

Extraordinary



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A BILL

FOR

AN ACT TO ENCOURAGE, PROMOTE AND REGULATE THE CONCEPT AND PRACTICE OF CORPORATE SOCIAL RESPONSIBILITY BY BUSINESS CONCERNS, COMMUNITY, ORGANISATIONS AND PUBLIC BODIES, TO ENABLE VOLUNTARY CONTRIBUTIONS, ETC. TO BE MADE BY ANY SUCH ORGANISATIONS TO MAJOR NATIONAL CHALLENGES SUCH AS EDUCATION, ENERGY, THE ENVIRONMENT, CREATION OF JOBS AND ENHANCEMENT OF EMPLOYEE SKILLS, NEIGHBOURHOOD REGENERATION, AGRICULTURAL ADVANCEMENTS, REDUCTION OF POVERTY, ETC. AND FOR OTHER CONNECTED PURPOSES

Sponsored by Senator Kwari, Suleiman Abdu

[] Commencement

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

- 1 1.-(1) Subject to this Act, and the social and economic policies
2 adopted or propagated by the Government of the Federation under any law,
3 every private, voluntary and public sector organisation (in this Act referred
4 to as "organization (s)") shall, as from the commencement of this Act, be
5 obliged to take ethical and complimentary action, to the best of its capability,
6 to address key social, economic and environmental challenges confronting
7 any part or parts of the Federation in which the operations and activities of
8 any such organisation is prevalent (in this Act referred to as "Corporate
9 Social Responsibility"), and as prescribed under and pursuant to this Act.
- 10 (2) Accordingly, the Corporate Social Responsibility obligations,
11 expectations and contributions from any organisation to the social,
12 environmental and economic challenges confronting any part or parts of the
13 Federation shall, without prejudice to the preferences that may be made
14 from time to time by the Government of the Federation, by resolution or law,

Activities,
initiatives, etc.
that constitute
Corporate Social
Responsibility
contributions, etc.

1 include any or a combination of any of the following national challenges that is
2 to say-

3 (a) improvements and progressions as regards-

4 (i) educational structures, facilities, learning processes, standards,
5 learning aids, and materials,

6 (ii) setting up education centres for the enhancement of adult literacy
7 and numeracy levels of members of rural communities, sub urban areas, etc., in
8 which activities of an organisation is prevalent,

9 (iii) sponsorship of or scholarship for individuals, workers or other
10 group of persons to educational institutions for learning, research studies or
11 acquisition of special skills in industry or other enterprise, within or outside
12 Nigeria;

13 (b) initiatives and programmes that enhance the application of varied
14 sources of energy generation and distribution for the benefit of inhabitants of
15 any area or community in which an organisation's operations and business
16 activities is prevalent;

17 (c) programmes and activities aimed at-

18 (i) protecting the environment and bringing environmental benefits,

19 (ii) cleaning and detoxification of polluted or degraded
20 environments,

21 (iii) nurturing shelter belts and providing other erosion control
22 mechanisms for environmentally degraded areas in the Federation,

23 (iv) promotion of designs and approaches for the prudent use and
24 conservation of natural resources, water and ecology,

25 (v) reporting or disclosing environmental information and data that is
26 beneficial to the purposes of government, and for tackling environmental
27 problems in any part of the Federation;

28 (d) programmes and initiatives that seek to-

29 (i) improve the quality of life of members of any community and
30 renew the outlook and aesthetic values of neighbourhoods, communities, etc.

- 1 in which an organisation operates or carries on its business,
- 2 (ii) carry on repairs, improvements or construction of roads,
- 3 streets, alley ways, public facilities and structures,
- 4 (iii) improve existing healthcare structures and healthcare delivery
- 5 for clinics, medical centres, maternities, or set up new ones,
- 6 (iv) facilitate the proper functioning of water works, and construct
- 7 boreholes, public conveniences and shelter for economically disadvantaged
- 8 persons,
- 9 (v) provide and equip playing grounds, recreational centres, sports
- 10 facilities and structures, etc. within and around any such neighbourhoods, in
- 11 which it carries on its business or other activities;
- 12 (e) activities and programmes that-
- 13 (i) create jobs, enhance the skills and knowledge of its workforce
- 14 and those of the wider community in which it operates, and provide housing
- 15 facilities for its workforce or members of the community thereof,
- 16 (ii) empower members of the community in which an organisation
- 17 operates, to be involved in the economic and social mainstream of modern
- 18 developments, and carry on other initiatives that are designed to alleviate
- 19 poverty in any such community;
- 20 (f) improvements and programmes that seek to galvanize the
- 21 agricultural sector as regards-
- 22 (i) enhancement of the agricultural skills and knowledge of
- 23 farmers,
- 24 (ii) application or distribution of modern technological methods,
- 25 equipment, inputs and processes to enhance agricultural production yields
- 26 of farmers,
- 27 (iii) promotion and implementation of activities and other
- 28 arrangements in which improved seedlings, variety of fingerlings, poultry
- 29 and animal stocks, feeds, medicaments, etc. are distributed at subsidized
- 30 rates or freely to farmers to assist in boosting crop yields, improving the

1 flourishing of fisheries, poultry, animal husbandry, etc.;

2 (g) any other activity, initiatives, improvements or programmes
3 which are incidental or supplementary to the foregoing national challenges
4 mentioned and described under this subsection of this section.

