

Extraordinary



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A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED POLYMER INSTITUTE OF NIGERIA
AND FOR RELATED MATTERS

Sponsored by Senator Chukwuka Utazi

[] Commencement

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

1 PART 1

2 1.-(1) There is hereby established a body to be known as Chartered
3 Polymer Institute of Nigeria and (in this Act referred to as the Institute)
4 which shall have the objectives of: Establishment
of the Chartered
Polymer Institute
of Nigeria

5 (a) to Promoting the advance and develop the application of
6 Polymer Science engineering and technology in the Polymer and Allied
7 Industries in Nigeria and elsewhere;

8 (b) To act as a professional body, promoting the professional
9 integrity and status of all persons engaged in polymer Science, Engineering
10 and technology; prescribing standard of experience and efficiency as
11 essential to the election of members thereby conferring upon them a
12 recognized status by virtue of membership of institute;

13 (c) Encourage, advance, disseminate knowledge, education,
14 practical training and research into the profession;

15 (d) To improve and elevate the technical and general knowledge of
16 Polymer science, engineering and technology through the delivery of
17 lectures and holding of classes, and to test by examination in collaboration
18 and with approval from relevant Government Institutions and agencies, and
19 to award certificates, scholarships, grants, rewards and other benefactors;

20 (e) To undertake in collaboration and with approval from relevant
21 governmental agencies, the accreditation of manpower training programs in

Functions of the
Institute

Membership

- 1 Polymer science, engineering and technology;
- 2 (f) To diffuse among its members information on all matters affecting
- 3 Polymer science, engineering and technology and to print, publish, issue and
- 4 circulate periodicals, books, circulars and other literary material as may seem
- 5 conducive to the attainment of any of these objects;
- 6 (g) To originate and promote the enactment by the State of legislation
- 7 in respect of all of above objects;
- 8 (h) To purchase, have, hold, dispose of subject to the provisions of the
- 9 Companies Act, buildings for use as an institute, college or lecture rooms, or
- 10 any other properties, real or personal, for the advancement of the object of the
- 11 institute or anyone of them;
- 12 (i) To do all such other lawful things as are incidental or conducive to
- 13 the attainment of the above objects or any of them provided that the institute
- 14 shall not support with its funds or impose on its members or endeavor to
- 15 procure the observance of any regulation which, if are object to the institute
- 16 would make it a trade union.
- 17 (2) The Institute shall be with perpetual succession and a common
- 18 seal and may sue and be sued in its corporate name.
- 19 (3) Subject to the Land Use Act, the institute may hold, acquire and
- 20 dispose of any movable or immovable property.
- 21 **2.-(1)** Without prejudice to Section 1 of this Act, it shall be the duty of
- 22 the institute to:
- 23 (a) Determine what standards of knowledge and skill are to be
- 24 obtained by persons seeking to become members of Chartered Polymer
- 25 Institute of Nigeria, improving those standards from time as Circumstances
- 26 may permit;
- 27 (b) Secure, in accordance with the provisions of this Act, the
- 28 establishment and maintenance of a register of members of the profession and
- 29 the publication from time to time of the list of those persons.
- 30 (2) (i) Membership of the institute shall be open to all persons aged f

1 eighteen (18) years and above, who are of Nigerian origin and from other
2 parts of the world and are interested in the aims and objectives of the
3 institute may be an individual in research.

4 (3) (ii) Subject to the provisions of this Act, persons admitted to
5 membership of the institute shall be registered as members of the profession
6 in the category of:

7 (i) Honorary fellows;

8 (ii) Fellows;

9 (iii) Members;

10 (iv) Associates;

11 (v) Graduate;

12 (vi) Professional grade i. Technician and Higher Diploma grades;

13 (Vii) Corporate;

14 (viii) Students.

15 3.-(1) There shall be established for the institute, a Governing
16 Council (in this Act referred to as the Council) which shall be charged with
17 the responsibility of administration and general management of the
18 institute.

