and revoke rules  
11 and regulations for carrying on the functions of the Federal Hospital Ugba,  
12 Logo;

13 (e) fix terms and conditions of service, including remuneration of the  
14 employees of Federal Hospital Ugba, Logo subject to the approval if National  
15 Salaries incomes and Wages Commission;

16 (f) do such other things which in the opinion of the Board are  
17 necessary to ensure the efficient performance of the functions of Federal  
18 Hospital Ugba, Logo.

19 **PART III - STAFF OF FEDERAL HOSPITAL UGBA, LOGO**

Medical Director  
of the Medical  
Centre

20 **8.-(1)** There shall be Federal Hospital a Chief Medical Director who  
21 shall be appointed by the president on the recommendation of the Board and on  
22 such terms and conditions as may be specified in his letter of appointment or as  
23 may be determined, from time to time, by the National Salaries Income and  
24 Wages Commission.

25 (2) The Chief Medical Director shall:

26 (a) be the Chief Executive and accounting officer of Federal Hospital  
27 Ugba, Logo;

28 (b) be responsible to the Board for the day-to-day administration of  
29 the Federal Hospital Ugba, Logo;

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

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

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

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

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

9 **9.-(1)** The Board shall appoint for Federal Hospital Ugba, Logo-

Appointment of  
Director of Finance  
and Administration

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

11 (i) be responsible to the Chief Medical Director for the effective  
12 functioning of all Financial and Administrative divisions of the Hospital;

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

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

17 (b) a Director of Clinical Services;

18 (c) a Director of Infectious Diseases;

19 (d) a Director of Maintenance.

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

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

28 (4) Notwithstanding the provisions of subsections (1) and (2) of  
29 this section the Board shall have power to appoint for the Hospital either  
30 directly or on secondment from any public service in the Federation such

1 number of employees as may, in the opinion of the Board, be required to assist  
2 the Hospital in the discharge of any of its function under this Act.

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

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

Pension

9 **10.**-(1) Service in the Hospital shall be approved service for the  
10 purposes of the Pension Reforms Act.

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

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

Establishment  
for the Medical  
Advisory Committee,  
etc.

17 **11.**-(1) There shall be for the Federal Hospital Ugba, a Medical  
18 Advisory Committee which shall:

19 (a) consist of a chairman who shall be Director, Clinical Services such  
20 number of other members as may be determined from time to time;

21 (b) be responsible to the Chief Medical Director for all clinical and  
22 training activities of the Hospital; and

23 (c) be appointed by the Board.

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

28 (3) Nothing anything to the contrary, the Board may, from time to  
29 time, appoint consultants outside the hospital to perform such medical duties as  
30 the Board or the Chief Medical Director may assign to such consultants.

## 1 PART IV - FINANCIAL PROVISIONS

2 **12.** There shall be established and maintained for the Hospital fund  
3 into which shall paid credited:

4 (a) all subventions and budgetary allocation from the Government  
5 of the Federation;

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

8 (c) all sums accruing to Federal Hospital Ugba by way of gifts,  
9 endowments, bequests, grants or other contributions by person and  
10 organizations;

11 (d) foreign aid and assistance form bilateral agencies; and

12 (e) all other sums which may, from time to time, accrue to the  
13 Hospital.

14 **13.** The hospital shall, from time to time, apply the funds at its  
15 disposal to:

16 (a) the cost of administration and maintenance of the Hospital;

17 (b) publicize and promoted the activities of the Hospital;

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

20 (d) pay the salaries, allowances and benefits of employees of the  
21 Hospital;

22 (e) pay other overhead allowances, benefits and other  
23 administrative costs of the Hospital; and

24 (f) undertake such other activities as are connected with all or any  
25 of the function of the Kauru Federal Hospital under this Act.

26 **14.-(1)** The Federal Hospital Ugba, Logo may accept gifts of land,  
27 money or other property on such terms and conditions, if any, as may be  
28 specified by person or organization making the gift.

Fund of the  
Federal Hospital  
Ugba, Logo

29 **(2)** The Hospital shall not accept any gift if the conditions attached  
30 by the person or organization making the gift are inconsistent with the

1 functions of the Hospital under this Act.

2           **15.**-(1) The Board shall, not later than 30 September in each year,  
3 submit to the President through the Secretary to the Government of the  
4 Federation an estimate of the expenditure and income of the Medical Center  
5 during the next succeeding year.

6           (2) The Board shall cause to be kept proper accounts of the Hospital in  
7 respect of each year and proper records in relation thereto and shall cause the  
8 account to be audited not later than six months after the end of each year by  
9 auditors appointed from the list and in accordance with the guidelines supplied  
10 by the Auditor-General for the Federation.

11           **16.** The Board shall prepare and submit to the President, not later than  
12 activities of the Hospital during the immediately preceding year, and shall  
13 include in the report a copy of the audited accounts of the Hospital and  
14 Infectious Diseases Centre, for that year and the auditor's report thereon.

15           **17.**-(1) The Medical may, from time to time, borrow by overdraft or  
16 otherwise such sums as it may require for the performance of its functions'  
17 under this Act.

18           (2) The Federal Hospital Ugba, Logo shall not, without the approval  
19 of the President, borrow money which exceeds, at any time, the limit set by the  
20 President.

21           (3) Notwithstanding subsection (I) of this section, where the sum to be  
22 borrowed is in foreign currency, the Hospital shall not borrow the sum without  
23 the prior approval of the President.

24           **18.**-(1) The Federal Hospital Ugba, Logo shall not pay income tax on  
25 any income derived by the Hospital and Infectious Diseases Centre, under this  
26 Act or accruing to it from any of its investment.

27           (2) Accordingly, the provisions of any enactment relating to the  
28 taxation of- companies or trust funds shall not apply to the Board Hospital and  
29 Infectious Diseases Centre,

30           **19.** The Federal Hospital Ugba, Logo shall not pay customs duty on or

1 be restricted or prohibited from importing any equipment, material, supply  
2 and any other high required by the Hospital for the purposes if this Bill.

3 PART V - GENERAL

4 20.-(1) Notwithstanding anything to the contrary contained in any Discipline of  
5 other enactment, where it appears to the Board that any student of the students  
6 Hospital has been guilty of misconduct, the Board may, without prejudice to  
7 any other disciplinary powers conferred on it by regulations, direct:

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

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

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

16 (d) that the student be expelled from the Hospital.

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

20 (3) The Board may delegate its power under this section to make  
21 disciplinary committee consisting of such members if the Hospital as the  
22 Board may nominate.

23 (4) Nothing in this section shall be construed as preventing the  
24 restriction or termination of student's activities at the Hospital otherwise  
25 than on the ground of misconduct.

26 (5) A direction issued under subsection (1) (a) of this section may  
27 be combined with a direction a direction issue under 'subsection (1) (b) of  
28 this section.

29 (6) Nothing in this Act shall affect the provision of 311 y enactment  
30 relating to the discipline of medical practitioners, pharmacists, midwives,

1 nurses or member of any other profession or calling.

2           **21.-(1)** If it appears to the Board that there is reason is for believing  
3 that any person employed as a member of the clinical, administrative or  
4 technical staff of the Hospital, other th311 the Chief Medical Director, should  
5 be removed from his office or employment, the Board shall require the Director  
6 of Administration to:

7           (a) give notice of those reason to the person in question;

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

10          (c) if the person in question so requests within a period of 1 month  
11 beginning with the date of the notice, male arrangement for:

12          (i) a committee-to-investigate the matter and report on it to the  
13 Board; and

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

20          (2) The Chief Medical Director may, in a case of misconduct by a  
21 member of the staff which in the opinion of the Chief Medical Director is  
22 prejudicial to the interest of Hospital, suspend any such member and any such  
23 suspension shall for with be reported to the Board.

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

27          (a) a conviction for any offence which the Board consider to be such  
28 as to render the person concerned unfit for the discharge of the functions of his  
29 office;

30          (b) any physical or mental incapacity which the Board, after obtaining

1 medical advice, continue to hold his office;

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

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

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

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

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

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

19 (d) whether to take such lesser disciplinary action against the  
20 person (including the restoration of his emoluments that might have been  
21 withheld), as the Board may determine, and in any case where the Board,  
22 pursuant to this section, decides to continue person's suspension or decides  
23 to take further disciplinary action against a person, the Board shall before  
24 the expiration of a period of three months from such decision come to a final  
25 determination in respect of the case concerning any such person.

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

30 (6) Nothing in the foregoing provisions of this section shall

1 preclude the Board from making such regulations not inconsistent with the  
2 provisions of this Act for the discipline of students and all other categories of  
3 employees of the hospital as the Board may prescribe.

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

8 22.-(1) If any junior staff is accused of misconduct or inefficiency, the  
9 Chief Medical Director may suspend him for not more than a period of 3 months  
10 and shall direct a committee to:

11 (a) consider the case; and

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

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

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

20 (4) Any person aggrieved by a decision of the Chief Medical Director  
21 made under subsection (3) of this section may, within a period of 21 days from  
22 the date of the letter communicating the decision to him, address a petition to  
23 the Board to reconsider his case.

24 PART VI - MISCELLANEOUS

Regulations

25 23.-(1) The Board may with the approval of the President, make  
26 regulations:

27 (a) as to the access of members of the public either generally or of a  
28 particular class, to premises under the control of the Board and as to the orderly  
29 conduct of members of public on those premises; and

30 (b) for safeguarding any property belonging to or controlled by the

1 Board from damage by members of the public.

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

5 **24.** The President may give to the Board directions of a general  
6 character or relating generally to particular matters (but not to any individual  
7 person or case) with regard to the exercise by the Board of its functions  
8 under this Act, and it shall be the duty of the Board to comply with the  
9 directions; but no direction shall be given which is inconsistent with the  
10 duties of the Board under this Act.

Power to give  
directives

11 **25.**-(1) On the commencement of this Act, any person employed by  
12 or serving in, the General Hospital shall be deemed to have been employed  
13 or serving in the Hospital established under tills Act.

14 (2) All Asset or liabilities belonging to the General Hospital shall  
15 be deemed to belong to the Hospital established under this Act.

16 **26.** In this Act, unless the context otherwise requires:

Interpretation

17 "associate universities" means the universities whose medical student  
18 receive aspects of their training from the Hospital;

19 "Board" means the Board Management of the Hospital;

20 "Chairman" means the chairman of the Board;

21 "Functions" include powers and duties;

22 "Federal Hospital and Infectious Diseases Centre, Ugba, Logo Benue State"  
23 means the Hospital;

24 "junior staff" means staff of such grade as may be determined, from time to  
25 time, by the Board;

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

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

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

30 "Minister" means the Minister charged with responsibility for matters

Citation

1 relating to health and "Ministry" shall be construed accordingly;  
2 "student" means a person enrolled at an institution controlled by the Board for  
3 the purpose of pursuing a course of instruction at the institution.

4 27. This Bill may be cited as the Federal Hospital and Infectious  
5 Diseases Centre, Ugba, Logo Benue State (Establishment) Bill, 2022.

6 FIRST SCHEDULE

7 SUPPLEMENTARY PROVISIONS RELATING TO BOARD, ETC

8 *Proceedings of the Board*

9 1.-(1) Subject to this Act and section 27 of the Interpretation Act, the  
10 Board May make standing orders regulating its proceedings or those of any of  
11 its committees.

12 (2) The quorum of the Board shall be the chairman or the person  
13 presiding at the meeting and 5 other members of the Board, 2 of whom shall be  
14 ex-officio members, and the quorum of any Committee of the Board shall be as  
15 determined by the Board.

16 2.-(1) The Board shall meet whenever it is summoned by the  
17 chairman and if the chairman is required to do so by notice given to him by not  
18 less than 8 other members, he shall summon a meeting of the Board to be held  
19 within 14 days from the date on which the notice is given.

20 (2) At any meeting of the Board, chairman shall preside but if he is  
21 absent, the members present at the meeting shall appoint one their number to  
22 preside the meeting.

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

28 *Committee*

29 3.-(1) The Board may appoint one or more committees to carryout, on  
30 behalf of the Board, such functions as the Board may determine.

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

5 (3) A decision of a committee of the Board shall be of no effect until  
6 it confirmed by the Board.

7 *Miscellaneous*

8 4.-(1) The fixing of the seal of the Hospital shall be authenticated  
9 by signatures of the Chairman, the Chief Medical Director or any person  
10 generally or specifically authorized by Board to act for that purpose.

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

16 (3) a Document purporting to be a document duly executed under  
17 the seal of the Hospital shall be received 111 evidence and shall, under and  
18 until the contrary is proved, be presumed to be so executed.

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

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

22 (b) a defect in the appointment of a member of the Board or  
23 committee; or

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

EXPLORATORY MEMORANDUM

This Bill seeks to provide Legal Framework to establish Federal Hospital and Infectious Diseases Centre Ugba, Logo Benue State and to equip, diagnose, isolate and operate an infectious diseases Centre so as to provide facilities for testing, curative, promotive training and rehabilitative medical services.



# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF NURSING AND MIDWIFERY, ZAKI BIAM, UKUM, BENUE STATE AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Richard Gbande*

[ ] Commencement

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

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

2 1.-(1) There is hereby established for the Federal College to be Establishment  
3 known as the Federal College of Nursing and Midwifery, Zaki Biam, Ukum,  
4 Benue State.

5 (2) The College shall:

6 (a) Have the status of a tertiary institution with right and privileges  
7 of such institution; and

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

10 2. The object of College shall be: Object

11 (a) To provide training and research in general Nursing, Midwifery  
12 and other specialties of Nursing leading to the award of Professional  
13 Certificates. Diplomas, Degrees and other post Basic Certificates;

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

16 (c) To provide such services that is necessary and incidental to the  
17 object of the College.

18 3.-(1) The College shall be a teaching and examining body and Powers of the  
19 shall subject to the provisions of this Bill and the regulations of the College College  
20 have powers to:

- 1                    (a) Provide rules and conditions under which persons may be  
2                    admitted as Student for any particular course of study provided by the College;
- 3                    (b) Provide courses of instruction in the Academic and Professional  
4                    programmes for Students;
- 5                    (c) Make provision for research and the dissemination of knowledge;
- 6                    (d) Establish Department and such other units of learning and  
7                    research as the purpose of the College may require;
- 8                    (e) Create such Offices and Posts as the purpose of the College may  
9                    require and to appoint persons to and remove person from such Office or Post  
10                   and prescribe their conditions of service;
- 11                   (f) Maintain libraries, laboratories, workshops lecture halls, hostels,  
12                   dining halls, sport field and other building or facilities of the College;
- 13                   (g) Provide for residence, recreation and welfare of members of staff  
14                   and students of the College as may be deemed necessary;
- 15                   (h) Demand and receive from students and other persons attending the  
16                   College for the purpose of instruction such fees as the College may from time to  
17                   time determine;
- 18                   (i) Prescribe rules for the discipline of student of the College;
- 19                   (j) Conduct examination and arrange for award of certificates and  
20                   distinctions to persons who pursue courses of studies approved by the College  
21                   and who satisfy such other requirement as may from time to time be prescribe;
- 22                   (k) Subject to specific limitations or conditions that may imposed by  
23                   extant Government regulations or circular, invest any fund apportioned to the  
24                   College by way of endowment, whether for general or special purpose and such  
25                   monies as may not immediately be required be require for current expenditure  
26                   in any investment or securities.
- 27                   (l) Print or publish works or undertake service as may be deemed  
28                   consistent with the object of the College;
- 29                   (m) Do such other acts and things necessary under this Acts for the

1 attainment of the object of the object of the College or incidental to the  
2 powers of the College; and

3 (n) Carry out any special or general directive consistent with  
4 Government policy as the Secretary of Health may give in writing.

5 (2) Without prejudice to the generality of the provision of section 2  
6 of this Act and subsection (1) this section, the College may by special  
7 arrangement with the Nursing and Midwifery Council of Nigeria or other  
8 Examination bodies prepare it Students for award of certificates or other  
9 distinctions.

10 (3) Subject to the provisions of this Bill and of any other statute.  
11 The power conferred on the College by subsection (1) of this section shall be  
12 exercise on behalf of the College by the Council and the Committees  
13 established for the College or by such Officers and other Staff of the College  
14 as may be authorize in that behalf and may also be exercised through  
15 Schools established under this Act.

16 4.-(1) The Provost shall have custody of the common seal of the  
17 College and shall be responsible for affixing same to documents.

18 (2) The common seal of the College shall not be used save upon the  
19 direction of the council and shall be authenticated by the signature of the  
20 Provost.

21 PART II - GOVERNMENT COUNCIL OF THE COLLEGE

22 5.-(1) There shall be establish for the College, a Government  
23 Council to be known as the Governing council of the Federal College of  
24 Nursing and Midwifery, Zaki Biam, Ukum Benue State

Establishment  
of Governing  
Council of the  
College

25 (2) The Council shall consist of:

26 (a) A Chairman who shall be appointed by the President on the  
27 recommendation of the Minister of Education;

28 (b) The Provost of the College;

29 (c) A representative of the National Association of Nigeria Nurses  
30 and Midwives;

	1	(d) A representative of the President;
	2	(e) A representative of Federal Ministry of Health
	3	(f) A representative of Federal Ministry of Education
	4	(g) A representative of Nursing and Midwifery Council of Nigeria
	5	(h) A representative of Pediatric Association of Nigeria
	6	(h) Two members to represent the interest of the public;
Tenure of Members	7	<b>6.-(1)</b> Members of the Council other than ex-officio members shall
	8	hold office for a period of four (4) years from the date of their appointment and
	9	shall be eligible for reappointment for one further term of four (4) years and no
	10	more.
	11	(2) Any member of the Council other than an ex officio member may
	12	by notice to the Council resign his appointment.
	13	(3) Any vacancy occurring in the membership of the Council shall be
	14	filled by the appointed of a successor who shall represent the same interest as
	15	his predecessor for the remainder of the term of the predecessor.
Functions of the Council	16	<b>7.-(1)</b> Subject to the provisions of this Act, the Council shall:
	17	(a) Be the Governing Authority of the College;
	18	(b) Be charged with general control and superintendence of the
	19	policies, finances and properties of the College;
	20	(c) Make regulations for the day to day management of the College;
	21	and
	22	(d) Do any other thing necessary or incidental to attainment of objects
	23	of the College.
	24	FUNCTIONS OF THE ACADEMIC COMMITTEE
	25	(2) Without prejudice to the provisions of subsection (1) of this
	26	section, the Council shall:
	27	(a) Ensure that the courses and instructions provided by the College
	28	conform to the required standard laid down from time to time by the Nursing
	29	And Midwifery Council of Nigeria;
	30	(b) Regulate the teaching of course offered by the College, and also

- 1 regulate the conduct of examination with respect to the College;
- 2 (c) Approve contracts for procurement of equipment, furniture and
- 3 other properties required for the purpose of the College;
- 4 (d) Approve contracts for maintenance of the premises and other
- 5 properties of the College;
- 6 (e) Formulate policies and initiate programmes in all field of
- 7 learning conducted by the College;
- 8 (f) Assess from time to time the course offered by the College; and
- 9 (g) Perform such other function as may be necessary.