5 (3) Subject to this Act, any activity, initiatives or programme carried
6 on by any organisation, to which this Act relates, that essentially deviates or
7 departs from the national challenges enumerated under subsection (2) of this
8 section, shall not be regarded, counted, recorded or classified as Corporate
9 Social Responsibility contribution of any such organisation to any part of the
10 Federation.

11 (4) For the avoidance of any doubt, any activity, initiative or
12 programme of any organisation in the Federation that purports or proposes to
13 offer, to members of the public and consumers of the products, goods or
14 services of any such organisation, gifts of money, materials, benefits,
15 equipages, etc. under certain terms and conditions stipulated under any such
16 activity, initiative or programme, shall not be regarded, counted, recorded or
17 classified as Corporate Social Responsibility contribution of any such
18 organisation to the national challenges enumerated under subsection (2) of this
19 section.

20 (5) Without prejudice to the foregoing provisions of this section of
21 this Act, an organisation which proposes to carry on Corporate Social
22 Responsibility contribution to any number of the national challenges
23 enumerated under subsection (2) of this section, shall notify the Minister in
24 writing under its seal of such intention, and the Minister shall acknowledge any
25 such notification.

Duty of
organisations
to report Corporate
Social Responsibility
performance to
the Minister, etc.

26 2.-(1) Every organisation to which section 1 (5) of this Act relates,
27 shall be required to present a report, on its Corporate Social Responsibility
28 performance on one or more of the national challenges enumerated under
29 section 1 (2) of this Act, to the Minister not later than the last day of June of a
30 financial year.

1 (2) The report required to be presented to the Minister in terms of
2 subsection (1) of this section shall provide the following information, that is
3 to say-

4 (a) description of the particular national challenges or challenges
5 which the organisation question selected for implementation;

6 (b) the objects and intendment of the organisation in question for
7 selecting any particular national challenge or challenges as its Corporate
8 Social Responsibility contribution;

9 (c) description of the parr or parts of the Federation in which it
10 carried out its preferred Corporate Social Responsibility, and the list of
11 authorities, credible persons, etc. in that part or parts of the Federation that
12 can attest to its claims of performance of Corporate Social Responsibility
13 with respect to its selected national challenge or challenges, including any
14 other evidence to attest to its purported performance;

15 (d) a compendium of the expenditure incurred for the
16 implementation of its Corporate Social Responsibility with respect to its
17 preferred national challenge or challenges;

18 (e) the extent of the organisation's estimation of the impact or level
19 of success or otherwise of its Corporate Social Responsibility contribution
20 to any part or parts of the Federation in which its activities, etc. is prevalent
21 or targeted;

22 (f) any other information which the organisation in question may
23 wish to disclose in respect of problems and impediments encountered in the
24 course of its implementation of its Corporate Social Responsibility,
25 including lessons learned in carrying out the exercise thereof; and

26 (g) a synopsis of the organisation's plans or contemplations as
27 regards its future, Corporate Social Responsibility contributions to any
28 number of national challenges in any part or parts of the Federation.

29 (3) Every report on the Corporate Social Responsibility
30 performance of each organisation compiled in accordance with subsection

1 (2) of this section, shall be authenticated by a reputable accounting
 2 body, and an auditor appointed by the organisation in question, from the list of
 3 auditors and in accordance with the guidelines supplied by the Auditor-General
 4 for the Federation.

5 (4) Notwithstanding the foregoing provisions of this section of this
 6 Act, an organisation to which this section applies may, in addition to its
 7 compliance with the requirements of this section of this Act, elect to publish or
 8 disseminate its own report of Corporate Social Responsibility performance in
 9 or through any medium of information, for its own purposes.

Minister to verify
 claims of Corporate
 Social Responsibility
 performance of
 organisations, etc.

10 **3.-(1)** Upon his receipt of a report in terms of subsection 2 (1) of this
 11 Act, the Minister shall appoint a team of its officers in his Ministry to carry on
 12 verification of the claims made by each organisation in their respective reports,
 13 not later than one month after receiving the reports thereof.

14 (2) On completion of the verification exercise specified under
 15 subsection (1) of this section, the Minister shall prepare and present to the
 16 President, as soon as may be, a comprehensive report containing his
 17 observations, findings and recommendations with respect to each report
 18 presented to him in terms of section 2 (1) of this Act.

19 (3) The President shall upon receipt of the Minister's report in
 20 pursuance of subsection (2) of this section, declare as satisfactory or
 21 unsatisfactory the Corporate Social Responsibility performance report of each
 22 organisation brought before him, in consonance with the Minister's
 23 observations, findings, and recommendations thereof, not later than one month
 24 of his receipt of the Minister's report.

Satisfactory
 conduct of
 Corporate Social
 Responsibility to
 attract incentives,
 etc.

25 **4.-(1)** Where an organisation's report of its purported Corporate
 26 Social Responsibility performance is declared to be satisfactory by the
 27 President in accordance with section 3 (3) of this Act, the organisation in
 28 question shall be eligible to obtain the benefits, incentives and privileges
 29 described under section 5 (1) of this Act.

30 (2) Where an organisation's report on its purported Corporate Social

1 Responsibility performance is declared by the President to be
2 unsatisfactory, in terms of section 3 (3) of this Act, the organisation in
3 question shall not be entitled, or eligible to obtain any of the benefits,
4 incentives and privileges described under section 5 (1) of this Act.