Council of the
Institute and
Membership

19 (2) The council shall consist of the following members:

20 (a) The President of the Institute, who shall be the Chairman;

21 (b) Vice President of the Institute, who shall be the Vice Chairman;

22 (c) Director Engineering Ministry of Science and technology;

23 (d) 10 persons to be elected by the Institute;

24 (e) Past presidents of the Institute who shall be entitled to serve on
25 the council for a maximum period of 3 years from the expiration of their term
26 of office as president of the Institute;

27 (f) 2 persons to represent institute of higher learning in Nigeria
28 offering courses leading to approved qualifications in Polymer science to be
29 appointed by the institute;

	1	(g) The Registrar of the institute who shall be the Secretary to the
	2	council.
Election of President and Vice President	3	4. -(1) There shall be a President and Vice President of the Institute,
	4	who shall be fellows of the Institute, to be elected by the council who shall hold
	5	office each for a term of three (3) years from the date of election.
	6	(2) The President shall be Chairman at meetings of the institute, so
	7	however that in the event of death, incapacity or inability, for any reason of the
	8	president, the Vice president shall act on his behalf for the unexpired portion of
	9	the term of the office.
	10	(3) If the President or Vice President ceases to be a member of the
	11	institute he <i>Ipso facto</i> cease to hold any of the office designated under this
	12	Section.
	13	PART 2
Financial Provisions	14	5. -(1) The council shall establish and maintain a fund for the institute.
	15	(2) There shall be paid and credited into the fund established pursuant
	16	to subsection (1) of this section:
	17	(a) All fees and other moneys payable to the council in pursuant of this
	18	act;
	19	(b) Such moneys as may be provided by the federal Government to
	20	the Council by way of grant, loan or otherwise.
	21	(3) There shall be paid out of the fund of the institute:
	22	(a) All expenditure incurred by the council in the discharge of its
	23	functions under this Act;
	24	(b) The remuneration and allowances of the Registrar and other staff
	25	of the institute; and
	26	(c) Such reasonable travelling and subsistence allowances of
	27	members of the council.
	28	(4) The council may invest moneys in the fund in any security created
	29	or issued by or on behalf of Government of the Federation or in any other
	30	securities in Nigeria as may be approved by the council.

1 (5) The council may from time to time raise and give security for
2 money by the issue of or upon bonds, debentures, debenture stocks, Bill
3 exchange, Promissory notes or other obligations or securities of the
4 company or by mortgage or charge upon all or any of the property of the
5 institute.

6 (6) The council shall keep proper accounts on behalf of the institute
7 in respect of each year and proper records in relation to these accounts; and
8 the council shall cause the accounts to be audited by an Auditor appointed
9 from the list and in accordance with the guidelines supplied by the Auditor-
10 general of the Federation.

11 (7) The income and property of the institute shall be applied solely
12 towards the promotion of its objects so set forth in the Memorandum of
13 Association and no portion thereof shall be paid or transferred directly or
14 indirectly as dividend, bonus or otherwise by way of profit to members of
15 the institute, provided that nothing herein shall prevent the payment of
16 remuneration to any officer or servant actually rendered to the institute or
17 prevent the payment of interest at the rate not exceeding five percent per
18 annum on money rent, reasonable and proper rent for premises demised or
19 let by any member to the institute or any officer of the institute paid by fees,
20 and that no remuneration or other benefit in money shall be given by the
21 institute to any member of such body repayment of out of pocket expenses
22 and interest at the rate aforesaid or reasonable.

23 (8) The auditor appointed for the purpose of this section shall not
24 be a member of the council.

25 (9) The council shall prepare and submit to the minister of science
26 and technology not later than twelve months after its establishment and once
27 in each year thereafter a report on the activities of the council in the last
28 preceding years and shall include in the report a copy of the audited accounts
29 of the council for that year and of the auditor's report thereon.

30 (10) If upon the Winding up or dissolution of the institute, there

1 remains, after the satisfaction of all its debt and liabilities, any property
2 whatsoever the same shall not be paid to or distributed among the members of
3 the institute, but shall be given or transferred to some other institution or
4 institutions having object similar to the objects of the institute, to be
5 determined by the council at or before the time of dissolution, or in default
6 thereof by the judge of the Federal High Court. Services, education, technical
7 development, quality control or production work employment, manufacturing,
8 sale or improvement of finished products or new materials of polymer nature
9 such as plastics, rubber and printing inks, adhesives, pulp and paper packaging
10 and related industries.

11 PART 3

Appointment of
Registrar and
preparation of
Register

12 6.-(1) It shall be the duty of the Council to appoint:

13 (a) A fit and proper person who shall be a member of the Institute and
14 must have 10 years experience in Polymer Science engineering and technology
15 to be registered for the purpose of this act; and

16 (b) Such other persons as the institute may, from time to time think
17 necessary.