10 (3) The council may delegate any of its functions, other than the  
11 power to make regulates, to the Chairman or any other person, Board or  
12 Committee it deems it fit in that behalf, but no decision of such person or  
13 Committee shall take effect unless ratified by Council.

14 **8.** The Director, Nursing Service of the Secretariat shall be the Secretary to the Council, and for any particular meeting that he may be  
15 Secretary to the Council, and for any particular meeting that he may be  
16 absent, he shall send a representative to act in that behalf.

17 **9.-(1)** The Secretary of Health may give to the Council directions Directives  
18 as to the discharge of its function in relation to matters appearing to the  
19 Secretary of Health to affect public interest and the Council shall give effect  
20 to such directive.

21 (2) The Council shall afford the Secretary of Health Facilities for  
22 obtaining information with respect to the property of the College and the  
23 functions of the Council and he shall be furnished with returns, accounts and  
24 facilities for verification of the information in such manner and at such times  
25 as he may require.

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

27 **10.-(1)** There shall be within the College a School of Nursing and a  
28 School of Midwifery and such other schools as the Secretariat may with the  
29 approval of the Nursing and Midwifery Council of Nigeria establish.

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

1 research and carry out such functions as may be prescribed by the Council with  
2 the approval of the Secretary of Health.

3 (3) The constitution of and other matters relating to each Schools may  
4 be prescribed by the council with the approval of the Secretary of Health

5 **11.** In furtherance of the provisions of section 3 (1 ) (c) of this Act, the  
6 Council shall with the approval of the Secretary of Health establish for each  
7 School such Department as the Nursing and Midwifery Council of Nigeria may  
8 from time to time prescribe.

9 **12.** Subject to the provision to this Act, the Council may with the  
10 approval of the Secretary of Health establish units for special purposes within  
11 the College; and the name, constitution and functions of any such units may be  
12 prescribe by director of the Council.

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

Provost of the  
College

14 **13.** There shall be for the College a Provost and other Principal  
15 Officers, the designations, qualifications, functions, appointments and  
16 removal of whom shall be as spelt out in section 15 to 22 of this Act.

Principal Officer  
of the College

17 **14.-(1)** The Principal Officers of the College shall include:

18 (b) The Deans of the Schools in the College;

19 (c) The Deputy Deans (Academics and Administration) of the  
20 Schools in the College;

21 (d) The Registrar;

22 (e) The College Librarian; and

23 (f) The Bursar.

24 (2) The Principal Officers of the College other than Deans and Deputy  
25 Deans of Schools in the College shall be appointed by the Council subject the  
26 approval of the Minister through the Secretary of Health.

27 (3) The Deans and the Deputy Deans of Schools in shall be appointed  
28 by the Council.

Appointment  
of Provost

29 **15.-(1)** The Provost shall be appointed from amongst the Academic  
30 Staff of the College and shall be the Chief Executive and Administrator of the

1 College and also be responsible to the Council for maintaining and  
2 promoting efficiency and discipline in the College.

3 (2) The Provost shall hold a Degree in Nursing and shall be a  
4 registered Education in Nursing, Midwifery or other specialty areas of  
5 Nursing with not less than fifteen (15) years of teaching experience.

6 **16.-(1)** The Deans of Schools in the College shall be responsible to Deans  
7 the Provost for the Administration of the Schools.

8 (2) The Deans of Schools in the College shall hold Degree in  
9 Nursing and shall be registered Educators in the Nursing specialty related to  
10 their respective Schools and with not less than Ten (10) years of teaching  
11 experience.

12 **17.-(1)** The Deputy Deans of Schools in the College shall be the Deputy Deans  
13 assistants to the Deans of their respective Schools and shall perform such  
14 duties as may be assign to them by the Deans.

15 (2) The Deputy Deans of schools in the College shall hold Degree  
16 in Nursing and shall be Registered Educator in the Nursing specialty related  
17 to their respective schools with less than seven (7) years teaching  
18 experience.

19 **18.-(1)** The Registrar of the College shall be the Head of The Registrar of  
20 Administration of the College shall be responsible to the Provost. the College

21 (2) The Registrar shall be an experienced Graduate of Humanities  
22 with not less than fifteen (15) years' experience in Public Administration

23 (3) The person holding the office of the Registrar of the College  
24 shall by virtue of that office be the Secretary to the Academic Board and the  
25 Finance and General Purpose Committee.

26 **19.-(1)** The Bursar shall be the Chief Financial Officer of the The Bursar  
27 College and shall be responsible to the Provost for the day to day  
28 administration of the financial affairs of the College.

29 (2) The Bursar shall be a qualified Accountant with not less than  
30 Ten (10) years post qualification experience.

The Librarian	1	<b>20.</b> -(1) the Librarian shall be responsible to the Provost for the Co-
	2	ordination of Library Services in College.
	3	(2) The Librarian shall have a Degree in Library Sciences with not
	4	less than ten years post qualification experience as a Librarian.
	5	<b>21.</b> The Council may appoint such other persons to be Staff of the
	6	College as it may deems fit on such terms and conditions as may specified in
	7	their instructions of appointment.
Removal from Office	8	<b>22.</b> -(1) The Principal Officers and other Senior Staff of the College
	9	may be removed from office by the Commissioner for misconduct,
	10	incompetence or any other justifiable reason on the recommendation of the
	11	council.
	12	(2) The Council shall have power to remove any Junior Staff of the
	13	College for justifiable reasons.
	14	PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES
Finance and General Purpose	15	<b>23.</b> There shall be a Committee of the Council to known as the
	16	Finance and General Purpose Committee.
Composition of the Committee	17	<b>24.</b> -(1) The Finance and General Purpose Committee shall consist of:
	18	(a) The Chairman of the Governing Council who shall be the
	19	chairman;
	20	(b) The respective of the Secretary of Health;
	21	(c) The Provost of the College;
	22	(d) The Director of Finance and Administration in the Secretariat;
	23	(e) The Director of Nursing Services in the Secretariat;
	24	(f) One member of the Academic Committee to be appointed by the
	25	Council; and
	26	(2) The Registrar shall be Secretary of the Committee.
Functions of the Committee	27	<b>25.</b> The finance and general purpose committee shall:
	28	(a) Exercise control over property, revenue and expenditure of the
	29	College;
	30	(b) Award contracts for the execution of project of the College; and

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

2 **26.**-(1) Anybody of persons established by this Act shall, without  
3 prejudice to the generality of the powers of that body, have power to  
4 constitute Committees, which need not consist exclusively of members of  
5 that body, and to authorize a Committee established by it:

6 (a) To exercise, on its behalf, such of its function as it may  
7 determine; and

8 (b) To co-opt Members, and may direct whether or not co-opted  
9 members if any, shall be entitle to vote in that Committee

10 (2) Any two or more such bodies may arrange for the holding of  
11 Joint meetings of those bodies or for the appointment of Committees  
12 consisting of members of those bodies for the purpose of considering any  
13 matter within the competence of those bodies or any of them and either of  
14 dealing with it or of reporting on it to those bodies or any of them.

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

19 **PART VI - ACADEMIC BOARD**

20 **27.** There shall be for each School of the College an Academic  
21 Board which shall be responsible for the academic work of the School.

22 **28.** The Academic Board of each school of the College shall be  
23 composed of:

24 (a) The provost of the College, as Chairman;

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

26 (c) The Deputy of Dean of the School;

27 (d) All Heads of Department of the Schools;

28 (e) One Academic Staff not below the rank of Senior Lecturer to be  
29 selected from each of the Department of the School;

- 1 (f) A representative of the Director, Nursing Service in the Secretariat;
- 2 (g) The School Librarian; and
- 3 (h) The Registrar who shall be the Secretary of the Board.

4 **29.** Subject to the overall control and direction of the council, the  
5 Academic Board of each school of the College shall perform the following  
6 functions:

7 (1) Regulating and organizing the process of admission, conduct of  
8 Examinations, award of Certificates and all formalities relating to the  
9 registration and licensing of graduates.

10 (2) Making recommendation to the council on appointment of  
11 Academic Staff of the School and on the organization of Department, Libraries  
12 and other Units of learning and Research in the School.

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

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

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

#### 19 PART VII - SUPPLEMENTARY PROVISIONS

20 **30.** The supplementary provisions contained in the schedule shall  
21 have effect in relation to the proceeding of the various bodies appointed under  
22 the provision of this Act.

23 **31.** In the absence of the Council and until it is constituted for the  
24 College, the functions and powers of the Council under this Act may be  
25 Exercise by the Secretary of health in consultation with the Director of Nursing  
26 Services in the Secretariat.

#### 27 PART VIII - PROPERTY AND FINANCE

Transfer of  
Property

28 **32.** The Government of Benue State may, by order transfer any  
29 property whether movable or immovable to the College and from the date of  
30 such order, any property so transferred shall vest in the College and shall be

1 used for the purpose of the College.

2 **33.** The Council may, subject to the provision of this Act:

Property of the  
College

3 (a) Acquire and hold such movable or immovable property as may  
4 be necessary or expedient for carrying into effect the provisions of this Act;

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

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

8 **34.**-(1) the Council shall have power to approve expenditure of  
9 over NI00,000.00 but not exceeding N1,000,000.00 per unit transaction for  
10 the procurement of the goods, works and services and shall refer  
11 procurements exceeding the amount to the secretary of Health.

Expenditure of  
the College

12 (2) The Provost shall approve procurement of works, goods and  
13 services not exceeding N100,000.00.

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

16 (a) Subsection (1), by the Secretary of Health; and

17 (b) Subsection (2), by the Council.

18 **35.** The revenue of the College shall include:

Revenue of the  
College

19 (a) Revenue from time to time accruing to the College by way of  
20 Government grant, subvention or endowment or other forms of grant-in aid;

21 (b) Fees charges by and payable in respect of Students;

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

23 (d) Receipts for publications or services;

24 (e) Interest on investments;

25 (f) Donations and Legacies.

26 **36.** Before the end of each financial year or at such other time as  
27 may be required by the Council the Director, Finance and Administration or  
28 the Provost shall present for Council estimate of revenue and expenditure  
29 for the ensuring financial year and the accepted estimates shall be presented  
30 to the Secretary Health and Human Services Secretary who shall cause same

Annual Estimate

	1	to be placed before the Commissioner for approval.
Statement of Account	2	<b>37.-(1)</b> the College shall prepare in respect of each financial year a
	3	statement of account in such form as may be approved by the Secretary of
	4	Health and the said annual statement of account shall be a fair and accurate
	5	statement of the financial position of the College for the financial year to which
	6	it relates.
Account Audit	7	(2) The said annual statement of accounts shall be audited by the
	8	Auditor-General of the Federation or by such competent auditor appointed by
	9	him.
	10	(3) The said audited statement of accounts, after verification by the
	11	Council shall together with the auditor's report is forwarded to the secretary of
	12	Health who shall cause the same to be placed before the Minister.
Interpretation	13	<b>38.</b> In this Act unless the context otherwise requires:
	14	"Academic Board" means the Academic Board established under this Act;
	15	"Chairman" means the Chairman of the Governing Council of the College or
	16	where the context requires Chairman of the respective Committees established
	17	under this Act;
	18	"College" means the Federal College of Nursing and Midwifery, Zaki Biam,
	19	Ukum, Benue State;
	20	"Council" means the governing council established under section 4(1) of this
	21	Act for the College;
	22	"Executive Committee" means the Benue State Executive Committee;
	23	"Commissioner" means the Commissioner of the Benue State;
	24	"Junior staff is a reference to staff on CONHESS 01-05 or salary Grade levels
	25	01-06;
	26	"Members" means members of the council and includes the chairman of the
	27	Council:
	28	"Provost" means the provost of the College;
	29	"Regulations" means any regulation formulated for the College by the council;
	30	"Secretariat" means Health and Human Services Secretariat of Benue State;

1 "Secretary" means the Secretary to the council of the College and other-wise  
2 means the Secretary of any Committees established under this Act;  
3 "Secretary of Health" means the Secretary of Health and Human Services or  
4 such other official as may be from time to time designation as head of the  
5 body responsible for Health service under Benue State;  
6 "Senior staff is a reference to staff on CONHESS 06-16 or salary Grade  
7 Levels 07-17.

8 **39.** This Bill may be cited as the Federal College of Nursing and Citation  
9 Midwifery, Zaki Biam, Ukum, Benue State (Establishment) Bill, 2022.

EXPLANATORY NOTE

This Bill seeks to provide for the establishment of the Federal College of Nursing and Midwifery, Zaki Biam, Ukum, Benue State and to provide training and research in general Nursing, Midwifery and other specialties of Nursing.



NIGERIAN INSTITUTE OF ENERGY AND TECHNOLOGY STUDIES BILL, 2022

ARRANGEMENT OF SECTIONS

*Establishment of the Nigerian Institute of Energy and  
Technological Studies*

1. Establishment of the Nigerian Institute of Energy and Technological Studies
2. Governing Council of the Institute
3. Membership of the Council
4. Powers of the Council
5. Objectives and functions of the Institute
6. Provisions of library facilities

*Staff of the Institute*

7. The Director of the Institute
8. Appointment of other staff of the Institute
9. Pensions

*Financial provisions*

10. Establishment of fund of the Institute
11. Power to accept gifts
12. Borrowing power, etc.
13. Annual estimates, accounts and audit

*Miscellaneous and supplementary provisions*

14. Annual reports
15. Staff regulations
16. Discipline of students
17. Interpretation
18. Short title

Schedule

Supplementary provisions relating to the Council



# A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN INSTITUTE OF ENERGY AND TECHNOLOGICAL STUDIES TO, AMONGST OTHER THINGS, PROVIDE TRAINING OF SPECIALIZED SKILLED TECHNICIANS AND TECHNOLOGIST IN THE AREAS OF PRODUCTION, GENERATION, TRANSMISSION, AND MANAGEMENT SERVICES OF VARIOUS TYPES OF DIFFERENT HIGH TECHNOLOGIES OF ENERGY RELATED FIELDS SUCH AS ATOMIC AND NUCLEAR ENERGY, ELECTRICITY GENERATION, RENEWABLE ENERGIES, SATELLITE AND SPACE ENGINEERING, COAL AND NATURAL GAS, THERMAL POWER, HYDRO POWER, PHOTOVOLTAIC, GEOTHERMAL, SOLAR ENERGY AND FOR RELATED MATTERS

*Sponsored by Hon. Oberuakpefe Anthony Afe*

[ ] Commencement

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

1	1.-(1) There is hereby established a body to be known as the	Establishment
2	Nigerian Institute of Energy and Technological Studies (in this Bill referred	of the Nigerian
3	to as "the Institute") which shall have the functions assigned to it by this Bill.	Institute of Energy and Technological studies

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

7                   2.-(1) The government of the Institute and the direction of its                   Governing Council  
8     affairs shall vest in the Governing Council of the Institute (in this Bill                   of the Institute  
9     referred to as "the Council").

10           (2) Without prejudice to the generality of subsection (1) of this  
11   section and subject to this Bill, it shall be the responsibility of the Council to  
12   consider and approve:

13 (a) the plan of activities and general policy of the Institute;

Membership of  
the Council

1 (b) the program of studies, courses and research to be undertaken by  
2 the Institute;

3 (c) the annual estimates of the income and expenditure of the  
4 Institute; and

5 (d) the investment plans of the Institute.

6 **3.-(1)** The Council shall consist of a chairman to be appointed by the  
7 President, and the following other members, that is-

8 (a) one representative each of the Federal Ministries charged with  
9 responsibility for matters relating to-

10 (i) the Institute;

11 (ii) works;

12 (iii) national planning; and

13 (iv) education;

14 (b) one representative of the Energy Commission of Nigeria

15 (c) one representative of power/energy workers union to be appointed  
16 in rotation from among power/energy workers unions recognized by the  
17 Ministry;

18 (d) one representative of the Nigerian National Petroleum Company  
19 Limited

20 (e) one representative of the Nigerian Transmission Company of  
21 Nigeria;

22 (f) one representative of the Nigerian Society of Engineer;

23 (g) one representative of the Nigeria Mining Corporations;

24 (g) the Director of the Institute; and

25 (h) such other persons as the President may from time to time appoint.

26 (2) Subject to subsection (3) of this section, a person appointed as a  
27 member of the Council (not being some ex-officio member) shall hold office  
28 for four years and shall be eligible for re-appointment for only one further  
29 period of four years.

30 (3) The President may terminate the appointment of a member of the

1 Council if it is satisfied that it is no longer in the interest of the Institute that  
2 the person concerned should continue in office.

3 (4) The supplementary provisions contained in the Schedule to this  
4 Bill shall have effect with respect to the proceedings of the Council and the  
5 other matters therein mentioned.