5 (3) Where the report of an organisation in respect of its purported
6 Corporate Social Responsibility performance is found to be false in every
7 material particular or calculated to deceive the relevant authorities under
8 this Act, the organisation shall be guilty of an offence, and liable on
9 conviction by a court of competent jurisdiction to a fine of an amount not
10 exceeding ten million Naira, in addition to any other sanctions or
11 punishment that the court may, in its discretion, impose on the organisation
12 in question or any of its high ranking officers found to be involved in
13 committing the offence.

14 (4) A court of competent jurisdiction under this Act shall be a
15 Federal High Court.

16 5.-(1) Subject to this Act, an organisation to which this Act relates,
17 whose Corporate Social Responsibility performance in any part or parts of
18 the Federation has been declared by the President to be satisfactory, shall be
19 eligible and entitled-

Incentives, benefits,
etc. for organisations
with satisfactorily
Corporate Social
Responsibility
performance

20 (a) to obtain a variety of tax incentives, holidays, deductions, etc.
21 from the Federal Inland Revenue Service, in consonance with the extent and
22 volume of its Corporate Social Responsibility performance ratings,
23 compiled and maintained by the Minister;

24 (b) to obtain waivers and other concessions for any import of
25 goods, equipment, raw materials, etc. which is may require for carrying on
26 its business, subject to the extent which the President may determine and
27 approve, from time to time;

28 (c) be registered and appropriately ranked in the register of
29 organisations with the best corporate practice, which register shall be kept
30 and maintained by the Minister;

1 (d) to Obtain government grants-in-aid, bailout packages or other
2 forms of compensation in the event of any economic losses it may suffer as a
3 result of any natural disaster, nonphysical disaster or other economic recession
4 or downturn that may affect its operations, provided that any of the foregoing
5 occurrences is not as a result of any negligence or poor management by the
6 affected organisation; and

7 (e) to be invited to send its representatives to State functions and
8 ceremonies, and be listed to accompany presidential business delegations and
9 trade missions to any part of the world.

10 (2) The incentives, benefits, privileges, etc. enumerated in subsection
11 (1) of this section shall become effective immediately after the publication, in
12 the Federal Government Gazette of the President's declaration of satisfactory
13 conduct of an organisation made pursuant to section 3 (3) of this Act, by the
14 Minister.

15 (3) Without prejudice to the provisions of the last foregoing
16 subsection of this section, the incentives, benefits, etc. contained in subsection
17 (1) (a), (b) and (d) of this section, made available to an organisation whose
18 Corporate Social Responsibility performance is declared to be satisfactory by
19 the President in terms of section 3 (3) of this Act, shall be valid for a period of
20 two years beginning from the date of the publication made pursuant to
21 subsection (2) of this section.

22 (4) Notwithstanding the provisions of subsection (3) of this section,
23 the registration of an organisation made pursuant to subsection (1) (c) of this
24 section shall not be expunged from the register kept thereof at the expiration of
25 the period specified in that paragraph of the subsection of the section, but its
26 ranking thereof for best corporate practice, and its eligibility contained in
27 subsection (1) (e) of this same section, shall be subject to review and variations
28 annually in consonance with other entries made in the said register, kept and
29 maintained by the Minister.

1	6. Without prejudice to the relevant provisions of this Act, the	Copies of reports, etc. to be presented to the National Assembly for information, etc.
2	Minister shall have responsibility for furnishing each House of the National	
3	Assembly with copies of every report, declaration, etc. authorised to be	
4	prepared and presented pursuant to the relevant provisions of this Act	
5	thereof, as soon as they become available in terms of any such relevant	
6	provision of this Act, for their information and records.	
7	7. The Minister shall, by regulations of a general nature, prescribe	Regulations
8	anything falling to be prescribed for the purposes of giving full effect to the	
9	provisions of this Act.	
10	8.-(1) In this Act, unless the context otherwise requires, the	Interpretation
11	following words and expressions have the meanings respectively assigned	
12	to them, that is to say-	
13	"Corporate Social Responsibility" refers to the ethical, complimentary or	
14	obligatory actions taken by an organisation to address key social, economic	
15	and environmental challenges confronting any part or parts for the	
16	Federation in which the operations or business activities of any such	
17	organisation is prevalent;	
18	"Minister" means the Minister of the Government of the Federation	
19	charged, for the time being.	
20	9. This Bill may be cited as the Corporate Social Responsibility	Citation
21	Bill, 2020.	

EXPLANATORY MEMORANDUM

This Bill seeks to encourage, promote and regulate the concept and practice of corporate social responsibility by business concerns, community, organisations and public bodies, to enable voluntary contributions, etc. to be made by any such organisations to major national challenges such as education, energy, the environment, creation of jobs and enhancement of employee skills, neighbourhood regeneration, agricultural advancements, reduction of poverty, etc.