18 (2) The Registrar shall in addition to his other functions under this Act
19 be the secretary to the council and shall on instruction of the President of the
20 Council or of any committee thereof convene meetings of the council or of any
21 committee thereof and keep minutes of the proceedings at all such meetings as
22 the case may be.

23 (3) The council may, whenever the registrar is absent or for any other
24 reason unable to discharge the functions of his office, appoint an acting
25 Registrar who shall have the same qualification as in subsection 1 of this
26 section discharge those functions.

27 (4) The Registrar and other staff of the institute shall hold office on
28 such conditions as the council may determine.

Registration of
Members

29 7.-(1) It shall be the duty of the Registrar to prepare and maintain in
30 accordance with the rules made by the council, a register of names, address and

1 approve qualifications and such other particulars as may be specified by the
2 rules, of all persons who are entitled in accordance with the provisions of
3 this Act to be registered as members of the profession.

4 (2) The register shall consist of 8 parts of which:

5 (a) The first part shall be in respect of Honorary Fellows;

6 (b) The second part shall be in respect of Fellows;

7 (c) The third part shall be in respect of Members;

8 (d) The fourth part shall be in respect of Associates;

9 (e) The fifth part shall be in respect of Graduates;

10 (f) The sixth part shall be in respect of Professionals;

11 (g) The seventh part shall be in respect of Corporate bodies;

12 (h) The eight part shall be in respect of Students.

13 (3) Subject to the following provisions of this section, the council
14 may make rules with respect to the form and keeping of the register and the
15 making of the entries therein and in particular:

16 (a) Regulating the making of applications for registration and
17 providing evidence in support of such applications;

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

20 (c) Specifying the fees, including any annual subscription to be
21 paid to the institute in respect of the entry of names in the register, and
22 authorizing the Registrar to refuse to enter a name on the register until any
23 fees specified for the entry have been paid.

24 (4) Any rules made for the purpose of paragraph (c) of subsection 3
25 of this section shall not come into force until they are confirmed at the
26 special meeting of the institute.

27 (5) It shall be the duty of the Registrar:

28 (a) To correct in accordance with the directions of the council, any
29 entry in the register which the council directs him to correct as being in the
30 opinion of the council on entry which was incorrectly made;

1 (b) To make from time to time any necessary alteration to the register
2 particulars of registered persons;

3 (c) To record the names of members of the institute who are in default
4 for more than 6 months in the payment of annual subscriptions, and to take such
5 action in relation thereto (including removal of the names of defaulters from
6 the register) as the council may direct or require.

7 (6) If the register:

8 (a) Send to any registered person a letter addressed to him at his
9 address on the register enquiring whether the registered particulars relating to
10 him are correct and receives no reply to the letter within the period of 6 months
11 from the date of posting it, and

12 (b) Upon the expiration of that period sends in the like manner to the
13 person in question a second letter and receives no reply to that letter within 3
14 months from the date of posting it.

15 The registrar may remove the particulars relating to the person in question from
16 the register provided that the council may, for any reason which seems to it
17 sufficient, direct the registrar to restore the appropriate part of the register any
18 particulars removed therefrom under this subsection.

Publication of
Register and
list of corrections

19 **8.-(1)** It shall be the duty of the Registrar

20 (a) To cause the register to be printed, published and put on sale to
21 members of the public not later than 2 years from the coming into force of this
22 act;

23 (b) In each year after that in which a register is first published under
24 paragraph (a) of this subsection, to cause to be printed, published and put on
25 sale as aforesaid, either a corrected edition of the register or list of alterations
26 made to the register since it was last printed; and

27 (c) To cause a print of each edition of the register and of each list of
28 corrections to be deposited at the principal office of the institute, and it shall be
29 the duty of the council to keep the register, and list so deposited available at all
30 reasonable times for inspection by members of the public.

1 (2) A document purporting to be a print of an edition of e register
2 published under this section by authority of the Registrar or documents to be
3 print of an edition of a register so published and of a list of corrections to that
4 edition so published, shall (without prejudice to any other proof) be
5 admissible in any proceeding as evidence that any person specified in the
6 document or documents read together, as being registered is so registered at
7 the date of the edition or of the list of corrections as the case may be, and that
8 any person not so specified was not so registered.