6 4.-(1) For the purpose of carrying out the functions of the Institute Powers of the  
7 as specified in this Bill, the Council shall have power to- Council

8 (a) determine the general policy of the Institute;

9 (b) prescribe the fees to be charged for courses of instruction and  
10 other services offered by the Institute;

11 (c) prescribe, monitor and regulate the organization and  
12 management of the Institute;

13 (d) establish such departments, divisions, schools, extra-mural  
14 departments and other teaching and research units within the Institute as  
15 may from time to time seem to the Council to be necessary or desirable;

16 (e) institute lectureships and other posts and offices and to make  
17 appointments thereto;

18 (f) provide for the discipline and welfare of members of staff of the  
19 Institute;

20 (g) institute and award fellowships, scholarships, exhibitions,  
21 bursaries, medals, prizes and other titles, distinctions, awards and forms of  
22 assistance;

23 (h) arrange for the general welfare of children of members of staff;

24 (i) erect, provide, equip and maintain libraries, laboratories, lecture  
25 halls, halls of residence, refectories, sports grounds, playing fields and other  
26 buildings or structures necessary for the Institute; and

27 (j) carry out such other activities as are necessary and expedient for  
28 the full discharge of any of its functions under or pursuant to this Bill.

29 (2) Notwithstanding any other provisions of this Bill, the Council  
30 shall not establish additional educational unit within the Institute without

Objectives and  
functions of the  
Institute

1 the prior approval of the Minister.

2 **5.** The objectives of the Institute shall be-

3 (a) to provide training of specialised skilled technicians and  
4 technologist in the areas of production, generation, transmission, and  
5 management services of various types of different high technologies of energy  
6 related fields such as Atomic and Nuclear Energy, Electricity Generation,  
7 Renewable Energies, Satellite and Space Engineering, Coal and Natural Gas,  
8 Thermal Power, Hydro Power, Photovoltaic, Geothermal, Solar Energy etc.;

9 (b) to provide basic standard and specialized courses of instruction  
10 leading to the award of qualifications, certificates and diplomas in the  
11 techniques of energy science, renewable energy, energy management, energy  
12 engineering. With a view to developing a store of technically competent,  
13 highly skilled and efficient operators for the energy and sector of the economy;

14 (c) to organize course of instruction and provide necessary facilities  
15 for the pursuit and acquisition of diplomas, certificate and other qualifications  
16 such as other professions allied to energy as the council may determine;

17 (d) to provide courses of instruction on the co-ordination of all aspects  
18 of the energy industry and the regulation and management techniques suited to  
19 the energy sector both in the public and private sector in consultation with the  
20 Ministry or department charged with such responsibility;

21 (e) to provide template for approved training in the design,  
22 installation, maintenance, operation, fabrication and modernization of  
23 technical equipment relevant in all forms of the energy sector;

24 (f) to provide equipment and facilities for the encouragement,  
25 promotion and conduct of research in all fields of energy technology;

26 (g) to promote or undertake such other activities (not inconsistent  
27 with the foregoing provisions of this section) as the Council considers will help  
28 to further the objectives of the Institute.

29 (h) to award certificates of attendance to those who participate and

1       attain a sufficiently satisfactory standard in any of the courses organized by  
2       the Institute;

3               **6.** The Institute shall establish and maintain a library comprising  
4       such books, records, reports and other publications as may be directed by the  
5       Council for the advancement of knowledge in the areas of work undertaken  
6       by it, for research purposes and for other purposes connected with the  
7       functions conferred on the Institute by or pursuant to this Bill.

Provision of  
library facilities

8                               *Staff of the Institute*

9               **7.-(1)** There shall be an officer of the Institute to be known as the  
10      Director.

The Director of  
the Institute

11               (2) The Director shall be appointed by the President.

12               (3) The Director shall be the chief executive of the Institute and be  
13      responsible to the Council for the day-to-day management of the affairs of  
14      the Institute.

15               (4) The Director shall hold office on such terms and conditions as  
16      may be specified in his letter of appointment and on such other terms and  
17      conditions as may be determined from time to time by the Council with the  
18      concurrence of the President.

19               **8.-(1)** There shall be appointed by the Council the following  
20      officers of the Institute, that is-

Appointment of  
other staff of the  
Institute

21               (a) The deputy Director;

22               (b) The Registrar;

23               (c) The heads of the various academic units; and

24               (d) The Bursar

25               (2) The Deputy Director shall be the deputy chief executive of the  
26      Institute and shall be responsible to the Director.

27               (3) The heads of the various academic units shall be responsible to  
28      the Director for planning, organizing, coordinating and conducting the  
29      courses and other studies undertaken by their respective units of the Institute  
30      including collation and publication of course materials and other written

1 materials relating thereto.

2 (4) The Registrar shall be responsible to the Director for the day-to-  
3 day administration of the Institute and in addition shall keep in safe custody all  
4 records of the Institute.

5 (5) The Bursar shall be responsible to the Director for the finances and  
6 accounts of the Institute.

7 (6) There may be appointed from time to time by the Council such  
8 other staff as may be required for the purpose of the efficient performance of  
9 the function conferred on the Institute under this Bill.

Pensions

10 **9.-(1)** It is hereby declared that service in the Institute shall be public  
11 service for the purposes of the Pensions Bill and, accordingly, officers and  
12 other persons employed in the Institute shall in respect of their service in the  
13 Institute be entitled to pensions, gratuities and other retirement benefits as are  
14 prescribed thereunder, so however that nothing in this Bill shall prevent the  
15 appointment of a person to any office on terms which preclude the grant of a  
16 pension or gratuity in respect of that office.

17 (2) For the purposes of the application of the provisions of the  
18 Pensions Bill any power exercisable thereunder by a Minister or other  
19 authority of the Government of the Federation (not being the power to make  
20 regulations under section 23 thereof), is hereby vested in and shall be  
21 exercisable by the Council and not by any other person or authority.

22 *Financial Provisions*

Establishment  
of fund of the  
Institute

23 **10.-(1)** The Institute shall establish and maintain a fund which shall be  
24 applied towards the promotion of the objectives specified in this Bill.

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

27 (a) such sums as may be provided by the Government of the  
28 Federation for payment into the fund;

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

30 (c) all other sums accruing to the Institute by way of gifts,

1       testamentary disposition and endowments or contributions from  
2       philanthropic persons or organizations or otherwise howsoever.

3               **11.**-(1) The Institute may accept gifts of land, money or other  
4       property upon such terms and conditions, if any, as may be specified by the  
5       person or organization making the gift.

Power to accept  
gifts

6               (2) The Institute shall not accept any gift if the conditions attached  
7       by the person or organization making the gift to the acceptance thereof are  
8       inconsistent with the functions of the Institute.

9               **12.**-(1) The Council may with the consent or in accordance with  
10       any general authority given by the President borrow by way of loan or  
11       overdraft from a source approved by the President, such specified amount of  
12       money as may be required by the Institute for meeting its obligations and  
13       discharging its functions under this Bill.

Borrowing power,  
etc.

14              (2) The Council may, subject to the provisions of this Bill and the  
15       conditions of any trust created in respect of any property, invest all or any of  
16       its funds with the like consent or general authority as are mentioned in  
17       subsection (1) of this section.

18              (3) The Council may invest any surplus funds of the Institute in  
19       securities prescribed by the Trustee Investments Bill or such other securities  
20       as may from time to time be approved by the Minister.

21              (4) Subject to the provisions of the Land Use Bill, and any special  
22       or general direction which the Minister may give in that behalf, the Council  
23       may acquire or lease any land required for its purpose under this Bill.

24              **13.**-(1) The Council shall cause to be prepared, not later than six  
25       months before the end of each financial year or such other time as the  
26       Minister may direct, an estimate of the expenditure and income of the  
27       Institute during the next succeeding financial year and when prepared they  
28       shall be submitted through the Minister for approval by the President.

Annual estimates,  
accounts and audit

29              (2) The Council shall cause to be kept proper accounts and proper  
30       records in relation thereto and when certified by the Council such accounts

1 shall be audited as provided in subsection (3) of this section.

2 (3) The accounts of the Institute shall be audited as soon as may be  
3 after the end of each financial year by auditors appointed from the list of  
4 auditors and in accordance with the guidelines issued by the Auditor-General  
5 for the Federation and the fees of the auditors and the expenses for the audit  
6 generally shall be paid from the fund of the Institute.

7 *Miscellaneous and supplementary provisions*

Annual reports 8 **14.** The Council shall, not later than six months after the end of each  
9 financial year, submit through the Minister to the President a report on the  
10 activities of the Institute and its administration during the immediately  
11 preceding year and shall include in such report the audited accounts of the  
12 Institute and the auditor's comments thereon.

Staff regulations 13 **15.**-(1) The Institute may, subject to the provisions of this Bill, make  
14 staff regulations relating generally to the conditions of service of the  
15 employees of the Institute and, without prejudice to the generality of the  
16 foregoing, such regulations may provide for-

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

19 (b) appeals by such employees against dismissal or other disciplinary  
20 measures, and until such regulations are made, any instrument relating to the  
21 conditions of service of officers in the civil service of the Federation shall be  
22 applicable, with such modifications as may be necessary, to the employees of  
23 the Institute.

24 (2) Staff regulations made under subsection (1) of this section shall  
25 not have effect until approved by the Minister, and when so approved they need  
26 not be published in the Federal Gazette but the Council shall cause them to be  
27 brought to the notice of all affected persons in such manner as it may from time  
28 to time determine.

Discipline of students 29 **16.**-(1) Subject to the provisions of this section, where it appears to  
30 the Director that any student of the Institute has been guilty of misconduct, the

1 Director may, without prejudice to any other disciplinary powers conferred  
2 on him by rules, direct-

3 (a) that the student shall not, during such period as may be specified  
4 in the direction, participate in such activities of the Institute as may be so  
5 specified; or

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

9 (c) that the student be rusticated for such period as may be specified  
10 in the direction; or

11 (d) that the student be expelled from the Institute.

12 (2) Where a direction is given under subsection (1) of this section  
13 in respect of any student, the student may within the prescribed period and in  
14 the prescribed manner, appeal from the direction to the Council, and where  
15 such an appeal is brought, the Council shall, after causing such inquiry to be  
16 made in the matter as the Council considers just, either confirm or set aside  
17 the direction or modify it in such manner as the Council thinks fit.

18 (3) The fact that an appeal from a direction is brought in pursuance  
19 of the last foregoing subsection shall not affect the operation of the direction  
20 while the appeal is pending.

21 **17.** In this Bill, unless the context otherwise requires-

Interpretation

22 "Council" means the Governing Council of the Institute constituted under  
23 section 2 of this Bill;

24 "chairman" means the chairman of the Council;

25 "Director" means the Director of the Institute;

26 "Institute" means the Nigerian Institute of Energy and Technology Studies  
27 established by section 1 of this Bill;

28 "member" includes the chairman of the Council;

29 "Minister" means the Minister charged with responsibility for matters  
30 relating to the Institute and "Ministry" shall be construed accordingly.

Short title

1                   **18.** This Bill may be cited as the Nigerian Institute of Energy and  
2   Technological Studies Bill, 2022.

3 EXPLANATORY MEMORANDUM

4 This Bill seeks to establish the Nigerian Institute of Energy and Technological  
5 Studies, Sapele to ensure the study and research of energy related field in the  
6 country. The institute is a specialized institution with restricted programmes.

## 1 SCHEDULE

2 [Section 3 (4)]

## 3 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

4 *Proceedings of the Council*

5 1.-(1) Subject to this Bill (which provides for the decisions of a  
6 statutory body to be taken by a majority of the members of the body and for  
7 the person presiding to have a second or casting vote), the Council may  
8 make standing orders regulating its proceedings or of any committee  
9 thereof.

10 (2) The quorum at any meeting of the Council shall be seven and  
11 the quorum of any committee of the Council shall be determined by the  
12 Council.

13 2.-(1) The Council shall meet not less than four times in each year  
14 and, subject thereto, the Council shall meet whenever it is summoned by the  
15 chairman; and if the chairman is required to do so by notice given to him by  
16 not less than five other members, he shall summon a meeting of the Council  
17 to be held within fourteen days from the date on which the notice is given.

18 (2) At any meeting of the Council the chairman shall preside but if  
19 he is absent, the members present at the meeting shall appoint one of their  
20 member to preside at that meeting.

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

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

29 (5) The validity of any proceedings of the Council or of a  
30 committee thereof shall not be affected by any vacancy in the membership

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

4 *Committees*

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

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

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

14 *Miscellaneous*

15 4.-(1) The fixing of the seal of the Institute shall be authenticated by  
16 the signature of the chairman or of some other member authorized generally or  
17 specially to Bill for that purpose by the Council.

18 (2) Any contract or instrument which, if made or executed by a person  
19 not being a body corporate, would not be required to be under seal may be made  
20 or executed on behalf of the Institute by the Director or any person generally or  
21 specially authorized to Bill for that purpose by the Council.

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

25 5. Members of the Council who are not public officers shall be paid  
26 out of monies at the disposal of the Council such remuneration, fees or  
27 allowances in accordance with such scales as may be approved from time to  
28 time by the President.

1                   6. Any member of the Council or a committee thereof who has a  
2           personal interest in any contract or arrangement entered into or proposed to  
3           be considered by the Council or a committee thereof shall forthwith disclose  
4           his interest to the Council and shall not vote on any question relating to such  
5           contract or arrangement.



FOR

AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH THE  
FEDERAL MEDICAL CENTRE IKIRUN, OSUN STATE AND FOR RELATED  
MATTERS

*Sponsored by Hon. Olalekan Rasheed Afolabi*

[ ] Commencement

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

Establishment  
of the Federal  
Medical Centre  
Ikirun, Osun State

### Establishment of the Board of Management of the Medical Centre

## Membership of the Board

## Membership of the Board

- (a) a chairman;
- (b) the Chief Medical Director of the Medical Centre;
- (c) the Director of Clinical Services;
- (d) the Director of Administration;
- (e) the Director of Finance;
- (f) the Director of Maintenance;
- (g) a representative of the president
- (h) the Federal Ministry of Health;
- (i) the National Planning Commission;

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

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

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

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

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

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

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

15 7.-(1) The Board shall:

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

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

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

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

Powers of the  
Board

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

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

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

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

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

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

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

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

#### 18 PART III - STAFF OF THE MEDICAL CENTRE

Medical Director  
of the Medical  
Centre

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

24 (2) The Chief Medical Director shall:

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

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

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

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

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

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

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

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

Appointment of  
Directors and  
other staff of the  
Medical Centre

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

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

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

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

17 (b) a Director of Clinical Services;

18 (c) a Director of Finance;

19 (d) a Director of Maintenance.

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

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

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

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

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

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

Service in the  
 Medical Centre  
 to be pensionable

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

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

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

Establishment  
 fo the Medical  
 Advisory  
 Committee, etc.

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

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

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

26 (c) be appointed by the Board.

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

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

5 PART IV - FINANCIAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1                   **19.-(1)** The Medical Centre shall not pay income tax on any income                   Exemption from  
2                   derived by the Federal Medical Centre under this Act or accruing to it from                   tax  
3                   any of its investments.

(2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centre.

7                   **20.** The Medical Centre shall not pay customs duty on or be  
8                   restricted or prohibited from importing any equipment, material, supply and  
9                   any other thing required by the Medical Centre for the purposes of this Bill.

## 10 PART V - GENERAL

11                   **21.-(1)** Notwithstanding anything to the contrary contained in any                   Discipline of  
12                   other enactment, where it appears to the Board that any student of the                   students  
13                   Medical Centre has been guilty of misconduct, the Board may, without  
14                   prejudice to any other disciplinary powers conferred on it by regulations,  
15                   direct:

(a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Medical Centre, or make use of such facilities of the Medical Centre as may be so specified;

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

22 (c) that the student be rusticated for such period as may be specified  
23 in the direction; or

24 (d) that the student be expelled from the Medical Centre.

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

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

Removal and  
discipline of  
clinical,  
administrative  
and technical  
staff

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Discipline of  
junior staff

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

19 (a) consider the case; and

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

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

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

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

1 the Board to reconsider his case.

2 PART VI - MISCELLANEOUS

3 **24.**-(1) The Board may, with the approval of the President, make Regulations  
4 regulations

5 (a) as to the access of members of the public either generally or of a  
6 particular class, to premises under the control of the Board and as to the  
7 orderly conduct of members of the public on those premises; and

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

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

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

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

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

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

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

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

28 "chairman" means the chairman of the Board;

29 "functions" include powers and duties;

30 "Federal Medical Centre "means the Medical Centre Ikirun, Osun State;

1 "junior staff" means staff of such grade as may be determined, from time to  
2 time, by the Board;

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

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

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

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

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

Short title

11 **28.** This Bill may be cited as the Federal Medical Centre Ikirun, Osun  
12 State (Establishment) Bill, 2022.

13 SCHEDULE

14 [Section 3 (3).]

15 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

16 *Proceedings of the Board*

17 1.-(1) Subject to this Act and section 27 of the Interpretation Act, the  
18 Board may make standing orders regulating its proceedings or those of any of  
19 its committees.

20 (2) The quorum of the Board shall be the chairman or the person  
21 presiding at the meeting and 5 other members of the Board, 2 of whom shall be  
22 ex-officio members, and the quorum of any Committee of the Board shall be as  
23 determined by the Board.

24 2.-(1) The Board shall meet whenever it is summoned by the  
25 chairman and if the chairman is required to do so by notice given to him by not  
26 less than 8 other members, he shall summon a meeting of the Board to be held  
27 within 14 days from the date on which the notice is given.

28 (2) At any meeting of the Board, the chairman shall preside but if he is  
29 absent, the members present at the meeting shall appoint one of their number to  
30 preside at the meeting.

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

6 *Committees*

7 3.-(1) The Board may appoint one or more committees to carry out,  
8 on behalf of the Board, such functions as the Board may determine.