FEDERAL COLLEGE OF CROP SCIENCE AND FOOD TECHNOLOGY, LERE,
KADUNA STATE (EST. ETC.) BILL, 2020

ARRANGEMENT OF SECTIONS

1. Establishment of Federal College of Crop Science & Food Technology, Lere, Kaduna, State
2. Functions of the College.
3. Establishment and Constitution of the Governing Council, etc.
4. Visitation.
5. Registrar of the College
6. Tenure of Office of the Registrar
7. General Functions of the Governing Council

Staff

8. The Provost of the College
9. Deputy Provosts
10. Other Principal Officers of the College
11. Appointment and Resignation of Principal Officers
12. Selection Board for other Principal Officers
13. Other Employees of the Polytechnic
14. Application of the Pensions Act

Establishment of the Academic Board

15. The Academic Board.

Tenure of Office

16. Removal from office of members of the Council and the Rector
17. Removal and discipline of academic, administrative and technical staff

Discipline

18. Discipline of Students
19. Discipline of Junior Staff

Financial Provisions

20. Audit of Accounts

- 21. Funds of the Council
- 22. Donations for Particular Purposes
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- 24. Annual Report

Miscellaneous and Supplemental

- 25. Power to make Bye-laws
- 26. Exclusion of Discrimination on account of Race, Religion, etc.
- 27. Quorum and Procedure of bodies established under this Act
- 28. Interpretation
- 29. Short-title

Schedule -Supplementary Provisions Relating to the Council

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF CROP SCIENCE AND FOOD TECHNOLOGY, LERE, KADUNA STATE TO PROVIDE FULL-TIME COURSES IN CROP SCIENCE AND FOOD TECHNOLOGY, APPLIED SCIENCE, MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE COLLEGE AND FOR RELATED MATTERS

Sponsored by Senator Suleiman Abdu Kwari

[] Commencement

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

- | | |
|---|---|
| <p>1 1. There is hereby established the Federal College of Crop Science</p> <p>2 and Food Technology, Lere, Kaduna State specified in the Schedule to this</p> <p>3 Act (in this Act severally referred to as "the College") which shall have such</p> <p>4 powers and exercise such functions as are specified in this Act.</p> | <p>Establishment
of the Federal
College of Crop
Science and
Food Technology,
Lere, Kaduna
State</p> |
| <p>5 2.-(1) The functions of the College shall be-</p> <p>6 (a) to provide full-time or part-time courses of instruction and</p> <p>7 training-</p> <p>8 (i) in Crop Science and Food technology, applied science,</p> <p>9 commerce and management; and</p> <p>10 (ii) in such other fields of applied learning relevant to the needs of</p> <p>11 the development of Nigeria in the area of crop science and food technology,</p> <p>12 agricultural production and industrial distribution and for research in the</p> <p>13 development and adaptation of techniques/technologies as the Council may</p> <p>14 from time to time determine;</p> <p>15 (b) to arrange conferences, seminars and study groups relative to</p> <p>16 the fields of learning specified in paragraph (a) of this subsection (1);</p> <p>17 (c) to perform such other functions as in the opinion of the Council</p> | <p>Functions of
Federal College
of Crop Science
and Food
Technology, Lere,
Kaduna State</p> |

Establishment
and Constitution
of the Council,
etc.

1 may serve to promote the objectives of the College.

2 (2) Nothing in this section shall preclude the government of a State or
3 any of its agencies from setting up a College similar to any College established
4 under this Act.

5 **3.-(1)** There shall be established for the College a Council (hereafter
6 in this Act referred to as "the Council") which shall be a body corporate with
7 perpetual succession and a common seal and may sue and be sued in its
8 corporate name.

9 (2) The Council shall consist of a Chairman and the following other
10 members, that is-

11 (a) one person to represent the College;

12 (b) one person to represent the Agricultural Society of Nigeria;

13 (c) one person to represent professional bodies whose disciplines are
14 taught at the College;

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

17 (e) one person of standing in the community where the College is
18 situate;

19 (f) the Provost of the College;

20 (g) one representative of the Minister charged with responsibility for
21 matters relating to College;

22 (h) one representative of the Permanent Secretary of the Ministry
23 charged with responsibility for matters relating to Agriculture;

24 (i) one representative of the academic board of the College;

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

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

30 (3) The Chairman and members of the Council other than ex-officio

1 members shall be appointed by the President.

2 (4) The provisions set out in the Schedule to this Act shall apply in
3 relation to the Constitution of the Council and the other matters therein
4 specified.

5 4.-(1) The Minister of Education shall be the Visitor to the Visitation
6 College.

7 (2) The Visitor shall, not less than once in every five years, conduct
8 a visitation of the college or appoint a Visitation Panel, consisting of not less
9 than five experts, to conduct the visitation-

10 (a) for the purpose of evaluating the academic and administrative
11 performance of the College;

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

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

18 (2) The Registrar shall be the Secretary to the Council, the
19 Academic Board and any committee of the Council and shall attend all the
20 meetings of those bodies unless excused for good reason by the Chairman of
21 the Council.

22 (3) In the absence of the Registrar, the Chairman of the Council
23 may, after consultation with the Provost, appoint a suitable person to act as
24 Secretary for any particular meeting of the Council.

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

29 6.-(1) A Registrar- Tenure of Office
30 (a) shall hold office for a period of five years beginning from the of the Registrar

Functions of the
Council and its
Finance and
General Purposes
Committee

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

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

5 7.-(1) Subject to provision of this Act, the Council shall be the
6 governing body of the College and shall have responsibility for the general
7 management of the affairs of the College, and in particular, the control of the
8 property and finances of the College; and shall also have power to do anything
9 which in its opinion is calculated to facilitate the carrying out of the activities of
10 the College and promote its best interests.

11 (2) The Council may acquire and hold such movable or immovable
12 property as may be necessary or expedient for carrying into effect the
13 provisions of this Act, and for the same purpose may sell, lease, mortgage or
14 otherwise alienate or dispose of any property so acquired.

15 (3) The Council may enter into such contracts as may be necessary or
16 expedient for carrying into effect the provisions of this Act.