9 (3) Where in accordance with subsection (2) of this section, a
10 person in any proceeding, shown to have been or not to have been registered
11 at a particular date, shall unless the contrary is proved be taken for the
12 purposes of the proceeding as having at all material times thereafter
13 continued to be or not to be so registered.

14 PART 4

15 9.-(1) Subject to Section 110f this act and to rules made under
16 section 8 of this act, a person shall be entitled to be registered as a member of
17 the profession if:

Registration of
Chartered Members
of the profession

18 (a) He passes the qualifying examination for registration
19 recognized or conducted by the council under this Act and complete the
20 practical training prescribed; or

21 (b) He held a qualification granted and for the time being accepted
22 by the institute and satisfied the council that he has sufficient practical
23 experience as a member of the profession.

24 (2) An application for registration under this Act shall in addition to
25 evidence of qualification satisfy the council that:

26 (a) He is of good Character (fit and proper person);

27 (b) He had attained the age of 21;

28 (c) He has not been convicted in Nigeria or elsewhere of an offence
29 involving fraud or dishonestly.

30 (3) The council may in its sole discretion, provisionally accept a

Approval of
qualification

1 qualification produced in respect of an application to register under this
2 section, or direct that the application be renewed within such period as may be
3 specified in the direction.

4 (4) Any entry directed to be made in the register under subsection (3)
5 of this section, shall show the registration is provisional and no entry so made
6 shall be converted to full registration without the consent of the council,
7 signified in writing in that behalf.

8 (5) The council shall from time to time, publish in the Federal Gazette
9 particulars of qualification for the time being acceptable for registration by the
10 institute.

11 **10.-(1)** The council may approve any institution for the purpose of
12 this Act and may for that purpose approve:

13 (a) Any course of training at any approved institution which is
14 intended for persons seeking to become or are already administrators and
15 which the council considers is designed to confer on persons completing it
16 sufficient knowledge and skills for admission into the institute;

17 (b) Any qualification which as a result of examination taken in
18 conjunction with a course of training approved by the council under this
19 section is granted to candidates reaching a standard at the examination,
20 indicating in the opinion of the council that the candidate has sufficient
21 knowledge and skill for the practice of the profession.

22 (2) The council, may, if it thinks fit, withdraw any approval given
23 under this section in respect of any course, qualification or institution but
24 before withdrawing such an approval the council shall:

25 (a) Give notice that it proposes to do so to persons in Nigeria
26 appearing to the council to be persons by whom the course is conducted or the
27 qualification is granted or the institution is controlled as the case may be;

28 (b) Afford each such person an opportunity of making to the council
29 presentations with regards to the proposal;

30 (c) Take into consideration any representation made as respect to the

1 proposal in pursuance of paragraph (b) of this section.

2 (3) As respect to any period during which the approval of the
3 council under this section for a course qualification or institution is
4 withdrawn, the course of qualification or institution shall not be treated as
5 approved under this section but the withdrawal of such an approval shall not
6 prejudice the registration or eligibility for registration of any person who by
7 virtue of the approval, was registered or eligible for registration
8 immediately before the approval was withdrawn.

9 (4) The giving or withdrawal of an approval under this section shall
10 have effect from such date either before or after the execution of the
11 instrument signifying the giving or withdrawal of the approval, as the
12 council may specify in the instrument and the council shall:

13 (a) As soon as may be, publish a copy of every such instrument in
14 the Federal Gazette; and.

15 (b) Not later than 7 days before its publication send a copy of the
16 instrument to the minister.

17 **11.-(1)** It shall be the duty of the members of the council to keep Supervision of
18 themselves informed of the nature of: instruction

19 (a) The instructions given at approved institutions to persons
20 attending approved courses of training; and

21 (b) The examination as a result of which approved qualifications
22 are granted. And for the purposes of performing that duty the council may
23 appoint, either from among its members or otherwise, persons to visit
24 approved institutions or observe such examinations.