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

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

15 *Miscellaneous*

16 4.-(1) The fixing of the seal of the Medical Centre shall be  
17 authenticated by the signatures of the Chairman, the Chief Medical Director  
18 or any person generally or specifically authorized by the Board to act for that  
19 purpose.

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

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

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

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

- 1                   (b) a defect in the appointment of a member of the Board or  
2   committee; or  
3                   (c) reason that a person not entitled to do so took part in the  
4   proceedings of the Board or committee.

EXPLANATORY NOTE

This Bill seeks to Provide for the Legal Framework to Establish the Federal Medical Centre Ikirun, Osun State.

NIGERIA STADIUM MAINTENANCE AUTHORITY

(ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF SECTIONS

1. Establishment of the Nigeria Stadium Maintenance Authority
2. Function of the Authority
3. Power of the Authority
4. Establishment of the Governing Board
5. Function of the Governing Board
6. Funds of the Authority
7. Sources of Fund of the Authority
8. Aims and Objectives of the Authority
9. Maintenance of the Stadiums
10. Contract Agreement for Stadium Management
11. Liability and Indemnification
12. Annual Estimation and Expenditure
13. Gifted of the Commission
14. Application of the Public Officers Protection Bill
15. Annual Report
16. Regulation
17. Amendment
18. Citation

SCHEDULES

Supplementary provisions relating to the Governing Board



# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF NIGERIA STADIUMS  
MAINTENANCE AUTHORITY AND FOR RELATED MATTERS

*Sponsored by Hon. Oyewo Olubukola Oyegbile*

[ ] Commencement

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

- 1           **1.**-(1) There is hereby established an Authority to be known as the  
2       Nigeria Stadiums Maintenance Authority (in this Bill referred to as "the  
3       Authority") which shall have the Functions and Powers conferred on it by  
4       this Bill.
- 5           (2) The Commission shall:
- 6           (a) Be a body Corporate with perpetual succession and a common  
7       seal and shall have power to sue and be sued in its corporate name;
- 8           (b) Have its Head Office in the Federal Capital Territory and shall  
9       establish State Offices in all states of the Federation as it may deem fit;
- 10          (c) Subject to the provision of the Land Bill, acquire, hold or  
11       dispose of properties, moveable and immovable for the purpose of its  
12       purpose.
- 13          **2.** The function of the Authority shall be:
- 14          (a) Implement the provision of this Bill;
- 15          (b) Supervise, Coordinate, Administer and Monitor the  
16       maintenance of all stadiums and to ensure proper management of the sport  
17       facilities and centers in Nigeria;
- 18          (c) Exercise all legal rights toward contravening any of the  
19       provision of this Bill;
- 20          (d) Quarterly brief the Minister of Sport development and report to  
21       the President of the Country on the performance of the Nigeria Stadium

Establishment  
of the Nigeria  
Stadium Maintenance  
Authority

Functions of the  
Authority

- 1 Maintenance Authority activities;
- 2 (e) Employ and pay staffs of the Authority Salaries and other benefits
- 3 using the scale as applicable to Industry of similar status;
- 4 (f) Enter into any negotiation; agreement or contractual relationship
- 5 such as may be necessary or expedient for the discharge of the Function of the
- 6 Authority;
- 7 (g) Conduct researches, studies and investigation that my further the
- 8 attainment of the goal and development of the sport development sector in
- 9 Nigeria;
- 10 (h) Ensure adequate acquiring, installation and management of all
- 11 sporting facilities in all stadiums in Nigeria;
- 12 (I) Do such other things which in the opinion of the Governing Board
- 13 relate to the management of the Authority on behalf of the Government.
- 14 **3.** The Authority shall have the power to:
- 15 (a) Issue and Manage all Nigeria Sport stadiums for use and ensure no
- 16 damage occur during usage;
- 17 (b) Issue from time to time guidelines to users on how to maintain
- 18 sanity during and after usage of the stadiums; and
- 19 (c) Do such other things which in the opinion of the Governing Board
- 20 relate to the management of the Authority on Behalf of the Government.
- 21 **4.** There is established for the Authority a Governing Board (in the
- 22 Bill referred to as "The Board") which shall consist of the following
- 23 membership:
- 24 (a) The Chairman who shall be appointed by the president on the
- 25 recommendation of the minister of sports;
- 26 (b) The Minister of Sport Development;
- 27 (c) The Minister of works;
- 28 (d) The Attorney - General of the Federation;
- 29 (e) The Accountant General of the Federation;
- 30 (f) The Auditor-General of the Federation;

Powers of the  
Authority

Establishment  
of the Governing  
Board

1 (g) The Minister of Works;

2 (h) The Representative of Nigeria Society of Engineers;

3 (i) The Representative of Nigeria Labour Congress;

4 (j) The Director General of the Authority as the Secretary.

5 **5.** The Governing Board shall have the following functions:

Functions of the  
Governing Board

6 (a) Approve policies, strategies and procedures to be adopted by  
7 the Authority for the achievement of its objectives;

8 (b) Review from time to time the social and economic impact usage  
9 and maintenance management strategies;

10 (c) Appoint as and when necessary, technical committees  
11 comprised of persons with requisite technical competence from the private  
12 and public sector to advise the Authority on such matters as may from time  
13 to time be necessary to achieve the objectives of the Authority;

14 (d) Perform such other functions as may from time to time be  
15 necessary to achieve the objectives of the Authority.

16 **6.-(1)** There is hereby established a Fund to be known (in this Bill  
17 referred as "The Authority") to which Funds of the Nigeria Stadium  
18 Maintenance Authority from other sources shall be paid.

Funds of the  
Authority

19 (2) All contributions and other monies required or prescribed by  
20 this Bill shall be paid into the Fund to be held and manage by the Nigeria  
21 stadium maintenance Authority for the purpose acquiring and maintaining  
22 of sporting facilities in all Nigerian owned stadiums.

23 **7.** Subject to the provision of section 6 of this Bill, the fund of the  
24 Nigeria stadiums maintenance Authority shall consist of:

Sources of Funds  
of the Authority

25 (a) Allocation of yearly appropriation by Federal Government;

26 (b) All sums accruing to the Authority by the way of Donations,  
27 Gifts, Grants, Endowment or otherwise;

28 (c) Interest and Revenue accruing from savings and investment  
29 made by the Nigeria stadium maintenance Authority;

	1	(d) Other revenue accruing to the Nigeria stadium maintenance
	2	Authority.
Aims and Objectives of the Authority	3	<b>8.</b> The aims and objectives of the Nigeria stadiums maintenance
	4	Authority shall be to ensure the Acquisition, financing, construction, lease
	5	improvement, equipping, operation and maintenance of all National Football
	6	league stadiums in Nigeria
Maintenance of the Stadium	7	<b>9.</b> The maintenance of the stadium shall be:
	8	(1) Subject to the approval of all submission made to the Governing
	9	Board and relate to the management for proper implementation.
	10	(2) All submission of lease or contract Agreement must be submitted
	11	to the management and be processed for Approval by the Governing Board.
	12	(3) All Contractors must comply to the contract Agreement and all
	13	provision of this Bill.
Contract agreement for maintenance of the Stadium	14	<b>10.</b> The contract Agreement for the maintenance of the stadium shall
	15	be:
	16	(1) Any firm that wishes to apply for a contract in the Authority shall
	17	follow due process in compliance to the procurement Unit of the Authority.
	18	(2) The Authority shall have the power to terminate any contract
	19	without competence delivery upon the recommendation of the Governing
	20	Board.
	21	(3) No Contract by any firm shall be renewed if it has not met the
	22	standard of service required by the Authority.
Liabilities and Indemnification	23	<b>11.</b> There shall be the following condition attached to the liability and
	24	Indemnify of the Authority:
	25	(1) All profit and losses, damages and claims, income and
	26	expenditure, fines, settlements shall be under the control of management and
	27	be reported to Governing Board for Approval and necessary Action
	28	(2) All liabilities include assets, properties and any other valuables
	29	that be under the control of the Governing Board.
	30	(3) All Indemnatee's liability for losses in subsection 1 and 2 above

1 shall be determined by the Federal High Court to determine the Jurisdiction  
2 Action that will be carried out in accordance to law.

3 **12.** The Authority shall apply the proceeds of the Fund to:

Annual Estimates  
and Expenditures

4 (a) The Cost of Administration of the Authority;

5 (b) The payment of salaries, fees, remunerations, allowances,  
6 pensions and gratuities payable to the Governing Board and the employees  
7 of the Authority;

8 (c) The payment for all consultancies, contract including  
9 mobilization, fluctuation, variation, legal fees and cost on contract  
10 Administration;

11 (d) The payment for all purchases and undertaking such other  
12 activities as are connected with all or any functions of the Authority under  
13 this Bill;

14 (e) The Governing Board shall, not later than 30th September in  
15 each year, submit to the Minister an estimate of the expenditure and income  
16 of the Authority during the succeeding year; and

17 (f) The Governing Board shall cause to be kept proper accounts of  
18 the Authority in respect of each year and proper records relation thereto and  
19 shall cause the accounts to be auditors appointed from the 1st and in  
20 accordance with the guidelines supplied by the Auditor-General of the  
21 Federation.

22 **13.-(1)** The Authority may accept gifts of land, money or other  
23 property on such terms and conditions, if any, as may be specified by the  
24 person or organization making the gift.

Gifts of the  
Authority

25 (2) The Authority shall not accept any gift if the conditions  
26 attached by the person or organization making the gift are inconsistent with  
27 the

28 **14.-(1)** The provision of the Public Officers Protection Bill shall  
29 apply in relation to any suit instituted against any officer or employee of the

Application of  
Public Officer  
Protection Bill

1 employee of the Nigeria Loan Regulation Commission in his capacity as such.

2 (2) No suit shall be commenced against a member of the Governing  
3 Council or secretary or any employee of the Nigeria regulation in that capacity  
4 before the expiration of a period of one month after writing notice of intention  
5 to commence the suit which shall have been served upon the Nigeria Loan  
6 Regulation Commission by the intending plaintiff or his agent.

7 (3) The notice referred to in sub-section 2 shall state the cause of the  
8 Action, particulars of claims the name and place of abode of the intending  
9 plaintiff and the relief which he claims.

10 (4) A notice, summons or other documents required or authorized to  
11 be served upon the Nigeria Loan Regulation commission under the provision  
12 of this Bill or any other law or enactment may be served by delivering it to the  
13 secretary or by sending it by registered post and addressed to the Secretary or  
14 by sending it by registered post and addressed to the Secretary at the Head  
15 Office of the Governing Council.

Annual Report

16 15. The Governing Council shall not later than 3 months after the end  
17 of the year the end of year submit to the President a report on the activities of the  
18 Nigeria Stadium maintenance Authority and its Administration during the  
19 immediately preceding year and shall include in the report that the audited  
20 account of the Nigeria Loan Regulation Commission and the auditors  
21 comment on the report.

Regulations

22 16. The Minister of Finance may make such regulation as it deems fit  
23 to be necessary or expedient for giving full effect to the provision of this Bill.

Citation

24 17. This Bill may be cited as the Nigeria Stadium Maintenance  
25 Authority (Establishment) Bill, 2022.

## 1 SCHEDULE

## 2 SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING COUNCIL

3 *Proceedings of the Governing Council*

4 1.-(1) Subject to this Bill and Section 4 of this Bill, the Council may  
5 make standing orders regulating its proceedings or those of any of its  
6 committees.

7 (2) The quorum of the Governing shall be the Chairman, the Vice-  
8 Chairman or the person presiding at the meeting and 3 other members of the  
9 Council and quorum of any committee of the Governing Council shall be  
10 determined by the Governing Council.

11 2.-(1) The Council shall meet not less than four times in each year  
12 and subject thereto; the Council shall meet whenever it is summoned by the  
13 Chairman and if the Chairman is required to do so by notice given to him by  
14 not less than 4 other members, - 'he shall summon a meeting of the  
15 Governing council to be held within 28 days from the date on which the  
16 notice is given.

17 (2) At any meeting of the Governing Council the Chairman shall  
18 preside but if he is absent, the Vice-Chairman shall preside at the meeting  
19 and if he is absent, the members present at the meeting shall appoint one of  
20 them to preside at that meeting.

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

27 *Committees*

28 3.-(1) The Governing Council may appoint one or more  
29 committees to carry out, on behalf of the Governing Council such functions  
30 as the Governing Council may determine.

1 (2) A committee appointed under this paragraph shall consist of such  
2 number of persons as may be determined by the Governing Council and a  
3 person shall, hold office on the committee in accordance with the terms of his  
4 appointment.

5 (3) A decision of a committee shall be of no effect until it is confirmed  
6 by the Governing Council.

7 4.-(1) the fixing of tire seal of the Commission shall be authenticated  
8 by the signatures of the Chairman of any person generally or specifically  
9 authorized by the Governing council to Bill for that purpose and that of the Di  
10 rector-General.

11 (2) Any Contract or instrument which, if made or executed by a  
12 person not being a body corporate, would not be required to be under seal, may  
13 be made or executed on behalf of the Commission by the Director-General or  
14 any person generally or specifically authorized by the Governing Council to  
15 Bill for that purpose.

16 (3) Any document purporting to be a document duly executed under  
17 the seal of the commission shall be received in evidence and shall, unless and  
18 until the contrary is proved, be presumed to be so executed.

19 (4) The validity of any proceeding of the Governing Council or of a  
20 committee shall not be adversely affected by:

21 (a) A vacancy in the membership of the Governing Council or  
22 committee; or

23 (b) A defect in tire appointment of a member of the Governing  
24 Council or committee; or

25 (c) Reason that a person not entitled to do so took part in the  
26 proceedings of the Governing Council or committee.

#### EXPLANATORY MEMORANDUM

This Bill seeks for the legal framework to establish the Nigeria Stadiums Maintenance Authority to ensure proper maintenance of all sporting facilities in the Federation Stadiums for Sport Development in Nigeria.

ENVIRONMENTAL RESEARCH COUNCIL OF NIGERIA  
(ESTABLISHMENT) BILL, 2022  
ARRANGEMENT OF SECTIONS

*Section:*

PART I - ESTABLISHMENT OF THE ENVIRONMENT RESEARCH  
COUNCIL OF NIGERIA

1. Establishment of the Council
2. Governing Board of the Council
3. Tenure of office
4. Remuneration and allowances

PART II - FUNCTIONS

5. Functions of the Council

PART III - STAFF OF THE COUNCIL

6. Executive secretary and other staff of the Council
7. Application of Pensions Act

PART IV - FINANCIAL AND RELATED PROVISIONS

8. Establishment of the National Environment Research and Extension Endowment Fund
9. Fund of the Council
10. Power to borrow
11. Power to accept gifts
12. Annual estimate accounts and audit
13. Annual report

PART V - ESTABLISHMENT OF RESEARCH INSTITUTES

14. Power of the Minister to establish research institutes.

PART VI - MISCELLANEOUS PROVISIONS

15. Offices and premises
16. Directives by the Minister

17. Saving of certain research institutes

18. Regulations

19. Interpretation

20. Short title

#### SCHEDULES

##### FIRST SCHEDULE

Supplementary Proceedings relating to the Board, etc.

##### SECOND SCHEDULE

Provisions relating to Research Institutes

# A BILL

## FOR

AN ACT TO ESTABLISH THE ENVIRONMENTAL RESEARCH COUNCIL OF NIGERIA AND TO PROVIDE FOR THE ESTABLISHMENT OF RESEARCH INSTITUTES BY THE COUNCIL AND FOR RELATED MATTERS

*Sponsored by Hon. Shehu Ahmed*

[ ] Commencement

1 PART I - ESTABLISHMENT, ETC., OF THE ENVIRONMENT RESEARCH

2 COUNCIL OF NIGERIA

3 1. There is hereby established a body to be known as the Establishment  
4 Environmental Research Council of Nigeria (in this Bill referred to as "the of the Council  
5 Council") which under that name shall be a body corporate with perpetual  
6 succession and a common seal, and may sue or be sued in its corporate name.