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

21 (5) There shall be a committee of the Council, to be known as the
22 Finance and General Purposes Committee, which shall, subject to the
23 directions of the Council, exercise control over the property and expenditure of
24 the College and perform such other functions of the Council as the Council
25 may from time to time delegate to it.

26 (6) Provision shall be made by Statute with respect to the Constitution
27 of the Finance and General Purposes Committee.

28 (7) The Council shall ensure that proper accounts of the College are
29 kept and that the accounts of the College are audited annually by auditors
30 appointed by the Council from the list and in accordance with guidelines

1 supplied by the Auditor-General of the Federation; and that an annual report
2 is published by the College together with certified copies of the said
3 accounts as audited.

4 (8) Subject to this provisions of this Act, the Statutes, the Council
5 and the Finance and General Purposes Committee may each make rules for
6 the purpose of exercising any of their respective functions or of regulating
7 their own procedure.

8 (9) Rules made under subsection (8) of this Section by the Finance
9 and General Purposes Committee shall not come into force unless approved
10 by the Council; and in so far and to the extent that any rules so made by that
11 committee conflict with any directions given by the Council (whether
12 before or after the coming into force of the rules in question), the directions
13 of the Council shall prevail.

14 (10) There shall be paid to the members of the Council, of the
15 Finance and General Purposes Committee and of any other committee set up
16 by the Council respectively allowances in respect of traveling and other
17 reasonable expenses, at such rates as may from time to time be fixed by the
18 Council.

19 (11) The Council shall meet as and when necessary for the
20 performance of its functions under this Act, and shall meet at least three
21 times in every year.

22 (12) If requested in writing by any five members of the Council, the
23 Chairman shall within twenty-eight days after the receipt of such request
24 call a meeting of the Council; and the request shall specify the business to be
25 considered at the meeting and no business not so specified shall be
26 transacted at that meeting.

27 *Staff*

28 8.-(1) There shall be a Provost of the College ("the Provost") who
29 shall be appointed by the President in accordance with the provisions of this
30 section.

The Provost of
the College

- 1 (2) Where a vacancy occurs in the post of Provost, the Council shall-
- 2 (a) advertise the vacancy in a reputable journal or widely read
- 3 newspaper in Nigeria, specifying-
- 4 (i) the qualities of the person who may apply for the post; and
- 5 (ii) the terms and conditions of service applicable to the post, and
- 6 thereafter, draw up a short list of suitable candidates for consideration;
- 7 (b) constitute a Search Team consisting of-
- 8 (i) a member of the Council, not being a member of the Academic
- 9 Board, as Chairman;
- 10 (ii) two members of the Academic Board, not below the rank of Chief
- 11 Lecturer;
- 12 (iii) two members of the Academic Community of the college not
- 13 below the rank of Chief Lecturer, to be selected by Council, to identify and
- 14 draw up a short list of persons who are not likely to apply on their own volition
- 15 because they feel that it is not proper to do so.
- 16 (3) A Joint Council and Academic Board Selection Board consisting
- 17 of-
- 18 (a) the Chairman of the Council;
- 19 (b) two members of the Council not being members of the Academic
- 20 Board;
- 21 (c) two members of the Academic Board not below the rank of Chief
- 22 Lecturer, who were not members of the Search Team, shall consider the
- 23 candidates on the short list drawn up under subsection (2) of this section
- 24 through an examination of their curriculum vitae and interaction with them and
- 25 recommend, through the Council, three candidates for consideration.
- 26 (4) The President shall appoint, as Provost, one of the candidates
- 27 recommended to him under the provisions of subsection (3) of this section.
- 28 (5) Subject to this Act and the general control of the Council, the
- 29 Provost shall be the Chief Executive of the College and shall be charged with
- 30 responsibility for matters relating to the day-to-day management and

1 operations of the Polytechnic.

2 (6) The Provost-

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

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

8 **9.-(1)** There shall be for the College a Deputy Provost. Deputy Provost

9 (2) The Council shall appoint the Deputy Provost from among the
10 Chief Lecturers in the College in one of the following ways-

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

13 (b) on the recommendation of a Selection Board constituted under
14 this section; or

15 (c) on the nomination of the Provost.

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

18 (a) consist of-

19 (i) the Chairman of the Council;

20 (ii) the Provost;

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

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

24 (b) make such inquiries as it deems fit before making the
25 commendation required under that subsection.

26 (4) The Deputy Provost-

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

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

	1	(c) perform such other functions as the Provost may, from time to
	2	time, assign to him.
	3	(5) The Deputy Provost-
	4	(a) shall hold office for a period of two years beginning from the
	5	effective date of his appointment and on such terms and conditions as may be
	6	specified in his letter of appointment; and
	7	(b) may be re-appointed for one further period of two years and no
	8	more.
Other Principal Officers of the College	9	10.-(1) There shall be for the College the following other Principal
	10	Officers, that is-
	11	(a) the Registrar under Sections 5 and 6 of this Act;
	12	(b) the Bursar; and
	13	(b) the College Librarian, who shall all be appointed by the Council
	14	on the recommendation of the Selection Board constituted under Section 9
	15	(2)(b) of this Act.
	16	(2) The Bursar shall be the Chief Financial Officer of the College and
	17	be responsible to the Provost for the day-to-day administration and control of
	18	the financial affairs of the College.
	19	(3) The College Librarian shall be responsible to the Rector for the
	20	administration of the College library and the co-ordination of the library
	21	services in the teaching units of the College.
	22	(4) The Bursar or Librarian-
	23	(a) shall hold office for a period of five years in the first instance and
	24	on such terms and conditions as may be specified in his letter of appointment;
	25	(b) may be re-appointed for a further period of five years and no more.
Resignation of appointment of Principal Officers	26	11. A principal officer may resign his appointment-
	27	(a) in the case of the Provost, by notice to the Visitor;
	28	(b) in any other case, by notice to the Council.
Selection Board for other Principal Officers	29	12.-(1) There shall be, for each College, a Selection Board which
	30	shall consist of-