25 (2) It shall be the duty of the person appointed under subsection (1)
26 of this section report to the council on:

27 (a) The sufficiency or otherwise of the instructions given to
28 persons attending the approved courses of training at the institutions visited
29 by him;

30 (b) The adequacy or otherwise of the examinations conducted at

	1	any institution inspected by him; and
	2	(c) Any other matter relating to the institution or examinations on
	3	which the council may, either generally or in a particular case, request him to
	4	report. But the person shall not interfere with the giving of any instruction or
	5	the holding of any examination.
	6	(3) On receiving a report made in pursuance of this section, as the
	7	council may think fit and shall, if so required by the institution send a copy of
	8	the report to the person appearing to the council to be in charge of the institution
	9	or responsible for the examination to which the report relates, requesting that
	10	person to make observation or report to the council within such period as may
	11	be specified in the request, not being more than 1 month beginning with the
	12	date of the request.
Supervision of Examination	13	12.-(1) Notwithstanding, the provisions of section 11 of this Act, it
	14	shall be the duty of the national Board for Technical Education (in this Act
	15	referred to as the Board) to supervise the institutes examinations and for the
	16	purpose of performing that duty the Board may appoint its officials to review
	17	the institutes examination question papers and student's answers scripts before
	18	the examination is released.
	19	(2) The director of the Board shall be a joint signatory to the certificate
	20	awarded by the institute.
Qualification for Membership	21	13.-(1) Subject to the provisions of section 10 of this Act, membership
	22	of the institute shall be open to all persons aged (18) years and above, who are
	23	interested in the aims and objects of the institute.
	24	(2) The person shall be an individual engaged in research, services,
	25	education, technical development, quality control or production, work
	26	employment of finished products or raw materials of Polymer nature such as
	27	plastics, rubber, paints, and printing inks, adhesive, pulp and paper packaging
	28	and related industries.
Establishment of Disciplinary Tribunal and Investigating Panel	29	PART 5 - PROFESSIONAL DISCIPLINE
	30	14.-(1) There shall be established a body to be known as Chartered

1 Polymer Institute Disciplinary Tribunal (in this Act referred to as the
2 Tribunal) which shall be charged with the duty of considering and
3 determining any case referred to it by the panel established under subsection
4 (3) of this section, and any other case of which the tribunal has cognizance
5 under the following provisions of this Act.

6 (2) The tribunal shall consist of the president of the council and 6
7 (six) other members of the council appointed by the council.

8 (3) There shall be a body to be known as Chartered Polymer
9 Institute Investigating Panel (in this decree referred to as the Panel) which
10 shall be charged with the duty of:

11 (a) Conducting a preliminary Investigation into any case when it is
12 alleged that a member of the profession has misbehaved in his capacity as
13 such a member should for any reason be the subject of proceedings before
14 the tribunal;

15 (b) Deciding whether the case should be referred to the tribunal;

16 (c) Submitting a report on any action taken in the past to the
17 tribunal.

18 (4) The panel shall be appointed by the council and shall consist of
19 2 members of the council and one member of the profession who is not a
20 member of the council.

21 (5) The provision of schedule 2 to this Act shall so far as they are
22 applicable to the tribunal and panel respectively, have effect with respect to
23 those bodies.

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

26 **15.-(1) Where:**

27 (a) A person registered under this Act is adjudged by the tribunal to
28 be guilty of infamous conduct in any professional respect;

29 (b) A person registered under this Act is convicted by any Court of
30 competent jurisdiction which in the opinion of the tribunal is incompatible

Penalties for
unprofessional
conducts

1 with the status of a member of the profession;

2 (c) The tribunal is satisfied that the name of any person has been
3 fraudulently registered.

4 (2) The tribunal if it thinks fit, defer its decision as to the giving of
5 direction under subsection (1) of this section until a subsequent meeting of the
6 tribunal.

7 (3) No decision of the tribunal shall be deferred under subsection (2)
8 of this section for periods exceeding 1 year in the aggregate.

9 (4) As far as possible no person shall be a member of the tribunal for
10 the purposes of reaching a decision which has been deferred or further
11 deferred, unless he was present as a member of the tribunal when the decision
12 was deferred.

13 (5) For the purpose of subsection (1) of this section, a person shall not
14 be treated as convicted unless the conviction stands at a time when no appeal or
15 further appeal is pending or may (without extension of time) be brought in
16 connection with the conviction.

17 (6) When the tribunal gives a direction under subsection (1) of this
18 section, the tribunal shall cause notice of the direction to be served on the
19 person to whom it relates.

20 (7) The person to whom such a direction relates may at any time
21 within 28 days from the day of service on him of the direction appeal against
22 the direction to the Federal High Court and the tribunal may appear as
23 respondent to the appeal and, for the purpose of enabling directions to give as to
24 cost of the appeal and of proceedings before the tribunal.