7 2.-(1) There is hereby established for the Council a governing Governing Board  
8 board which shall consist of the following members to be appointed by the of the Council  
9 President:

10 (a) the Chairman who shall be a person with wide knowledge and  
11 distinction in one or more fields of the Environment sciences;

12 (b) the Chairman of the Committee of Deans of the Faculties of  
13 Environment sciences of the Universities in Nigeria;

14 (c) the Chairmen of the Governing Boards of Research Institutes  
15 established under section 14 of this Bill;

16 (d) the Chairman of the Committee of Directors of Research  
17 Institutes established under section 14 of this bill;

18 (e) a Directors of the Departments of Agriculture, Fisheries,  
19 Forestry and Live-stock of the Federal Ministry of Environment;

20 (f) one representative of the Federal Ministry of works and  
21 Housing, not below the rank of Director;

22 (g) one representative of the Federal Ministry of Communication

	1	and Digital Economy, not below the rank of Director;
	2	(g) one representative of the Federal Ministry of Water Resources, not
	3	below the rank of Director;
	4	(h) four persons from the private sector with wide knowledge and
	5	experience of crops, livestock, fisheries and forestry, respectively; and
	6	(i) the Executive Secretary of the Council who shall be an ex-officio
	7	member with no voting right.
First Schedule	8	(2) The supplementary provisions set out in the First Schedule to this
	9	BILL shall have effect with respect to the proceedings of the Board and the
	10	other matters contained therein.
Tenure of office	11	3.-(1) A member of the Board, other than an ex-officio member, shall
	12	hold office for a term of four years in the first instance and may be re-appointed
	13	for a further term of four years and no more.
	14	(2) The office of a member of the Board shall become vacant if:
	15	(a) he resigns his office by a letter addressed by him to the Minister; or
	16	(b) the Minister is satisfied that it is not in the interest of the Council
	17	for the person to continue in office as a member, in which case, the Minister
	18	shall, with the approval of the President, notify the member to that effect.
	19	(3) Where a vacancy occurs in the membership of the Board, it shall
	20	be filled by the appointment of a successor to hold office for the remainder of
	21	the term of office of his predecessor, so however that the successor shall
	22	represent the same interest and shall be appointed by the President.
Remuneration and allowances	23	4. The members of the Board shall be paid such remunerations and
	24	allowances as the Federal Government may, from time to time, determine for
	25	the chairmen and members of statutory boards generally.
	26	PART II - FUNCTIONS
Functions of the Council	27	5. The functions of the Council shall be to:
	28	(a) advise the Federal Government on national policies and priorities
	29	in Environmental research, training and extension Activities;
	30	(b) prepare periodic master plans for Environment research, training

1 and extension and advise the Federal Government on the financial  
2 requirement for the implementation of such plans;

3 (c) ensure the implementation of the approved master plans by the  
4 appropriate research institutes, universities and other bodies;

5 (d) supervise and co-ordinate the research, training and extension  
6 Activities of research institutes established under section 14 of this bill;

7 (e) prepare the annual budget for Environment research, training  
8 and extension programmes of the institutes under its aegis and receive grants  
9 for allocation to the institutes for the implementation of the annual  
10 programmes and to universities and other bodies for special research or  
11 training projects;

12 (f) maintain an up-to-date record of all existing facilities for  
13 research, training and extension in the Environment sciences in Nigeria and  
14 advise the Federal Government on their adequacy and efficient utilization;

15 (g) advise the Federal Government on the re-organization of  
16 existing institutes, including the creation of new ones, as are required to  
17 implement or further the efficiency of research, training and extension in the  
18 Environmental sciences;

19 (h) promote collaboration between scientists engaged in research  
20 in the Environmental sciences in Nigeria and their counterparts in other  
21 countries or international bodies;

22 (i) establish and maintain a National Environmental Science  
23 Library and Documentation Centre and publish or sponsor the publication  
24 of the research results in the Environmental sciences; and

25 (j) carry out such Activities as may, in the opinion of the Council,  
26 further the advancement of research, training and extension in the  
27 Environmental sciences.

28 PART III - STAFF OF THE COUNCIL

29 6.-(1) There shall be appointed by the President, on the  
30 recommendation of the Minister, an Executive Secretary.

Executive Secretary  
and other staff of  
the Council

- 1 (2) The Executive Secretary shall:
- 2 (a) be a person with relevant qualification and experience;
- 3 (b) be the chief executive and accounting officer of the Council;
- 4 (c) hold office:
- 5 (i) for a period of five years in the first instance and may be re-
- 6 appointed for a further term of five years and no more; and
- 7 (ii) on such terms and conditions as may be specified in his letter of
- 8 appointment.
- 9 (3) The Executive Secretary shall, subject to the general direction of
- 10 the Council, be responsible for:
- 11 (a) the day-to-day administration of the Council;
- 12 (b) keeping the books and proper records of the proceedings of the
- 13 Council;
- 14 (c) the administration of the secretariat of the Council; and
- 15 (d) the general direction and control of all other employees of the
- 16 Council.
- 17 (4) The Council shall:
- 18 (a) appoint such number of directors and other employees as may, in
- 19 the opinion of the Council, be required to assist the Council in the discharge of
- 20 any of its functions under this bill; and
- 21 (b) pay to persons so appointed such remuneration (including
- 22 allowances) as the Council may, after consultation with the Federal Civil
- 23 Service Commission, determine.
- 24 (5) Notwithstanding subsection (4) of this section, the staff of the
- 25 Environmental Sciences Department of the Federal Ministry of Environment
- 26 shall be deemed to have transferred to the employment of the Council on the
- 27 commencement of this bill.
- 28 (6) Any staff mentioned in subsection (5) of this section who does not
- 29 wish to transfer to the employment of the Council shall remain with the
- 30 Ministry.

30 (a) such money as may be made available by the Federal

- 1 Government for the running expenses of the Council; and
- 2 (b) all other money which may, from time to time, accrue to the
- 3 Council.
- 4 (3) The Council shall, from time to time, apply the funds at its
- 5 disposal:
- 6 (a) to the cost of the administration of the Council;
- 7 (b) to the payment of fees, allowances and benefits of members of the
- 8 Board;
- 9 (c) to the payment of salaries, allowances and benefits of officers and
- 10 employees of the Council;
- 11 (d) for the maintenance of any property vested in the Councilor under
- 12 its administration; and
- 13 (e) for and in connection with the functions of the Council under this
- 14 Bill.
- 15 (4) The Council shall invest any money not immediately required by
- 16 it in Federal Government securities or in such other securities as the Council
- 17 may, with the approval of the Minister, from time to time, determine.
- 18 **10.-(1)** The Council may, with the consent of the Minister in
- 19 accordance with the general authority given by the Federal Government,
- 20 borrow by way of loan or overdraft from any source any money required by the
- 21 Council to meet its obligations and its functions under this bill.
- 22 (2) No consent or authority shall be required under subsection (1) of
- 23 this section if the sum or the aggregate of the sums involved at any time does
- 24 not exceed such amount as is for the time being specified in relation to the
- 25 Council by the Federal Government.
- 26 **11.-(1)** The Council may accept gifts of land, money or other property
- 27 on such terms and conditions, if any, as may be specified by the person or
- 28 organisation making the gift.
- 29 (2) The Council shall not accept any gift if the conditions attached by
- 30 the person or organisation offering the gift are inconsistent with the objectives

Power to borrow

Power to accept  
gifts

30 (a) the designation of the institute;

	1	(b) the matter or matters on which the institute is to conduct research,
	2	including training and extension where appropriate;
	3	(c) the transfer to the institute of the assets and liabilities of any
	4	existing Federal research establishment;
	5	(d) the establishment, constitution and proceeding of a governing
	6	board to manage the affairs of the institute;
	7	(e) a suitable association or other forms of relationship of the institute
	8	with any university or institution of higher learning in Nigeria.
	9	PART VI - MISCELLANEOUS PROVISIONS
Offices and premises	10	<b>15.</b> -(1) For the purpose of providing residential accommodation for
	11	its staff and such offices and premises as may be considered necessary for the
	12	performance of its functions under this bill, the Council may:
	13	(a) purchase or take on lease any interest in land; and
	14	(b) build, furnish, equip and maintain residential quarters, offices and
	15	premises.
	16	(2) Subject to the Land Use Act, the Council may, with the approval of
	17	the Minister, sell or lease any residential quarters, land, offices or premises held
	18	by it and no longer required for the performance of its functions.
Directives by the Minister	19	<b>16.</b> Subject to this Bill, the Minister may give to the Council
	20	directives of a general nature or relating generally to particular matters, but not
	21	to any particular individual or case with regard to performance by the Council
	22	of its functions under this Bill and it shall be the duty of the Council to comply
	23	with the directives.
Saving of certain research institutes	24	<b>17.</b> -(1) Any research institute established for the Environmental
	25	science sector under the National Agency for Science and Engineering
	26	Infrastructure bill shall be deemed to be established under this bill.
Regulations	27	<b>18.</b> The Council may, with the approval of the Minister, make
	28	regulations for giving effect to the provisions of this bill.
Interpretation	29	<b>19.</b> In this bill, unless the context otherwise requires:
	30	"Environmental sciences" includes crop science, fisheries, forestry and

1       veterinary science;

2       "Board" means the Governing Board of the Council;

3       "Chairman" means the chairman of the Board;

4       "Council" means the Environmental Research Council of Nigeria  
5       established under section 1 of this Bill;

6       "Endowment Fund" means the National Environmental Research and  
7       Extension Endowment Fund established under section 8 of this Bill;

8       "Executive Secretary" means the Executive Secretary appointed for the  
9       Council under section 6 of this Bill;

10      "member of the Board" includes the chairman;

11      "Minister" means the Minister charged with responsibility for Agriculture.

12               **20.** This Bill may be cited as the Environmental Research Council   Short title  
13      of Nigeria (Establishment) Bill, 2022.

## 1 SCHEDULES

## 2 FIRST SCHEDULE

3 *[Section 2 (2).]*

## 4 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

5 *Proceedings of the Board*

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

9 (2) The quorum of the Board shall be the Chairman or the member  
10 presiding at the meeting and not less than one-third of all the members of the  
11 Board and the quorum of any committee of the Board shall be determined by  
12 the Board.

13 2.-(1) The Board shall meet not less than three times in each year and  
14 subject thereto, the Board shall meet whenever it is summoned by the  
15 Chairman and if the Chairman is required to do so by notice given to him by not  
16 less than one-third of all the members of the Board, he shall summon a meeting  
17 of the Board to be held within fourteen days from the date on which the notice is  
18 given.

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

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

27 *Committees*

28 3.-(1) The Board may appoint one or more committees to carry out, on  
29 behalf of the Board, such of its functions as the Board may determine.

30 (2) A committee appointed under this paragraph shall consist of such

1 number of persons (not necessarily members of the Board) as may be  
2 determined by the Board and a person other than a member of the Board  
3 shall hold office on the committee in accordance with the terms of his  
4 appointment.

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

7 *Miscellaneous*

8 4.-(1) The fixing of the seal of the Council shall be authenticated by  
9 the signature of the Chairman, the Executive Secretary or of any other  
10 person authorized generally or specifically to bill for that purpose by the  
11 Board.

12 (2) Any contract or instrument, which, if made or executed by a  
13 person not being a body corporate, would not be required to be under seal  
14 may be made or executed on behalf of the Council by the Chairman or any  
15 person generally or specially authorised to bill for the purpose by the Board.

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

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

## 1 SECOND SCHEDULE

2 [Section 14 (1).]

## 3 PROVISIONS RELATING TO RESEARCH INSTITUTES

4 *Governing boards*

5 1.-(1) Any research institute established under this BILL shall have a  
6 governing board and shall be a body corporate with perpetual succession and a  
7 common seal and may sue and be sued in its corporate name.

8 (2) The members of the governing board of each institute shall be  
9 appointed by the Minister with the approval of the President on the advice of  
10 the Council.

11 *Powers*

12 2.-(1) Subject to the provisions of this BILL, each institute shall have  
13 power to:

14 (a) prepare a programme of research within the field for which the  
15 institute is responsible, under the approved master plan prepared by the  
16 Council in pursuance of section 5 (b) of this Bill, together with detailed  
17 estimates of the expenditure which will be required for carrying out the  
18 programme;

19 (b) review and, if necessary revise, each year the programme  
20 approved under sub-paragraph (1) (a) of this paragraph for the following year,  
21 together with the estimated budget for that year;

22 (c) carry out the programmes of research approved by the Council;

23 (d) make suitable arrangement for the application of the results of the  
24 research work of the institute by Federal and State Ministries, agencies and the  
25 private sector to development Activities; and

26 (e) do anything and enter into any transact which in its opinion ought  
27 to be done in the proper discharge of its functions.

28 (2) Each institute shall, in particular, and without prejudice to the  
29 generality of the foregoing power, have power to acquire and hold immovable  
30 property.

1 (3) For the purpose of the Land Use Act, the purposes of an institute  
2 shall be public purposes of the Federation within the meaning of that Act.

3 *Committees*

4 3. The Board of each institute may appoint such number of  
5 standing and ad hoc committees as it thinks fit to consider and report on any  
6 matter with which the Board is concerned.

7 *Director*

8 4.-(1) There shall be for each institute a Director to be appointed by  
9 the Minister on the advice of the Council.

10 (2) The Director shall be:

11 (a) a person with wide experience of the matter with which the  
12 institute is concerned;

13 (b) charged with the day to day management of the affairs of the  
14 institute in accordance with such instruction as may from time to time be  
15 given to him by the Governing Board of the institute; and

16 (c) appointed in accordance with the regulations and conditions of  
17 service approved by the Council.

18 *Other staff*

19 5. The Board of each Institute may appoint such employees as are  
20 deemed necessary for the proper discharge of the functions of the Institute  
21 under this BILL and pay such employees such remuneration and allowances  
22 as are payable to persons of equivalent grades in the service of the Council.

23 *Fund*

24 6.-(1) Each Institute shall establish and maintain a fund from which  
25 shall be defrayed all expenditures incurred by the institute.

26 (2) There shall be paid into the fund such sums as may be made  
27 available to the Institute by the Council and such other assets as may accrue  
28 to the Institute from time to time.

29 (3) The fund shall be managed in accordance with rules made by  
30 the Federal Minister of Finance, and without prejudice to the generality of

1 the power to make rules conferred by this section, the rules shall include  
2 provisions:

3 (a) specifying the manner in which the assets and the fund are to be  
4 held and regulating the making of payments to and from the fund;

5 (b) requiring the keeping of proper accounts and records for the fund  
6 in such form as may be specified by the rules;

7 (c) for ensuring that the accounts are audited annually by an auditor  
8 approved by the Council.

9 *Annual estimate*

10 7. Each Institute shall prepare and submit its programme and  
11 estimated budget and any annual revision for approval by the Council.

12 *Annual report*

13 8. The Board of each Institute shall prepare and submit to the Council  
14 an annual report on the activities of the Institute.

15 *Power to borrow money*

16 9. Each Institute may borrow or lend money only with the approval of  
17 the Council.

#### EXPLANATORY MEMORANDUM

This Bill seeks the legal framework to establish the Environmental Research Council of Nigeria and to provide for the establishment of the National Environmental Research and Development Institute by the Council in Nigeria.

FOR

*Sponsored by Hon. Babangida Ibrahim*

[ ] Commencement

1 PART I - ESTABLISHMENT, ETC, OF THE CHARTERED INSTITUTE OF  
2 SECURITIES AND INVESTMENTS NIGERIA

Establishment  
of Chartered  
Institute of  
Securities and  
Investments  
Nigeria

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

(d) shall be charged with the general duty of determining the standards of knowledge and skill to be attained by persons seeking to be certified as members of the Institute.

## Objects of the Institute

15 (a) to promote the practice of Securities and Investments  
16 Professionals as defined in this Bill;

1 (b) to train its members, set standards of knowledge and ethical  
2 conduct for its members in order to maintain their competency and to raise  
3 those standards from time to time as circumstances may demand;

4 (c) to conduct professional examinations leading to the award of  
5 certificates, diplomas and other awards as may be prescribed by the Institute  
6 for any persons seeking to become registered members of the Institute.

7 (d) to secure in accordance with the provisions of this Bill, the  
8 establishment and maintenance of a register of members of the Institute in the  
9 categories of Fellow Members, Honorary Fellow Members, Associate  
10 Members, Certified Specialists, Affiliate Members, Graduate Members, and  
11 Student Members of the Institute and the publication from time to time, of list  
12 of those persons;

13 (e) to Administer and oversee the conduct of its members in  
14 accordance with the provisions of this Bill;

15 (f) to do all such necessary to maintain professional knowledge and  
16 skill of its members in their practice as Securities and Investments  
17 Professionals;

18 (g) to perform through the Council established under section 5 of this  
19 Bill, the functions conferred on it by this Bill.

20 (2) In furtherance of its objects the Institute shall have the following  
21 ancillary objects and powers:

22 (a) to develop, organize and. conduct professional examinations in  
23 Securities and Investments leading to the award of diplomas, certificates and  
24 other awards as may be prescribed by the Council;

25 (b) to develop, organise, promote, for the public benefit, the  
26 advancement and dissemination of knowledge in the field of Securities and  
27 Investments;

28 (c) (i) to determine standards of professional conduct and competence  
29 for all its members;

30 (ii) to establish rules (by way of regulation, code, or guidelines)

- 1       pertaining to the professional conduct of its members;
- 2               (iii) to promote such standards in Nigeria and overseas;
- 3               (iv) to discipline Members and Registered Students who fail to
- 4       comply with such standards and rules;
- 5               (v) to co-operate with other bodies in the setting up of
- 6       organizations for the purpose of dealing with cases of failure to comply with
- 7       such standards and rules;
- 8               (vi) to refer cases of alleged failure which are deemed by the
- 9       Institute to require independent investigation and determination in the
- 10      public interest to such organizations; and
- 11              (vii) to consider recommendations from such organizations for
- 12      review of the disciplinary and related provisions of the Institute.
- 13              (d) to conduct research in matters of education or public interest
- 14      concerning Securities and Investments Professionals;
- 15              (e) to fix and receive fees and levies payable by or on behalf of
- 16      candidates, members, or firms in respect of such events, materials, training,
- 17      examinations and subscriptions as the Institute may develop; 'organize or'
- 18      conduct;
- 19              (f) to preserve at all times the professional independence of
- 20      members in whatever capacities they may be serving;
- 21              (g) to promote, foster and maintain the interest and support of
- 22      persons engaged in Securities and Investments in the objects and activities
- 23      of the Institute;
- 24              (h) to organize, provide facilities for and hold lectures, seminars,
- 25      meetings, discussions, conferences, exhibitions, competitions,
- 26      demonstrations and courses of instructions on Securities and Investments
- 27      and related fields;
- 28              (i) to publish, produce or distribute books, pamphlets, literature,
- 29      periodicals, films, posters and journals relating to the affairs of the Institute
- 30      or by promoting and furthering the interests, usefulness and efficiency of

- 1 members and others or of the Securities and Investments profession generally;
- 2 (j) to disseminate information relating to Securities and Investments
- 3 to its members and to liaise with the Government and the regulatory bodies
- 4 towards promoting best practices in the conduct of Securities and Investments
- 5 business among its members;
- 6 (k) to make recommendations for improving or simplifying the law
- 7 and practice relating to Securities and Investments Professionals and capital
- 8 market instruments, draw attention to the anomalies in such law and forward its
- 9 recommendations to the appropriate authority;
- 10 (l) to make grants or other contributions to local or other societies
- 11 having as their object the furtherance of the objects of the Institute;
- 12 (m) to receive grants, gifts, levies, or other contributions from
- 13 individuals, corporate and/or governmental organizations;
- 14 (n) to make gifts or contributions for national, public, educational or
- 15 research charitable purposes;
- 16 (o) to make grants to universities or other educational establishments,
- 17 to provide finance and make grants for courses, lectures, classes or other tuition
- 18 or for research and to establish scholarships or exhibitions and give prizes with
- 19 a view to promoting or furthering the interests of members and prospective
- 20 members of the Institute;
- 21 (p) to establish and maintain a library or libraries and collection of
- 22 literature, films and other material for the use of members and others;
- 23 (q) to undertake and execute any trusts which may be lawfully
- 24 undertaken by the Institute and may further its objects;
- 25 (r) to organise, finance and maintain schemes for the granting of
- 26 diplomas, certificates and other awards (with or without prior examination)
- 27 with a view to promoting the principal objects of the Institute and to provide, if
- 28 it thinks fit (Whether in such scheme or otherwise) and subject to payment of
- 29 such fee, subscription or other sums as may be prescribed by or pursuant to the
- 30 Regulations of the Institute, for the use of designatory letters by persons

1 granted such diplomas, certificates and awards; and  
2 (s) to independently or in conjunction with others, undertake such  
3 other acts and things incidental to the powers aforesaid, as may be requisite  
4 in order to further the objects of the Institute.