- 1 (a) the Chairman of the Council;
- 2 (b) the Rector;
- 3 (c) four members of the Council not being members of the
- 4 Academic Board;
- 5 (d) two members of the Academic Board.

6 (2) The functions and procedure and other matters relating to the
7 Selection Board constituted under subsection (1) of this Section shall be as
8 the Council may, from time-to-time, determine.

9 **13.**-(1) The Council may appoint such other persons to be Other employees
10 employees of the College as the Council may determine to assist the Provost of the College
11 and the Principal Officers of the College in the performance of their
12 functions under this Act.

13 (2) The power to appoint all other employees of the College shall
14 be exercised-

15 (a) in the case of senior employees, by the Council on the
16 recommendation of the Appointment and Promotions Committee set up
17 under the provisions of paragraph 3 (2) (a) of the Schedule to this Act;

18 (b) in the case of junior employees, by the Provost on the
19 recommendation of the Junior Staff Appointments and Promotions
20 Committee constituted under paragraph 3 (2) (b) of the Schedule to this Act.

21 (3) Subject to the provisions of this Act, the remuneration, tenure of
22 office and conditions of service of the employees of the Council shall be
23 determined by the Council in consultation with the Federal Civil Service
24 Commission.

25 **14.**-(1) The Federal Civil Service Commission may by order Application of
26 published in the Federal Gazette declare the office of the Provost or any the Pensions Act
27 other person employed by the Council to be a pensionable office for the
28 purposes of the Pensions Act.

29 (2) Nothing in the provisions of subsection (1) of this Section shall
30 prevent the appointment of any person to any office on terms which preclude

	1	the grant of a pension or gratuity in respect of service in that office.
	2	Establishment of the Academic Board
The Academic Board	3	15. -(1) There shall be established for the Polytechnic a board to be
	4	known as the Academic Board which shall consist of the following members-
	5	(a) the Provost of the College, as the Chairman;
	6	(b) the Deputy-Provost of the College;
	7	(c) all Heads of Departments;
	8	(d) the College Librarian; and
	9	(e) not more than two members of the Academic Staff, other than
	10	Heads of Departments, who may be appointed by the Academic Board.
	11	(2) The Academic Board shall be responsible for-
	12	(a) the direction and management of academic matters of the College
	13	including the regulation of admission of students, the award of certificates and
	14	diplomas, scholarships, prizes and other academic distinctions;
	15	(b) the making to the Council of such periodic reports on such
	16	academic matter as the Academic Board may think fit or as the Council may
	17	from time-to-time direct; and
	18	(c) the discharge of any other functions which the Council may
	19	delegate to it.
	20	<i>Tenure of Office</i>
Removal from office of Members of the Council and the Provost	21	16. -(1) If it appears to the Council that a member of the Council
	22	(other than an ex-officio member) or the Provost should be removed from
	23	office on the ground of misconduct or inability to perform the functions of his
	24	office, the Council shall make a recommendation to that effect to the President,
	25	and if the President, after making such inquiries as he considers necessary,
	26	approves the recommendation, the President, shall, in writing, declare the
	27	office of such member vacant.
	28	(2) The President may remove any member of the Council if he is
	29	satisfied that it is not in the public interest or in the interest of the College that
	30	such member should continue as a member of the Council.

Removal and
discipline of
Academic,
Administrative
and Technical
Staff

1 17.-(1) If it appears to the Council that there are reasons for
2 believing that any person employed as a member of the academic,
3 administrative or technical staff of the College, other than the Provost,
4 should be removed from office on the ground of misconduct or inability to
5 perform the functions of his office, the Council shall-

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

7 (b) afford him an opportunity of making representations in person
8 on the matter to the Council; and

9 (c) if he or any three members of the Council so request within the
10 period of one month beginning with the date of the notice, make
11 arrangements-

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

15 (ii) for a committee of the Council to investigate the matter, where
16 it relates to any other member of the staff of the College and to report on it to
17 the Council; and

18 (iii) for the person in question to be afforded an opportunity of
19 appearing before and being heard by the investigating committee with
20 respect to the matter, and if the Council, after considering the report of the
21 investigating committee, is satisfied that the person in question should be
22 removed as aforesaid, the Council may so remove him by an instrument in
23 writing signed on the directions of the Council.

24 (2) The Provost may, in a case of misconduct by a member of the
25 staff which in the opinion of the Rector is prejudicial to the interests of the
26 College, suspend such member and any such suspension shall forthwith be
27 reported to the Council.