25 (8) A direction of the tribunal given under subsection (1) of this
26 section shall take effect where:

27 (a) No appeal under this section is brought against the decision,
28 within the time limited for such an appeal, or an expiration of that time;

29 (b) Such an appeal is brought and is withdrawn or struck out for want
30 of diligent prosecution, or on the withdrawal or striking out of the appeal; or

1 (c) Such an appeal is brought and is not withdrawn or struck out as
2 aforesaid, if and when the appeal is dismissed.

3 (9) A person whose name is removed from the register in pursuance
4 of a direction of the tribunal under this section shall not be entitled to be
5 registered again except in pursuance of a direction in that behalf given by the
6 tribunal on the application of that person.

7 (10) A direction under this section for the removal of a person's
8 name from the register, may prohibit an application under subsection (9) of
9 this section by that person until the expiration of such period from the date of
10 the direction (and where he has duly made such an application from the date
11 of his last application) or as may specify in the direction.

12 PART 6

13 **16.**-(1) Any person not being a member of the Chartered Polymer
14 Institute of Nigeria who but for this Act would have been qualified to apply
15 for the membership of the institute may within a period of 3 months from the
16 commencement of this Act, apply for the membership of this institute in
17 such a manner as may be specified by the council.

Application of
the Act to
unregistered
persons

18 (2) Where an application under subsection (1) of this section is
19 approved by the council, the applicant shall be enrolled or registered, as the
20 case may be, according to his qualification.

21 **17.**-(1) Subject to subsection (2) of this section, a person shall be
22 deemed to practice as Chartered members of the profession, if in
23 consideration of remuneration received or to receive, whether by himself or
24 in partnership with any person:

When persons
are deemed to
practice as
Chartered members
of the profession

25 (a) Engages himself in the practice of the profession or hold
26 himself out to the public as a member of the profession;

27 (b) Renders any other services or assistance in or about matter of
28 principle or detail relating to the profession; or

29 (c) Renders any other service which may by regulations made by
30 the council with the approval of the Minister, be designated as service

Rules as to
practice

1 consulting practice as Chartered member of the profession.

2 (2) Nothing in this section shall be construed so as to apply to persons
3 who while in the employment of any government, are required under the terms
4 or in the course of such employment to perform the duties or any of the duties of
5 the profession.

6 **18.-(1)** The council may make rules for:

7 (a) The training with registered members of the profession or suitable
8 persons in Polymer Science engineering and technology method, and

9 (b) The supervision and regulation of engagement, training and
10 transfer of such person.

11 (2) The council may also make rules:

12 (a) Prescribing the amount and date for payment of the annual
13 subscription and for such purpose, different amounts may be prescribed by the
14 rules according to whether the member of the institute is a fellow, honorary
15 fellow, member, associate, graduate, professional grade, corporate and
16 students or retired members;

17 (b) Prescribing the form of license to practice to be issued annually or
18 if the council thinks fit, by endorsement on an existing license;

19 (c) Restricting the right to practice as a member of the profession in
20 default of payment of the annual subscription where the default of payment of
21 the annual subscription continues for longer than such period as may be
22 prescribed by the rules;

23 (d) Restricting the right to practice as a member of the profession if
24 the qualification granted outside Nigeria does not entitle the holder to practice
25 as a member of the profession; and.

26 (e) Prescribing the practical training in the office of a chartered
27 member of the profession in practice to be completed before a person qualifies
28 for a license to practice as a member of the profession.

29 (3) Rules when made shall if the chairman of the council so direct be
30 published in the Federal Gazette.