5 3.-(1) "Subject to the provisions of this Bill and Membership  
6 Regulations which may be made by the Institute from time to time, persons  
7 admitted to membership of the Institute shall be registered as members  
8 including but not limited to the following categories" -

Membership of  
the Institute

- 9 (a) Fellow Members;  
10 (b) Honorary Fellow Members;  
11 (c) Associate Members;  
12 (d) Certified Specialists;  
13 (e) Affiliate Members;  
14 (f) Graduate Members; and  
15 (g) Student Members.

16 (2) A person registered under this Bill shall be enrolled to a higher  
17 membership status in any of the following categories, that is-

18 (a) as a Fellow Member if-

19 (i) he satisfies the Council that he or she has passed the relevant  
20 examinations of the Institute and has been on the graduate list of the Institute  
21 for minimum period of ten years or has for a continuous period of five years  
22 immediately preceding the application, he has been an Associate member in  
23 good standing with the Institute, whichever one is higher, shall qualify for  
24 election as a Fellow member of the Institute;

25 (ii) he is a holder of approved academic and or professional  
26 qualifications and a certificate of the examinations prescribed or accepted  
27 by the Institute;

28 (iii) he is otherwise considered by the Council to be a fit person to  
29 be so enrolled; and

1 (iv) he satisfies all other criteria as may be specified by the Council  
2 from time to time.

3 (b) as an Honorary Fellow Member if-

4 (i) he has contributed immensely to the growth of Securities and  
5 Investments profession in Nigeria and the Institute, and in the opinion of the  
6 Council be able to assist in the promotion of the objects of the Institute by  
7 reason of his experience, or position of eminence;

8 (ii) he is considered by the Council as a fit and proper person to be  
9 awarded the Honorary Fellowship of the Institute and satisfies the Council that  
10 he is eligible to be so awarded;

11 (iii) he complies with any requirements as set out in Regulations made  
12 by the Council and published from time to time; and

13 (c) as an Associate Member if-

14 (i) he has passed the examinations prescribed or accepted by the  
15 Institute; or

16 (ii) not being a member of the Institute at the time of application for  
17 membership, has passed the qualifying examination of any recognised Institute  
18 of Securities and Investments in any other country acceptable to the Council;  
19 and

20 (iii) he has acquired on the job practical experience or training in the  
21 Securities and Investments or related fields for such number of years as may be  
22 specified by the Council;

23 (iv) has been admitted by any recognized related foreign Institute to  
24 that category of membership;

25 (v) he is otherwise considered by the Council to be a fit person to be so  
26 enrolled; and

27 (vi) he satisfies all other criteria as may be specified by the Council  
28 from time to, time.

29 (d) as a Certified Specialists if:

30 (i) he is the holder of a certificate of the examination of the Institute

1 relating to at least one skill-set in the capital market as defined by Council  
2 and approved academic and or professional qualification;

3 (ii) he is otherwise considered by the Council to be a fit and proper  
4 person to be so enrolled; and

5 (iii) he satisfies all other criteria as may be specified by the Council  
6 from time to time.

7 (e) as an Affiliate Members if-

8 (i) The Council in its absolute discretion grant affiliate status to  
9 persons upon such terms and conditions as the Council from time-to-time  
10 considers appropriate.

11 (ii) If the person is considered by Council to be a fit and proper  
12 person to be granted an affiliate status;

13 (iii) If he/she complies with any requirements as may be prescribed  
14 by or pursuant to the Regulations of the Institute:

15 *PROVIDED THAT:*

16 (iv) Every person being granted affiliate status shall pay such fee,  
17 annual subscription or other sums as may be prescribed by or pursuant to the  
18 Regulations of the Institute;

19 (v) Every person being granted affiliate status shall be subject to  
20 the provisions as to discipline set out in this Bill and of the Rules and  
21 Regulations of the Institute, including any scheme maintained by the  
22 Institute under sub-paragraph (2) (s) of Section 2 of this Bill, references to  
23 members in such provisions shall be taken to include references to affiliates;

24 (vi) Every person being granted affiliate status shall not be entitled  
25 to any of the rights of members (other than the rights of a member in  
26 disciplinary proceedings) and that the Institute shall not be entitled to  
27 authorize their use of any designatory letters.

28 (f) as a Graduate Member if-

29 he/she has completed and passed the Institute's professional diploma

- 1 examination at all stages or the Institute's professional examination at all levels  
2 (g) as a Student Member if-  
3 (i) he/she possesses the minimum requirements approved by Council  
4 to be registered as a student;  
5 (ii) is a person duly registered by the Council as a student member for  
6 a particular examination he chooses to write;  
7 (iii) is otherwise considered by Council as a fit and proper person to be  
8 so registered.
- 9 (3) Any person admitted to any class of membership of the Institute  
10 shall give an undertaking on admission in writing in such terms as Rules and  
11 Membership Regulations may prescribe. Such undertaking on admission will  
12 include that:
- 13 (a) he will abide by the Act, Rules and Regulations and Code of Ethics  
14 and Standards of Professional Conduct (as amended from time to time);  
15 (b) he will not at any time after ceasing to be a Member of the Institute  
16 use or permit to be used in conjunction with:
- 17 (i) his name; or  
18 (ii) the name of any organisation with which he may be associated;  
19 (iii) any Designation, Designatory Initials or expression denoting or  
20 suggesting any past or present membership of or connection with the Institute  
21 that he or the organisation is not otherwise entitled to use;
- 22 (c) he will be liable whilst a Member and will remain liable after  
23 ceasing to be a Member any monies payable by him to the Institute, including  
24 but not limited to any fee, subscription, levy, fine or other penalty, or  
25 reimbursement in accordance with any scheme of compensation; and  
26 (d) he will comply with such other requirements as the Council shall  
27 determine.

1 PART II - HONORARY OFFICERS AND OTHER OFFICERS OF THE  
2 CHARTERED INSTITUTE OF SECURITIES AND INVESTMENTS NIGERIA

3 4.-(1) There shall be a President and such number of Vice  
4 Presidents of the Institute as the Regulations made by the Institute may  
5 prescribe from time to time. They and their successors shall hold their  
6 respective offices for such terms and their successors shall be appointed in  
7 such manner, as shall from time to time be prescribed by or in accordance  
8 with the Members' Regulations.

Office of President,  
First Vice-President,  
Second Vice-President  
of the Institute

9 (2) There shall be such other officers of the Institute as the  
10 Regulations made by the Institute may from time to time prescribe or  
11 authorise and they shall have such powers and duties and such periods of  
12 office and shall be appointed in such manner as may be prescribed by or in  
13 accordance with the Membership Regulations.

14 PART III - GOVERNING COUNCIL OF THE INSTITUTE, ETC.

15 5.-(1) There is hereby established for the Institute a Governing  
16 Council (in this Bill referred to as "the Council") which shall be charged  
17 with the responsibility for the administration and general management of  
18 the Institute.

Establishment of  
Governing Council  
of the Institute

19 (2) The Council shall consist of the following members:  
20 (a) the Chairman who shall be the President of the Institute;  
21 (b) such number of Vice-Presidents as may be prescribed by  
22 Regulations from time to time;  
23 (c) One representative each of the following-  
24 (i) Securities and Exchange Commission;  
25 (ii) Pension Commission of Nigeria;  
26 (iii) Federal Ministry of Education;  
27 (iv) Federal Ministry of Finance;  
28 (v) Federal Ministry of Industry, Trade and Investment; and  
29 (vi) Any other relevant organization as Council deems fit.  
30 (d) Two representatives of all- licensed Securities Exchanges;

1 (e) One member representing each of the following categories, based  
2 on application:

3 (i) Investments (Portfolio Management, Fund Management,  
4 Investments Advisory, Financial Planning);

5 (ii) Securities Issuance and Financial Advisory;

6 (iii) Share Registrars;

7 (iv) Securitized Commodities Brokers;

8 (v) Any other categories as determined from time to time by the  
9 Governing Council.

10 (f) One (I) person to represent institutions of higher learning in  
11 Nigeria offering courses leading to approved qualifications, to be appointed by  
12 the National University Commission;

13 (g) Twelve (12) members to be elected by the Institute, either from the  
14 Associates or Fellows category or such number of members to be elected by the  
15 Institute, as may be prescribed in the Membership Regulations made by the  
16 Institute;

17 (h) Council may co-opt as member(s) such person(s) whose skills are  
18 required, from time to time, but not exceeding five (5) persons at any point in  
19 time and whose tenure shall not be more than one term in office; but a person  
20 who is a member by virtue of the sub-paragraph shall not be entitled to vote at  
21 any meeting of the Council and shall not count towards a quorum.

22 (i) Past Presidents of the Institute who shall be entitled to serve on the  
23 Council for a maximum period of three years from the expiration of their terms  
24 of office as President of the Institute; and

25 (j) The Registrar & Chief Executive Officer of the Institute.

26 (3) The qualifications and tenure of office of members of the Council  
27 and the other matters therein mentioned shall from time to time be prescribed  
28 by or in accordance with the Membership Regulations.

Powers of the  
Council

29 **6.** The Council shall have power to do all such things which in its  
30 opinion is calculated to facilitate the carrying on of the activities of the Institute

1 in accordance with the provisions of this Bill.

2 PART IV - ACCOUNTS AND AUDIT

3 7.-(1) There shall be established for the Institute, a fund which shall  
4 be managed and controlled by the Council. Fund of the  
Institute

5 (2) There shall be paid into the fund established pursuant to  
6 subsection (1) of this section-

7 (a) all fees and other monies payable to the Institute in pursuance of  
8 this Bill; and

9 (b) such other monies as may be payable to the Institute in the  
10 course of its operations or in relation to the exercise of any of its functions  
11 under this Bill.

12 (3) There shall be paid out of the fund of the Institute-

13 (a) the remuneration and allowances of the Registrar & Chief  
14 Executive Officer and other employees of the Institute;

15 (b) such reasonable travelling and subsistence allowances of  
16 members of the Council in respect of the time spent on the business of the  
17 Council as the Council may determine;

18 (c) remuneration to and the expenses of any other persons (whether  
19 members of the Institute or not) who render services to the Institute; and

20 (d) any other expenses incurred by the Council in the discharge of  
21 its functions under this Bill.

22 (4) The income and property of the Institute, whomsoever derived,  
23 shall be applied solely towards the promotion of its objects as set forth in this  
24 Bill or added to in the manner hereinafter provided and no Member shall as  
25 such have any personal claim on any of the said income or property.

26 (5) No part of the fund, income or property of the Institute shall be  
27 paid or transferred directly or indirectly by way of dividend, bonus or  
28 otherwise howsoever by way of profit to its Members, provided that nothing  
29 herein contained shall prevent the payment in good faith of remuneration to  
30 any Member thereof, or to any other person in return for services rendered to

1 the Institute, or the payment in good faith of expenses incurred by any such  
2 person in providing such services, or the payment of interest at a rate to be  
3 determined by Council on money borrowed from any Member or any payment  
4 becoming due under or by virtue of any indemnity given by the Institute to any  
5 officials or servants or to any Member in accordance with the Members'  
6 Regulations.

7 (6) If any person ceases for any cause whatsoever to be a member of  
8 the Institute he shall not nor shall his representatives have any interest in or  
9 claim against the funds or property of the Institute.

10 (7) No payment of remuneration (other than reimbursement of out-of-  
11 pocket expenses) shall be made by the Institute to any member of the Council  
12 of the Institute except as may be specifically permitted by the Members'  
13 Regulations.

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

17 (9) The Council may, from time to time, borrow money with or  
18 without security for the purpose of the Institute and any interest payable on  
19 moneys so borrowed shall be paid out of the fund.

20 (10) All members shall be liable for payment of fees, subscription,  
21 levy, or other sums payable while in membership.

22 (11) The Council shall on behalf of the Institute cause proper books of  
23 account to be kept with respect to:

24 (a) all sums of money received and expended by the Institute and the  
25 matters in respect of which the receipt and expenditure takes place;

26 (b) all sales and purchases of goods and services by the Institute; and

27 (c) the assets and liabilities of the Institute.

28 Proper books shall not be deemed to be kept if there are not kept such books of  
29 account as are necessary to give a true and fair view of the state of the Institute's  
30 affairs and to explain its transactions.

1 (12) A copy of every balance sheet, income and expenditure  
2 account and auditors' report shall be sent to every Member not less than  
3 twenty-one days before the Meeting at which they are to be considered

4 8. The Council shall cause the financial statements of the Institute Account and Audit  
5 to be audited by an auditor or auditors appointed in a manner prescribed in  
6 the Members' Regulations.

7 PART V - APPOINTMENT OF THE REGISTRAR & CHIEF

8 EXECUTIVE OFFICER ETC

9 9.-(1) The Council shall appoint a fit and proper person who shall Principal Officers  
10 be a Member of the Institute to be the Chief Executive Officer for the of the Institute  
11 purpose of this Bill, and such other persons as the Council may from time to  
12 time, deem necessary to assist the Registrar & Chief Executive Officer in the  
13 performance of his functions under this Bill.

14 (2) The Registrar & Chief Executive Officer, shall in addition to his  
15 other functions under this Bill, be the Secretary to the Council and shall keep  
16 minutes of the proceedings of all meetings of the Council and Committees  
17 thereof.

18 (3) The Registrar & Chief Executive Officer appointed under  
19 Subsection (1) of this section shall report to the Council of the Institute.

20 (4) (i) The Institute shall keep and maintain the Register of  
21 Members as set out in Council Regulations, which shall record any person:

22 (a) admitted to any class of membership of the Institute following  
23 admission or readmission;

24 (b) expelled or who resigns from any class of membership of the  
25 Institute; or

26 (c) suspended.

27 (ii) There shall be for the purposes of this Bill a register of  
28 individual members.

29 (5) Subject to other provisions of this section, the Council shall  
30 make rules with respect to the form and keeping of registers and the making

1 of entries thereon, and in particular-

2 (a) regulate the making of applications for enrolment or registration,  
3 as the case may be, and providing for the evidence to be produced in support of  
4 the applications;

5 (b) provide for the notification to the Registrar & Chief Executive  
6 Officer, by the person to whom any registered particular relates or any change  
7 in those particulars;

8 (c) authorize an enrolled or registered person to have any  
9 Qualification which is in, relation to the relevant division of the profession,  
10 either an approved qualification or an accepted qualification, for the purposes  
11 of this Bill, registered in relation to his name in addition to, or as he may elect,  
12 in substitution for any other qualification so registered;

13 (d) specify the fees, including any annual subscription, to be paid to  
14 the Institute in respect of the entry of names on the Register and authorizing the  
15 Registrar & Chief Executive Officer to refuse to enter a name on the Register  
16 until any fee specified for the entry has been paid; and

17 (e) specify anything failing to be specified under the foregoing  
18 provisions of this section; but rules made for the purpose of paragraph (d) of  
19 this subsection shall not come into force until they are confirmed at a meeting  
20 of the Institute.

21 (6) The Registrar & Chief Executive Officer shall-

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

25 (b) The Registrar & Chief Executive Officer shall- make, from time to  
26 time, any necessary alterations in the registered particulars of registered  
27 persons in accordance with the Council directives;

28 (c) remove from the register the name of a deceased member; and

29 (d) record the names of members of the Institute who are in the default  
30 for more than one year in the payment of annual subscriptions and to take such

1 action in relation thereto (including removal of the times of defaulters from  
2 the register) as the Council may direct and any person whose name is  
3 removed from the register for being in default of payment for more than one  
4 year may be re-registered subject to payment of outstanding subscription  
5 and re-registration fees as may be approved by the Council from time to  
6 time.

7 (7) If the Registrar & Chief Executive Officer-

8 (a) sends by post to any enrolled or registered person a registered  
9 letter addressed to him at his enrolled address on the register, enquiring  
10 whether the enrolled registered particulars relating to him are correct and  
11 receives no reply to the letter within a period of six months from date of  
12 posting it and

13 (b) upon the expiration of that period, sends in the like manner to  
14 the person in question a second similar letter and receives no reply to that  
15 letter within three months from the date of posting it, the Registrar & Chief  
16 Executive Officer may remove the particulars relating to person in question  
17 from the register and the Council may direct the Registrar and Chief  
18 Executive Officer to restore to the appropriate part of the register any  
19 particulars removed there from under this subsection.

20 **10.-(1)** The Registrar & Chief Executive Officer shall-

21 (a) cause the register to be printed, published (including the  
22 electronic form and publication on the Institute's website) and make it  
23 available to members of the public not later than two years from the  
24 commencement of this Bill;

25 (b) thereafter in each year, cause to be printed, published  
26 (including the electronic form and publication on the Institute's website) and  
27 make it available as aforesaid, either a corrected edition of the register or list  
28 of corrections made to the register, since it was last printed;

29 (c) cause a print (including the electronic form and publication on  
30 the Institute's website) of each edition of the register and of each list of the

Publication of  
register and list of  
correction, etc.