28 (3) For good cause, any member of staff may be suspended from
29 office or his appointment may be terminated by the Council, and for the
30 purpose of this subsection, "good cause" means-

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

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

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

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

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

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

19 (b) whether to reinstate such person, in which case the Council shall
20 restore his full emoluments to him with effect from the date of suspension;

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

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

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

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

Discipline

18.-(1) Subject to the provisions of this section, where it appears to the Provost that any student of the College has been guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Act or regulations made hereunder direct-

Discipline of
Students

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

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

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

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

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

(3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, the student may, within a period of 21 days from the date of the letter communicating the decision to him, appeal from the direction to the Council; and where such an appeal is brought, the

1 Council shall, after causing such inquiry to be made in the matter as the Council
2 considers just, either confirm or set aside the direction or modify it in such
3 manner as the Council may think fit.

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

7 (5) The Provost may delegate his power under this section to a
8 disciplinary committee consisting of such members of the College as he may
9 nominate.

10 (6) Nothing in this section shall be construed as preventing the
11 restriction or termination of a student's activities at the College otherwise than
12 on the ground of misconduct.

13 (7) It is hereby declared that a direction under subsection (1) (a) of
14 this section may be combined with a direction under subsection (1) (b) of this
15 section.

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

Discipline of
Junior Staff

18 **19.-(1)** If any junior staff is accused of misconduct or inefficiency, the
19 Provost may suspend him for not more than three months and forthwith shall
20 direct the Junior Staff Appointments and Promotions Committee-

21 (a) to consider the case; and

22 (b) to make recommendations as to the appropriate action to be taken
23 by the Rector.

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

27 (3) The Provost may, after considering the recommendation made
28 pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or
29 down-grade the officer concerned.

30 (4) Any person aggrieved by the Rector's decision under subsection

1 (3) of this section, may within a period of 21 days from the date of
 2 the letter communicating the decision to him, address a petition to the
 3 Council to reconsider his case and the Council's decision thereon shall be
 4 final.

5 (5) In any case of gross misconduct on the part of a Junior Staff, the
 6 Provost shall forthwith suspend him and thereafter refer the matter to the
 7 Junior Staff Appointments and Promotions Committee to be dealt with
 8 according to the foregoing provision of this section.

9 *Financial Provisions*

10 **20.-(1)** Each Council shall keep proper accounts and proper Audits of Accounts
 11 records in relation thereto and shall cause to be prepared, not later than 1st
 12 October in each financial year, an estimate of its revenue and expenditure for
 13 the ensuing financial year and when prepared, the estimate shall be
 14 submitted to the National Board for Technical Education for approval.

15 (2) At the end of each financial year but not later than 30th June the
 16 Council shall cause to be prepared a statement of its income and expenditure
 17 during the previous financial year.

18 (3) The statement of accounts referred to in subsection (2) of this
 19 section shall, when certified by the Provost, be audited by a firm of auditors
 20 appointed from the list and in accordance with the guidelines supplied by the
 21 Auditor-General of the Federation and shall be published in the annual
 22 report of the College.

23 **21.** The funds of the Council shall include-

Funds of the
Council

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

26 (b) any other amounts due to or recoverable by the Council;

27 (c) revenue from time to time accruing to the Council from the
 28 Federal Government by way of subvention, Appropriation Act,
 29 Supplementary Appropriation Act, grant-in-aid, endowment or otherwise
 30 howsoever;

	1	(d) donations and legacies accruing to the Council from any source
	2	for the special purpose of the Council.
Donations for particular purposes	3	22. -(1) Donations of money to be applied to any particular purpose
	4	shall be placed to the credit of a special reserve account approved by the
	5	Council until such time as they may be expended in fulfillment of such
	6	purpose.
	7	(2) No Council shall be obliged to accept a donation for a particular
	8	purpose unless it approves of the terms and conditions attached to such
	9	donation.
Payment into Bank	10	23. All sums of money received on account of the Council shall be
	11	paid into the bank for the credit of the Council as may be approved by the
	12	Council.
Annual Report	13	24. The Council shall on or before 31 December in each year prepare
	14	and submit to the President through the Minister, a report of the activities
	15	during the preceding financial year and shall include in the report, the audited
	16	accounts of the Polytechnic in respect of that financial year and the auditors'
	17	comments on the account.
	18	<i>Miscellaneous and Supplemental</i>
Power to make Bye-laws	19	25. -(1) The Council may make bye-laws relating to any matter within
	20	its competence under this Act other than matters for which provision is to be
	21	made by standing orders pursuant to paragraph 7 of the Schedule to this Act.
	22	(2) All such bye-laws shall be in writing and shall come into force
	23	when sealed with the seal of the Council unless some other date for their
	24	commencement is prescribed therein.
	25	(3) Nothing in subsection (2) of this Section, shall make it obligatory
	26	for the Council to publish any of the said bye-laws in the Federal Gazette but
	27	the Council shall bring such bye-laws to the notice of all affected thereby.
Exclusion of discrimination on account of race, religion, etc.	28	26. No person shall be required to satisfy requirements as to any of the
	29	following matters, that is to say race (including ethnic grouping), sex, place of
	30	birth or of the family origin or religious or political persuasion or as a condition

1 of becoming or continuing to be a student at the College or as a holder of any
 2 certificate of the College, or of any appointment or employment at the
 3 College, or a member of any body established by virtue of this Act; and no
 4 person shall be subjected to any disadvantage or accorded any advantage in
 5 relation to the College by reference to any of those matters:

6 Provided that, nothing in this section shall be construed as
 7 preventing the polytechnic from imposing any disability or restriction on
 8 any of the aforementioned persons where such a person willfully refuses or
 9 fails on grounds of religious belief to undertake any duty generally and
 10 uniformly imposed on all such persons or any group of them which duty,
 11 having regard to its nature and the special circumstances pertaining thereto
 12 is, in the opinion of the College, reasonably justifiable in the national
 13 interest.