1	19. The Institute shall:	Provision of Library facilities
2	(a) Provide and maintain a library comprising books and	
3	publications for the promotion and advancement of knowledge of polymer	
4	science engineering and technology and such other books and publications	
5	as the Council may think necessary for the purpose;	
6	(b) Encourage research into industrial polymer science	
7	engineering and technology and such other area of study as the Council may	
8	deem appropriate.	
9	20. The minister may give to the council directives of a general	Powers of the Minister to give directives to the Council
10	character or relating generally to particular matters (but not to any individual	
11	person or case) with regards to the exercise by the council of its functions	
12	and it shall be the duty of the council to comply with the directives.	
13	21. -(1) Any regulations made under this Act shall be published in	Regulations
14	the Federal Gazette as soon as may be after they are made and a copy of such	
15	regulations shall be sent to the minister not later than 7 days before they are	
16	so published.	
17	(2) Rules made for the purpose of this act, shall be subject to	
18	confirmation by the institute at the next general meeting or at any special	
19	meeting of this institute convened for this purpose and if then annulled, shall	
20	cease to have effect on the day of annulment but without prejudice to	
21	anything done in pursuance or intended pursuance of any such rules.	
22	22. -(1) Any person who for the purpose of procuring the	Offences and penalties
23	registration of any name, qualification or other matters	
24	(a) Makes a statement which he believes to be false in a material	
25	particular; or	
26	(b) Recklessly makes a statement which is false in a material	
27	particular commits an offence.	
28	(2) If, on or after the coming into force of this Act any person who	
29	has not being a member of the institute, practice or hold himself out to	
30	practice as a member of the profession for or in expectation of reward or take	

1 or uses any name, title, addition or description implying that he is in practice as
2 a member of the profession, he commits an offence.

3 (3) In case of a person which fall within section 16 of this act:

4 (a) The provision of subsection (2) of this section shall not apply in
5 respect of anything done by him during the period of 3 months mentioned in
6 that section; and

7 (b) If within that period he duly applies for membership of the
8 institute then unless that period he is notified that his application has not been
9 approved the provision of subsection (2) of this section shall not apply in
10 respect of anything done by him between the end of that period and the date on
11 which he is registered or is notified as aforesaid.

12 (4) If the registrar or any other person employed by or on behalf of the
13 institute willfully makes any falsification in any matter relating to the register,
14 he commits an offence.

15 (5) A person guilty of an offence under this section is liable:

16 (a) On summary conviction, to a fine not exceeding N1,000.00;

17 (b) On conviction on indictment, to a fine not exceeding N5,000.00 or
18 to imprisonment for a term not exceeding 2 years or both fine and
19 imprisonment.

20 (6) Where an offence under this section has been committed by a body
21 corporate is proved to have been committed with the consent or connivance of
22 or to be attributable to any neglect on the part of any director, manager,
23 secretary, or other similar officer of the body corporate, shall be deemed to
24 have committed that offence and shall be liable to be proceeded against and
25 punished accordingly.

26 PART 7

Transfer to the
Institute of certain
assets and liabilities

27 **23.-(1)** On the commencement of this Act:

28 (a) All assets and liabilities held or incurred immediately before that
29 day by or on behalf of the incorporated institute shall by virtue of this Act and
30 without any further assurances, vest in the institute and be held by it for the

1 purpose of the institute;

2 (b) The incorporated institutes shall cease to exist; and

3 (c) Subject to subsection (2) of this section, any act or thing made
4 or done by the institute shall be deemed to have been made or done by the
5 institute.

6 (2) The provision of the third schedule to this Act shall have effect
7 with respect to matters arising from the transfer by this section to the
8 institute of the property of the incorporated institute and with respect to
9 other matters mentioned therein.

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

Interpretations

11 “Board” - means the National Board for Technical Education established
12 under the National Board for Technical Education Act;

13 “Council” - means the council established as the governing body of the
14 institute;

15 “Fees” - includes annual subscription

16 “Institute” - means The Chartered Polymer Institute established under
17 section 1 of this Act;

18 “Member of this Institute” - means a registered fellow, member, member,
19 associate, corporate, students, professional, honorary fellow, and
20 membership of the institute shall be construed accordingly;

21 “Minister” - means Minister of Science and Technology Panel has the
22 meaning assigned to it by section 14 of this Act;

23 “President and Vice president” - means respectively the office holders under
24 those names in the institute;

25 “Registrar” - means the Registrar appointed in accordance with section
26 6(1)(a) of this Act;

27 “Profession” - means the profession of Polymer Science Engineering and
28 Technology;

29 “Register” - means the register maintained in pursuance of section 6 of this
30 Act and Masculine refers to feminine and Vice Versa;