1 corrections to be deposited at the principal office of the Institute and/or on the  
2 Institute website; and

3 (d) keep the register and list so deposited and make the register and  
4 such lists available at all reasonable times for inspection by members of the  
5 public (including the electronic form and publication on the Institute's  
6 website).

7 (2) A document purporting to be a print (including the electronic form  
8 and publication on the Institute's website) of an edition of the register published  
9 under this section by authority of the Registrar and Chief Executive Officer or  
10 documents purporting to be prints of an edition of the register so published and  
11 of the list of corrections to that edition so published, shall (without prejudice to  
12 any other mode of proof) be admissible in any proceedings as evidence that any  
13 person specified in the document or the documents read together as being  
14 registered or enrolled was so enrolled or registered as at the date of the edition,  
15 or of the list of corrections, as the case may be, and that any person not so  
16 specified was not so enrolled or registered.

17 (3) Where in accordance with Subsection (2) of this section a person is  
18 in any proceedings, shown to have been or not to have been registered or  
19 enrolled at a particular date, he shall, unless the contrary is proved, be taken for  
20 the purpose of the proceedings as having at all material times thereafter  
21 continued to be or not to be so enrolled or registered.

22 PART VI - REGISTRATION OF MEMBERS

Registration  
of Members

23 11.-(1) A person, other than one whose membership has been  
24 suspended by a directive of the Disciplinary Committee shall be entitled to be  
25 registered as member in the classes of membership specified in Section 3 of this  
26 Bill if he satisfies the requirements for registration.

27 (2) An applicant for registration shall, in addition to evidence of  
28 qualification, satisfy the Council that he-

29 (a) is of good character;

30 (b) has attained the age of 18 years; and

1 (c) has not been convicted in Nigeria or elsewhere of an offence  
2 involving fraud or dishonesty.

3 (3) The Council may at its sole discretion provisionally accept a  
4 qualification produced in respect of an application for registration under this  
5 section or direct that application be renewed within such period as may be  
6 specified in the direction.

7 (4) Any entry directed to be made by the Registrar & Chief  
8 Executive Officer under Subsection (3) of this section shall show that  
9 registration is provisional and no entry so made shall be converted to full  
10 registration without the consent of the Council signified in writing in that  
11 behalf.

12 (5) The Council shall, from time to time, prescribe and publish  
13 (including in electronic form) in the official journal, news letter, magazine  
14 and/or website of the Institute particulars of qualification for the time being  
15 accepted as aforesaid.

16 **12.-(1)** The Council may approve any qualification for the purpose  
17 of this Bill and may for such purpose approve-

Approval of  
qualifications, etc.

18 (a) any course of training at any approved institution which is  
19 intended for persons seeking to be members of the Institute and which the  
20 Council considers adequate to confer on persons completing it, sufficient  
21 knowledge and skill for admission to the Institute; and

22 (b) any qualification which as a result of an examination taken in  
23 conjunction with a course of training approved by the Council under this  
24 section is granted to candidates having reached a standard at the  
25 examination, indicating in the opinion of the Council, that the candidates  
26 have sufficient knowledge and skill to practice as securities and Investments  
27 professionals.

28 (2) The Council may, if it thinks fit, withdraw any approval given  
29 under this section in respect of any course, qualification or institution, but  
30 before the withdrawal of such an approval, the Council shall-

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

4 (b) afford each of such person an opportunity of making to the  
5 Council representations with regard to the proposal; and

6 (c) take into consideration any representations made in respect of the  
7 proposal in pursuance of paragraph (b) of this subsection.

8 (3) A course, qualification or institution shall not be treated as  
9 approved during any period the approval is withdrawn under Subsection (2) of  
10 this section.

11 (4) Notwithstanding the provisions of Subsection (3) of this section,  
12 the withdrawal of approval under Subsection (2) of this section shall not  
13 prejudice the registration or eligibility for registration of any person who, by  
14 virtue of the approval, was registered or was eligible for registration (either  
15 unconditionally or subject to his obtaining a certificate or experience)  
16 immediately before the approval was withdrawn.

17 (5) The giving or withdrawal of an approval under this section shall  
18 have effect from such date, either before or after the execution of the  
19 instrument signifying the giving or withdrawal of the approval, as the Council  
20 may specify in the instrument, and the Council shall-

21 (a) as soon as may be practicable, publish a copy of every such  
22 instrument in the official news letter and magazine and/or website of the  
23 Institute, and

24 (b) not less than seven days before its publication as aforesaid, send a  
25 copy of the instrument to the institution affected.

Supervision of  
instructions, etc.

26 **13.-(1)** It shall be the duty of the Council to keep itself informed of the  
27 nature of-

28 (a) the instructions given at approved institutions to persons attending  
29 approved courses of training; and

30 (b) the examinations as a result of which approved qualifications are

1 granted and for the purposes of performing that duty the Council may  
2 appoint, either from its own members or otherwise, persons to visit  
3 approved institutions or observe such examinations.

4 (2) It shall be the duty of a person appointed under subsection (1) of  
5 this section to report to the Council on-

6 (a) the adequacy of the instructions given to persons attending  
7 approved course of training at institutions visited by him;

8 (b) the adequacy of the examinations attended by him; and

9 (c) any other matter relating to the institutions or examinations on  
10 which the Council may, either generally or in particular cases request them  
11 to report, but no such person shall interfere with the giving of any instruction  
12 or the holding of any examination.

13 (3) On receiving a report made pursuant to this section, the Council  
14 may, if it thinks fit, and shall, if so required by the institution, send a copy of  
15 the report to the person appearing to the Council to be in charge of the  
16 Institution or responsible for the examinations to which the report relates,  
17 requesting that person to make observations on the report to the Council  
18 within such period as may be specified in the quest, not being less than one  
19 month beginning with the date of that request.

#### 20 PART VII - PROFESSIONAL DISCIPLINE

21 **14.-(1)** There shall be constituted a body to be known as the  
22 Chartered Institute of Securities and Investments Nigeria Investigating  
23 Panel (in this Bill referred to as "the Investigating Panel") which shall be  
24 charged with the duty to-

Establishment  
of Investigating  
Panel and  
Disciplinary

25 (a) conduct a preliminary investigation into any case where it is  
26 alleged that a member of the Institute has misbehaved in his capacity as a  
27 member or shall for any other reason be the subject of proceedings before  
28 the Disciplinary Tribunal; or

29 (b) decide whether the case should be referred to the Disciplinary  
30 Tribunal or not; or

1 (c) submit a report on any action taken in the past to the Disciplinary  
2 Tribunal.

3 (2) The Investigating Panel shall be appointed by the Council as  
4 prescribed in the Regulations of the Institute.

5 (3) The Council may make rules not inconsistent with this Bill as  
6 regard acts which constitute professional misconduct.

7 (4) The Investigating Panel shall act independently in receiving and  
8 investigating allegations under paragraph (a) of subsection (I) of this section  
9 and shall have power to receive complaints directly from any individual or  
10 organization.

11 (5) There shall be established a Tribunal to be known as Chartered  
12 Institute of Securities and Investments Nigeria Disciplinary Tribunal (in this  
13 Bill referred to as "the Disciplinary Tribunal") which shall be charged with the  
14 duty of considering and determining any case referred to it by the Investigating  
15 Panel constituted under Subsection (I) of this section.

16 (6) The investigating Panel and the Disciplinary Tribunal shall consist  
17 of such number of members with such qualifications, appointed by the Council  
18 in such manner and to hold office for such period and on such terms and  
19 otherwise as the Regulations of the Institute shall direct.

Penalties for  
professional  
misconduct

20 **15.-(1) Where-**

21 (a) a member is adjudged by the Disciplinary Tribunal to be guilty of  
22 professional misconduct in any professional respect; or

23 (b) a member is convicted by any court or tribunal in Nigeria or  
24 elsewhere having power to award punishment for an offence (whether or not  
25 such offence is punishable with imprisonment), which in the opinion of the  
26 Disciplinary Tribunal is incompatible with the conduct required of a member  
27 of the Institute; or

28 (c) the Disciplinary Tribunal is satisfied that the name of any person  
29 has been fraudulently enrolled or registered, the Disciplinary Tribunal shall  
30 impose such sanction(s) as it deemed fit and convey a direction to the person

- 1 concerned after receiving the confirmation of the Council.
- 2 (2) If the complaint against the person concerned is upheld by the
- 3 Disciplinary Tribunal having heard the case, the Disciplinary Tribunal shall
- 4 direct that anyone or more of the following sanctions be imposed:
- 5 (i) the respondent be reprimanded;
- 6 (ii) the respondent be severely reprimanded;
- 7 (iii) the respondent's registration as a Member in Practice be
- 8 suspended or cancelled;
- 9 (iv) the respondent's Practising Licence be withdrawn;
- 10 (v) the respondent be fined a sum not exceeding a maximum figure
- 11 as the Council may set from time to time;
- 12 (vi) the respondent be expelled from membership of the Institute,
- 13 (vii) the respondent's membership be made subject to conditions;
- 14 (viii) the respondent's registration, if an affiliate or a registered
- 15 student, be cancelled or made subject to conditions;
- 16 (ix) the respondent may be required to fully or partly restitute the
- 17 complainant;
- 18 (x) the respondent may be required to pay all or part of the costs of
- 19 the proceedings against him;
- 20 (xi) the respondent gives a written undertaking to refrain from
- 21 continuing or repeating the misconduct in question; and
- 22 (xii) in the case of an Affiliate or Registered student (but not an
- 23 Associate or Fellow member) that he/she:
- 24 (a) be declared unfit to become a full member;
- 25 (b) be debarred from sitting the Institute's examinations
- 26 /assessments;
- 27 (c) for such a period of time as shall be determined; and
- 28 (d) have a relevant examination/assessment result declared null
- 29 and void.
- 30 (3) The Disciplinary Tribunal may, if it thinks fit, defer or further

1 defer its decision as to the giving of a direction under Subsection (2) of this  
2 section until a subsequent meeting of the Disciplinary Tribunal, but-

3 (a) no decision shall be deferred under this subsection for any period  
4 exceeding three months from the conclusion of proceedings in the case, and

5 (b) no person shall be a member of the Disciplinary Tribunal for the  
6 purpose of reaching a decision which has been deferred, or further deferred,  
7 unless he was present as a member of the Disciplinary Tribunal when the  
8 decision was deferred.

9 (4) For the purpose of paragraph (b) subsection (1) of this section, a  
10 person shall not be treated as guilty as therein mentioned, unless the guilt stand  
11 at a time when no appeal or further appeal is pending or may (without extension  
12 of time) be brought in connection with the direction.

13 (5) When the Disciplinary Tribunal gives a direction under subsection  
14 (1) of this section, the Disciplinary Tribunal shall cause notice of the direction  
15 to be served on the person to whom it relates.

16 (6) provides that appeals against the decision of the Chartered  
17 Institute of Securities and Investments Nigeria Disciplinary Tribunal goes to  
18 the Federal High Court.

19 (7) A direction of the Disciplinary Tribunal given under Subsection  
20 (1) of this section shall take effect where-

21 (a) no appeal under the section is brought against the direction within  
22 the time limit for such an appeal, or on the expiration of that time; or

23 (b) such an appeal is brought and is withdrawn or struck out for want  
24 of prosecution, on the withdrawal or striking out of the appeal; and

25 (c) such an appeal is brought and is not withdrawn or struck out as  
26 aforesaid, if and when the appeal is dismissed,

27 (8) A person whose name is struck out of the Register in pursuance of  
28 a direction of the Disciplinary Tribunal under this section, shall not be entitled  
29 to be enrolled or registered again, except in pursuance of a direction in that  
30 behalf given by the Disciplinary Tribunal on the application of that person and

1 a direction under this section for the striking off a person's name from the  
2 register may prohibit an application under this subsection by that person  
3 until the expiration of such period from the date of the direction (and where  
4 he has duly made an application, from the date of his last application), as  
5 may be specified in the direction.

6 PART VIII - MISCELLANEOUS

7 **16.** A person who is not a member of the Chartered Institute of  
8 Stockbrokers before the commencement of this Bill, but is qualified to apply  
9 for and obtain membership of the Institute, may apply for membership of the  
10 Chartered Institute of Securities and Investments Nigeria established by this  
11 Bill, in such a manner as may be prescribed by rules made by the Council  
12 and shall be registered in the category of membership appropriate in the  
13 current period for holders of the qualification the person possesses.

Application of  
this Bill to  
unregistered  
persons

14 **17.-(1)** A person, who for the purpose of procuring the registration  
15 of any name, qualification or other matter commits an offence where he-

Offences and  
penalties

16 (a) makes a statement which he believes to be false in a material  
17 particular; or

18 (b) recklessly makes a statement which is false in a material  
19 particular; or

20 (c) uses any name, title, addition or description implying that he is a  
21 member of the Institute when he has not been so licensed; or .

22 (d) wilfully makes any falsification in any matters relating to the  
23 register of the Institute.

24 (2) Any person who being a member of the Institute, but not having  
25 a certificate of practice, represents that he is in practice or practises as a  
26 chartered member, commits an offence.

27 (3) The Registrar & Chief Executive Officer or any other person  
28 employed by or on behalf of the Institute who will fully makes any  
29 falsification in any matter relating to the register, commits an offence.

30 (4) A person who commits an offence under this section is liable-

1 (a) on summary conviction, to a fine of an amount not exceeding  
2 N3,000,000; or

3 (b) on conviction or indictment, to a fine of an amount not exceeding  
4 N5,000,000.

5 *Provided that:*

6 criminal offences shall be referred to the appropriate law enforcement agencies  
7 for prosecution as provided by the Nigerian law.

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

Rules as to  
practice, etc.

15 **18.**-(1) The Council may make rules to guide training in Securities  
16 and Investments methods and practice.

17 (2) The Council may also make rules-

18 (a) prescribing the amount and due date for the payment of the fee,  
19 annual subscription or such other sums and for such purposes, different  
20 amounts may be prescribed by rules according to the category of membership;

21 (b) prescribing the form of licence to practise to be issued annually, or  
22 if the Council thinks fit, by endorsement on an existing licence; and

23 (c) restricting the right of a member in default of the amount of the  
24 annual subscription where the default continues for longer than such period as  
25 may be prescribed by the rules.

26 (d) restricting the right to practise as the member of the profession if  
27 the qualification granted outside Nigeria does not entitle the holder to practise s  
28 a member of the profession; and

29 (e) prescribing the period of practical training in the office of a  
30 member of the profession in practice to be completed before a person qualifies

1 for a license to practise as a member of the profession.

2 (3) Rules made under this section shall, if the Council so directs,  
3 be published In the official newsletter, website and magazine of the Institute.

4 **19.**-(1) Upon the Commencement of this Bill, any Securities and  
5 Investments Professional registered by the Commission to operate in the  
6 Nigerian capital market who seeks to become a member of the Institute  
7 shall be granted such membership automatically and exempted from  
8 fulfilling the conditions prescribed in this Bill. Provided that no Securities  
9 and Investments Professional registered by the Commission shall be  
10 precluded from operating in the Nigerian capital market on account of not  
11 being a member of the Institute.

Transitional  
provisions relation  
to existing Securities  
and Investments  
Professionals

12 (2) Securities and Investments Professionals who belong to Trade  
13 Associations which entered into Memoranda of Understanding with the  
14 Institute prior to the commencement of the Bill shall be automatically  
15 enrolled as members of the Institute in line with the provisions of such  
16 Memoranda of Understanding.

17 **20.**-(1) The Institute may from time-to-time as it deems fit, by  
18 special resolution make such regulations for regulating the affairs of the  
19 Institute and may rescind, repeal, amend or vary any of the regulations  
20 provided that such regulations shall not be in any respect inconsistent with  
21 the express provisions of this Bill.

22 (2) For the purposes of this Bill a 'Special Resolution' means a  
23 resolution passed by a majority of not less than two-thirds of the members  
24 present and voting in person at a meeting specially convened for the  
25 purpose with at least twenty-one days' notice in writing (which expression  
26 shall be taken to mean written or produced by any substitute for writing or  
27 partly one and partly another, including in electronic form).

28 (3) Regulations which shall be made by Special Resolution shall  
29 be known as 'Members' Regulations';

30 Regulations which shall be made by the Council shall be known as 'Council

1 Regulations' Members'

2 Regulations may direct that any matter prescribed or regulated therein may be  
3 further prescribed or regulated by Council Regulations.

4 (4) Any Regulation made pursuant to this Bill shall be published  
5 (including in electronic form) in the official journal, newsletter, magazine  
6 and/or website of the Institute.

Dissolution of  
Chartered Institute  
of Stockbrokers

7 **21.**-(1) Or the commencement of this Bill, the Chartered Institute of  
8 Stockbrokers shall cease to exist and the functions and employees, assets and  
9 liabilities of the said Chartered Institute of Stockbrokers shall be transferred to  
10 the Chartered Institute of Securities and Investments Nigeria.

11 (2) Any act or thing made or done by the Chartered Institute of  
12 Stockbrokers shall be deemed to have been made or done by the Chartered  
13 Institute of Securities and Investments Nigeria established by this Bill.

Transfer to the  
Chartered Institute  
of Securities and  
Investments of  
assets and liabilities

14 **22.**-(1) On the commencement of this Bill-

15 (a) the Chartered Institute of Securities and Investments Nigeria shall  
16 retain such persons in its employment not being persons on the staff of the  
17 defunct Institute but as staff of the Chartered Institute of Securities and  
18 Investments Nigeria transferred to it by this Bill on the same terms and  
19 conditions;

20 (b) any staff of the defunct Institute who fails within one month of the  
21 defunct Institute to report for duty at his duty post as designated by the  
22 Management of the Chartered Institute of Securities and Investments Nigeria  
23 shall be deemed to have abandoned his duty post.