14 **27.** Subject to the provisions of paragraph 6 (2) of the Second
 15 Schedule to this Act and any standing orders or bye-law made under this Act,
 16 the quorum and procedure of any body of persons established by this Act
 17 shall be such as may be determined by that body.

Quorum and
 procedure of bodies
 established under
 this Act

18 **28.** In this Act, unless the context otherwise requires-
 19 "The Academic Board" means the board established under Section 15 of this
 20 Act;
 21 "The Appointments and Promotions Committee" means a body by that
 22 name established under paragraph 3 (2) (a) of the Schedule to this Act;
 23 "College" means the respective College set up under Section 1 of this Act;
 24 "The Junior Staff Appointments and Promotion Committee" means a body
 25 by that name set up under paragraph 3 (2) (b) of the Schedule to this Act;
 26 "The Minister" means the Minister charged with responsibility for matters
 27 relating to technical education;
 28 "The Registrar" means the Registrar of the College appointed under Section
 29 5 of this Act.

Interpretation

Short title 1 **29.** This Bill may be cited as the Federal College of Crop Science and
2 Food Technology Lere, Kaduna State (Est., Etc.) Bill, 2020.

3 SCHEDULE

4 *[Section 7]*

5 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

6 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

7 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

8 *Terms of Office of Members*

9 1.-(1) A member of the Council other than an ex-officio member shall
10 hold office for a period of three years beginning with the date on which he was
11 appointed and shall be eligible for re-appointment for a further term of three
12 years and thereafter he shall no longer be eligible for re- appointment.

13 (2) Members of the Council holding office as specified in paragraph 1
14 (1) of this Schedule, shall be paid remuneration or allowance in respect of
15 traveling and other reasonable expenses, at such rates as may from time to time
16 be fixed by the Council, of the Finance and General Purposes Committee and
17 of any other committee set up by the Council.

18 (3) A member of the Council holding office as specified in paragraph
19 1 (1) of this Schedule may by notice in writing to the Minister resign his office.

20 2.-(1) Where a vacancy occurs in the membership of the Council, that
21 vacancy shall be filled by the appointment of a successor to hold office for the
22 remainder of the term of office of his predecessor; so however that the
23 successor shall represent the same interest as his predecessor.

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

27 *Committees*

28 3.-(1) The Council may appoint one or more committees to which it
29 may delegate any of its functions.

30 (2) Without prejudice to the generality to sub-paragraph (1) of this

1 Schedule, the Council shall appoint the following committees, that is-

2 (a) the Appointments and Promotions Committee which shall
3 without prejudice to Section 13 (2) (a) of this Act-

4 (i) consist of a Chairman to be appointed by the Provost from
5 members of the Senior Staff of the College and four other members who
6 shall be appointed by the Council;

7 (ii) be charged with the responsibility for making
8 recommendations to the Council on the appointment and promotion of the
9 academic and Senior Staff of the College and have a quorum of three
10 members;

11 (b) the Junior Staff Appointments and Promotions Committee
12 which shall consist of a chairman and four other members to be appointed by
13 the Council and shall have the powers set out in Sections 13 (2) (b) of this
14 Act;

15 (c) the Committee on Students' Affairs which shall consist of the
16 following members-

17 (i) a Chairman who shall be appointed by the Provost from among
18 the senior employees of the College;

19 (ii) one member of the Council;

20 (iii) two members of the Academic Staff of the College; and

21 (iv) four students of the College, and the Committee on Students'
22 Affairs shall be charged with the duty of-

23 (i) considering any matter which relates to the welfare of students;

24 (ii) any other matter referred to it by either the Council or students
25 of the College;

26 (iii) any matter which the students wish to refer to the Council shall
27 be referred to the Committee on Students' Affairs in the first instance.

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

1 *Proceedings of the Council*

2 4.-(1) The Council shall meet for the conduct of business at such times
3 as the Chairman of the Council may appoint but shall meet not less than twice
4 in a year.

5 (2) The Chairman of the Council may at any time and shall at the
6 request in writing of not less than five members of the Council summon a
7 meeting of the Council.

8 (3) Particulars of the business to be transacted shall be circulated to
9 members with the notice of the meeting at least two weeks before the date of the
10 meeting.

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

16 6.-(1) Every question put before the Council at a meeting shall be
17 decided by a simple majority of the members present and voting.

18 (2) Seven members shall form a quorum at any meeting of the
19 Council.

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

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

26 8. If the Chairman of the Council is absent from a meeting of the
27 Council, the members present shall elect one of their number to act as
28 Chairman for the purposes of that meeting.

29 *Miscellaneous*

30 9. Any contract or instrument which if entered into by a person not

1 being a body corporate would not be required to be under seal, may in like
2 manner be entered into or executed on behalf of the Council by any person
3 generally or specifically authorised by it for that purpose.

4 10.-(1) The common seal of the Council shall not be used or affixed
5 to any document except in pursuance of a resolution duly passed at a
6 properly constituted meeting of the Council and recorded in the minutes of
7 such meeting.

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

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Crop Science and Food Technology, Lere, Kaduna State to provide full-time courses in crop science and Food Technology, applied science, management and other fields of studies and to make provisions for the General Administration of the College.