24 (2) As from the commencement of this Bill-

25 (a) the provision of any contract or instrument connected therewith,  
26 shall be read and construed with such modifications (including additions,  
27 alterations, omissions or repeals) as would bring them in conformity with the  
28 general intendment of this Bill;

29 (b) the rights, interests, obligations and liabilities of the defunct  
30 Institute existing immediately before the commencement of this Bill under any

1       aforementioned contract or instrument, or in law or in equity apart from  
2       contract or instrument, shall by virtue of this Bill be assigned to and vested in  
3       the Chartered Institute of Securities and Investments Nigeria; or

4               (c) any such contract or instrument as is mentioned in sub-  
5       paragraph (b) of this paragraph, shall be of the same force and effect against  
6       or in favour of the Chartered Institute of Securities and Investments Nigeria  
7       and shall be enforceable as fully and effectively as if instead of the defunct  
8       Institute, the Chartered Institute of Securities and Investments Nigeria had  
9       been named therein or had been a party thereto.

10              (3) The provision of the Schedule to this Bill shall have effect with  
11       respect to matters arising from the transfer by this section to the Chartered  
12       Institute of Securities and Investments Nigeria of the property of the defunct  
13       Institute and with respect to the other matters mentioned therein.

14              **23.** In this Bill, unless the context otherwise requires-

Interpretation

15       "Approved training" means practical training and experience approved by  
16       the Council and obtained at or from a recognized training organisation;

17       "The Registrar and Chief Executive Officer" means the person appointed by  
18       the Council pursuant to Section 9 (1) of the Bill;

19       "An Affiliate"- is a corporate entity that aggregates the interests of other  
20       corporate members who may be qualified to be members but have elected  
21       not to be full members. Affiliates will be represented on the Governing  
22       Council of the Institute subject to Membership Regulation;

23       "Complaint" means an allegation that a Member, Graduate, Affiliate or  
24       Registered Student or such membership as prescribed is guilty of  
25       misconduct, and may comprise several allegations;

26       "Complainant" means a person making a complaint;

27       "Council" means the Council established as the governing body of the  
28       Institute under section 5, of this Bill;

29       "Disciplinary Tribunal" means the Chartered Institute of Securities and  
30       Investments Nigeria Disciplinary Tribunal established under subsection (5)

1 of section 13 of this Bill;

2 "Fees" includes annual subscription, levy, or other sums payable while in

3 membership;

4 "in writing" means written or produced by any substitute for writing or partly

5 one and partly another, including in electronic form;

6 "Institute" means the Chartered Institute of Securities and Investments Nigeria

7 established under a section 1 of the Bill;

8 "Investigating Panel" means the Chartered Institute of Securities and

9 Investments Nigeria

10 Investigating Panel established under subsection (3) of section 13 of this Bill:

11 "Member", Means a member of the Institute and membership shall be

12 construed accordingly;

13 "Member in practice" and "Member in public practice" means a Member

14 registered as such under this Bill and under any Regulations and defined in any

15 Regulations;

16 "Minister" means a Minister of the Federal Republic of Nigeria;

17 "President" and "Vice Presidents" respectively means the holder of offices

18 under those names in the Institute;

19 "Register" means the register maintained pursuant to Section 9 of this Bill;

20 "Regulations" means regulations made by the Institute or Council or any

21 Committee or Sub-committee pursuant to section 19 of the Bill;

22 "Securities and Investments Professional" means a professional who is

23 engaged in Securities Issuance and Financial Advisory, Securities Dealing,

24 Fund Management, Investments, Portfolio Management,

25 Investments Advisory Services, Registrar Services, and Financial Planning

26 Services; in capital market operations/activities or conducting business in the

27 Securities and Investments field or in capital market instruments.

Short title

28 **24.** This Bill may be cited as the Chartered Institute of Securities and

29 Investments Nigeria Bill, 2022.

## 1 SCHEDULE

2 *Section 22 (3)*

## 3 TRANSITIONAL PROVISIONS AS TO ASSETS AND LIABILITIES

4 *Transfer of assets and liabilities*

5 1.-(1) Every agreement to which the defunct Institute was a party  
6 immediately before the commencement of this Bill, whether in writing or  
7 not and whether or not of such a nature that the rights, liabilities and  
8 obligations there under could be assigned by the defunct Institute, shall,  
9 unless its terms or subject matter make it impossible that it should have  
10 effect as modified in the manner provided by these sub-paragraphs, have  
11 effect from the commencement of this Bill so far as it relates to assets and  
12 liabilities transferred by this Bill to the Chartered Institute of Securities and  
13 Investments Nigeria, as if-

14 (a) the Institute established by this Bill had been a party to the  
15 agreement;

16 (b) for any reference (however worded and whether expressed or  
17 implied) to the defunct Institute, there were substituted as respects anything  
18 falling to be done on or after the commencement of this Bill a reference to  
19 the Chartered Institute of Securities and Investments;

20 (c) For any reference, however, worded and whether expressed or  
21 implied, to a member or members of the Council of the defunct Institute or  
22 an officer of the defunct Institute, there were substituted, as respects  
23 anything falling to be done on or after the commencement of this Bill, a  
24 reference to a member or members of the Council under this Bill or the  
25 officer of the defunct Institute corresponds as nearly as may be to the  
26 member or officer in question of the defunct Institute.

27 (2) Other documents which refer, whether specially or generally, to  
28 the defunct Institute shall be considered in accordance with subparagraph (i)  
29 of this paragraph so far as applicable.

30 (3) Without prejudice to the generality of the foregoing provisions

1 of this schedule, where by the operation of section 21 of this Bill , any right,  
2 liability or obligation vests in the Chartered Institute of Securities and  
3 Investments Nigeria, the Institute and all other persons shall, as from the  
4 commencement of this Bill, have the same rights, powers and remedies (and, in  
5 particular, the same rights as to the taking or resisting of legal proceeding or the  
6 making or resisting of applications to any authority) for ascertaining,  
7 perfecting or enforcing that right, liability or obligation as they would have if it  
8 had at all times been a right liability or obligation of the Institute.

9 (4) Any proceeding or cause of action or application to any authority  
10 pending or existing or which could have been taken by or against the defunct  
11 Institute immediately before the commencement of this Bill in respect of any  
12 right, interest, obligation or liability of the defunct Institute may be  
13 commenced, continued or enforced or taken by or against the Chartered  
14 Institute of Securities and Investments Nigeria established by this Bill.

#### EXPLANATORY MEMORANDUM

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

The Bill seeks to repeal the Chartered Institute of Stockbrokers Act, Cap. C9.LFN 2004 and provide for the establishment of the Chartered Institute of Securities and Investments Nigeria to regulate and control the professional practice in the areas of Securities and Investments business in Nigeria.

# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGER DELTA INSTITUTE OF TECHNOLOGY AND SKILLS ACQUISITION BEERI, RIVERS STATE, AND TO MAKE COMPREHENSIVE PROVISIONS FOR MANAGEMENT, ADMINISTRATION, AND DETAILED IDENTIFICATION OF AREAS IN TECHNOLOGY, SKILLS ACQUISITION AND FOR RELATED MATTERS

*Sponsored by Hon. Dekor Dumnamene*

[ ] Commencement

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

- 1           **1.** There is established at Beeri, Rivers State, an Institute to be Establishment  
2      known as the Niger Delta Institute of Technology And Skills Acquisition (in of the Institute  
3      this Bill referred to as the "Institute").
- 4           (2) The Institute shall be a body corporate with perpetual  
5      succession and a common seal and may sue and be sued in its corporate  
6      name.
- 7           **2.-(1)** The government of the Institute, and the direction of its Governing Board  
8      affairs shall vest in the Board of Governors of the Institute (in this Act of the Institute  
9      referred to as the "Board").
- 10          (2) The Board shall consist of:
- 11          (a) a Chairman and other members to be appointed by the  
12      President;
- 13          (b) the Director of the Institute;
- 14          (c) the Federal Director of Technology and Technical Skills;
- 15          (d) one representative to be chosen from the University of Port  
16      Harcourt or Federal University of Technology, Owerri and Federal  
17      University of Technology, Minna in rotation by the National Universities  
18      Commission;

1 (e) a representative of the Federal Polytechnic Nekede.

2 (3) Subject to subsection (4) of this section, a person appointed as a  
3 member of the Board (not being an ex-officio member) shall hold office for  
4 three years and shall be eligible for re-appointment for one further period of  
5 three years.

6 (4) The President may terminate the appointment of a Member of the  
7 Board (not being an ex-officio member) if satisfied that it is not in the interest  
8 of the Institute that the person concerned should continue in office.

9 (5) Any member of the Board (not being an ex-officio member) may  
10 by notice in writing under his hand addressed to the Minister resign his office.

11 (6) The supplementary provisions contained in the schedule to this  
12 Bill shall have effect with respect to the proceedings of the Board and the other  
13 matters therein mentioned.

Functions of  
the Institute

14 **3.-(1)** The functions of the institute shall be:

15 (a) To provide detailed identification of Technology, technical and  
16 skills acquisition needs for the economy in training and develop training  
17 programmes to meet those needs;

18 (b) to carry out training of students and artisans and re-training of  
19 professionals to meet newest requirement in the areas identified in paragraph  
20 (a) above;

21 (c) to establish a Residential Campus at Beeri, Rivers State, and such  
22 other place or places as may be decided by the Board;

23 (d) to establish an audio-visual production unit which shall produce  
24 suitable teaching support materials;

25 (e) to promote or undertake any other activity that in the opinion of the  
26 Board is calculated to help achieve the purposes of the Institute.

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

- 1                   4.-(1) There shall be an officer of the Institute to be known as the Director of the  
2           Director who shall be appointed by the President.                   Institute and other  
3                   (2) The Director shall be the Chief executive of the Institute and                   Staff  
4           shall be responsible to the Board for the day-to-day management of the  
5           affairs of the Institute.  
6                   (3) The Director shall hold office for a fixed term of four years,  
7           subject to renewal by the President for only one more term of same duration  
8           and no more.  
9                   (4) There may be appointed from time to time by the Board such  
10          other staff, including teachers, instructors, staff of units and departments as  
11          may be required for the purpose of the efficient performance of the functions  
12          conferred on the Institute under or pursuant to this Bill.  
13                  5. Service in the Institute shall be approved service for the                   Service of the  
14          purposes of the Pensions Reform Cap. P4 LFN, 2010 Act, and accordingly,                   Institute to be  
15          officers and' other persons employed in the Institute shall in respect of their                   pensionable  
16          services in the Institute be entitled to pensions, gratuities and other  
17          retirement benefits as are enjoyed by persons holding equivalent grades in  
18          the Civil Service of the Federation.  
19                  6.-(1) The Institute shall establish and maintain a FUND which                   Financial  
20          shall be applied towards the promotion of the objectives specified in this                   Provisions  
21          Bill.  
22                  (2) There shall be paid and credited to the fund established  
23          pursuant to subsection (1) of this section:  
24                  (a) such sums as may be provided by the Government of the  
25          Federation;  
26                  (b) fees charged for services rendered by the Institute; and  
27                  (c) all sums accruing to the Institute by way of gifts, testamentary  
28          disposition and endowments or contributions from Philanthropic persons or  
29          organizations or otherwise howsoever.  
30                  (3) There shall be established and maintained a General Reserve d

	1	Fund from which shall be defrayed, legal liabilities (judgments of Courts)
	2	against the Institution.
	3	(4) There shall be paid and credited to the Fund 10% of the Institutions
	4	allocation from the Federal Government.
Power to accept gifts	5	7.-(1) The Institute may accept gifts of land, money or other property
	6	upon such terms and conditions, if any, as may be specified by the person or
	7	organization making the gift.
	8	(2) The Institute shall not accept any gift if the conditions attached by
	9	the person or organization making the gift to the acceptance thereof are
	10	inconsistent with the functions and objectives of the Institute.
Borrowing power	11	8.-(1) The Institute may, with the consent of the Minister or in
	12	accordance with the general guidelines approved by the President, borrow by
	13	way of loan or overdraft from any source any money(s) required by the Institute
	14	for meeting its obligations and discharging its functions under this Act so
	15	however that where the sum or the aggregate of the sums involved at anyone
	16	time does not exceed Ten Million Naira (N10,000,000.00), no such consent or
	17	authority shall be required.
	18	(2) The Institute may, subject to the provisions of this Bill and the
	19	conditions of any trust created in respect of any property, invest all or any of its
	20	funds with the written consent or general authority of the Minister.
	21	(3) The Board may invest any surplus funds of the Institute in such
	22	securities as may be approved by the Minister.
Annual estimates, accounts and audit	23	9.-(1) The Board shall cause to be prepared not later than 30th June in
	24	each year an estimate of the expenditure and income of the Institute during the
	25	next succeeding year and when prepared, they shall be submitted by the
	26	Minister.
	27	(2) The Board shall cause to be kept proper accounts of the Institute
	28	and proper records in relation thereto and when certified by the Board, such
	29	accounts shall be audited as provided in Subsection (3) of this Section.
	30	(3) The accounts of the Institute shall be audited as soon as may be

1 after the end of each year.

2           **10.** The Board shall, not later than 30th September in each year,     Annual report  
3 submit to the Minister a report on the activities of the Institute and its  
4 administration during the preceding year and shall include in such report the  
5 audited accounts of the Institute.

6           **11.**-(1) The Board may, subject to the provisions of this Bill, make     Staff Regulations  
7 staff regulations relating generally to the conditions of service of the  
8 employees of the Institute and without prejudice to the generality of the  
9 foregoing, such regulations may provide for:

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

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

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

22           **12.** No suit shall be commenced against the Institute before the     Procedure in respect  
23 expiration of a period of three month after written notice of intention to     of suits against  
24 commence, the suit shall have been served upon the Institute by the     the Institute  
25 intending plaintiff or his agent; and the notice shall clearly and explicitly  
26 state:

27                 (a) the cause of action;

28                 (b) the particulars of the claim;

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

30                 (d) the relief which he claims.

Service of documents	1	<b>13.</b> The notice referred to in Section 12 of this Bill and any summons,
	2	notice or other document required or authorized to be served upon the Institute
	3	under the provisions of this Bill or any other enactment or law may be served by
	4	delivering the same to the Chairman or the Director of the Institute or by
	5	sending it by registered post addressed to the Director at the Principal office of
	6	the Institute.
Power to give directions	7	<b>14.</b> The Minister may give the Board directions of a general character
	8	or relating generally to particular matters (but not to any individual or case)
	9	with regard to the exercise by the Board of its functions under this Bill, and it
	10	shall be the duty of the Board to comply with such directions.
Interpretation	11	<b>15.</b> In this Bill, unless the context otherwise requires:
	12	"the Board" means the Board of Governors Of the Institute constituted as
	13	provided in Section 2( 1) of this Bill;
	14	"the Chairman" means the Chairman of the Board;
	15	"the Director" means the Director of the Institute;
	16	"the Institute" means the Niger Delta Institute of Technology and Skills
	17	Acquisition established by Section I of this Bill;
	18	"Member" means any member of the Board including the Chairman;
	19	"Minister" means the Minister in charged with responsibility for Technology.
Short title	20	<b>16.</b> This Bill may be cited at the Niger Delta Institute of Technology
	21	and Skills Acquisition Bill, 2022.

## 1 SCHEDULE

## 2 PROCEEDINGS OF THE BOARD

3 *Meetings*

4 1.-(1) Subject to this Act and to Section 27 of the Interpretation Act,  
5 Cap. 192 (which provides for the decisions of statutory body to be taken by a  
6 majority of the body and for the person presiding to have a second or casting  
7 vote), the Board may make standing Orders regulating the proceedings of  
8 the Board or of any committee thereof.

9 (2) The quorum of the Board shall be the Chairman and four other  
10 members, and the quorum of any committee of the Board shall be  
11 determined by the Board.

12 2.-(1) The Board shall meet not less than four times in each year,  
13 and subject thereto, the Board shall meet whenever it is summoned by the  
14 Chairman; and if the Chairman is required to do so by notice given to him by  
15 not less than three other members, he shall summon a meeting of the Board  
16 to be held within fourteen days from the date on which the notice is given.

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

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

25 (4) Notwithstanding anything in the foregoing provisions of this  
26 paragraph, the first meeting of the Board shall be summoned by the Minister.

27 *Committees*

28 3.-(1) The Board may appoint one or more committees to carry out  
29 on behalf of the Board such of its functions as the Board may determine

30 (2) A committee appointed under this paragraph shall consist of

1 such number of persons (not necessarily all members of the Board) as may be  
2 determined by the Board, and a person other than a member of the Board shall  
3 hold office on the committee in accordance with the terms of his appointment.

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

6 *Supplementary*

7 4.-(1) The fixing of the seal of the Institute shall be authenticated by  
8 the signature of the Chairman or of some other members authorized generally,  
9 or specially to act for that purpose by the Board.

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

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

17 (4) Members of the Board who are not public officers shall be paid out  
18 of moneys at the disposal of the Board such remuneration, fees or allowances in  
19 accordance with such scales as may be approved from time to time by the  
20 Minister.

21 (5) The validity of any proceedings of the Board or of a Committee  
22 thereof shall not be affected by any vacancy on the membership of the Board or  
23 of committee, or by reason that a person not entitled to do so took part in the  
24 proceedings.

25 (6) Any member of the Board, and any person holding office on a  
26 committee of the Board, who has a personal interest in any contract or  
27 arrangement entered into or proposed to be considered by the Board or a  
28 committee thereof shall forthwith disclose his interest to the Board and, shall  
29 not vote on any question relating to the contract or arrangement.

## EXPLANATORY MEMORANDUM

This Bill seeks to establish the Niger Delta Institute of Technology and Skills Acquisition, Beerri Rivers state, and to make comprehensive provisions for management and administration, provide for detailed identification of areas in technology and skills acquisition.