	1	“Tribunal” has the meaning assigned to it by section 14 of this Act.
Short Title	2	25. This Bill may be cited as the Chartered Polymer Institute of
	3	Nigeria Bill, 2022.
	4	SCHEDULES
	5	SCHEDULE 1
	6	SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL AND
	7	THE INSTITUTE
	8	-(1) Subject to the provisions of this paragraph a member of the
	9	council shall hold office for a period of 3 years beginning from the date of his
	10	appointment or election.
	11	(2) In the case of a person who is a member by virtue of having been a
	12	president of the institute, he shall hold office for a period of 3 years from the
	13	date of his having ceased to be president of the institute.
	14	(3) Any member of the institute who cease to be a member thereof
	15	shall, if he is also a member of the council, cease to hold office on the council.
	16	2. Any elected member may by notice in writing under his hand
	17	addressed to the president of the institute, resigns his office and any person
	18	appointed may with the consent of the secretary, in the manner resigns his
	19	office.
	20	3. A person who retires from or otherwise ceases to be an elected
	21	member of the council shall be eligible again to become a member of the
	22	council and any appointed member may be reappointed.
	23	4. Members of the council shall at its meeting next before the annual
	24	general meeting of the institute arrange for 5 members of the council appointed
	25	or elected and longest in office to retire at that annual general meeting.
	26	5. Election to the council shall be held in such manner as may be
	27	prescribed by rules made by the council and until so prescribed, it shall be
	28	decided by show of hands.
	29	6. If for any reason there is a vacation of office by a member and:
	30	(a) Such member was appointed by the secretary, the secretary shall to

1 appoint another fit and proper person to replace such member; or

2 (b) Such member was elected, the council may, if the time between
3 the unexpired portion of the term of office and the next meeting of the
4 institute appears to warrant the filling of the vacancy, appoint some fit and
5 proper persons for such time as aforesaid.

6 *Powers of Council*

7 2. The council shall have power to do anything which in its
8 opinion is calculated to facilitate the carrying on of the activities of the
9 institute.

10 3.-(1) Subject to the provisions of this Act, the council may in the
11 name of the institute make standing orders regulating the proceedings of the
12 institute, the council or any of the council's or institute committee.

13 (2) The standing orders shall provide for decision to be taken by a
14 majority of members, and in the event of equality of votes, the president of
15 the institute or the chairman, as the case may be shall have a second or
16 casting vote.

17 (3) The standing orders made for a committee shall provide that the
18 committee reports back to the council on any matter within its competence
19 to decide.

20 (4) The quorum of the council shall be given 7 days and the quorum
21 of a committee of the council shall be determined by the council.

22 *Meeting of the Institute*

23 4.-(1) The council shall convene the Annual General Meeting of
24 the Institute on the 30th April of every year or on such day as the council
25 may, from time to time, so however that if the meeting is not held within 1
26 year after the previous Annual General Meeting not more than 15 months
27 shall elapse between the respective dates of the 2 meetings.

28 (2) A special meeting of the Institute may be convened by the
29 Council anytime, and if not less than 20 members of the Institute require it
30 by notice in writing addressed to the Registrar of the Institute setting out the

1 object of the proposed meeting, the Chairman of the Council shall convene a
2 special meeting of the Institute.

3 (3) The quorum of any meeting of the Institute shall be 10 members
4 and that of any special meeting of the Institute shall be 15 members.

5 Meeting of the Council

6 5.-(1) Subject to the provision of any standing orders of the Council,
7 the Council shall meet whenever it is summoned by the Chairman and if the
8 Chairman is required to do so by notice in writing given to him by not less than
9 7 members, he shall summon a meeting of the Council to be held within 7 days
10 from the date on which the notice is given.

11 (2) At any meeting of the Council, the Chairman or in his absence the
12 Vice Chairman shall preside, but if both are absent the members present at the
13 meeting shall appoint one of the member to preside over the meeting.

14 (3) Where the Council desires to obtain the advice of any person on a
15 particular matter, the Council may co-opt him as a member by virtue of this Sub
16 paragraph shall not be entitled to vote at any meeting of the Council and shall
17 not count towards a quorum.

18 (4) Notwithstanding anything in the foregoing of this paragraph, the
19 first meeting of the Council shall be summoned by the Minister, who may give
20 such directives as he thinks fit as to the procedure which shall be followed at the
21 meeting.

22 Committees

23 6.-(1) The Council may appoint one or more committees to carry out
24 on behalf of the Institute or Council, such functions as the Council may
25 determine.

26 (2) A committee appointed under this paragraph shall consist of the
27 number of persons determined by the Council of whom not more than one third
28 shall be persons who are not members of the Council shall hold office on the
29 committee in accordance with the terms of the letter by which he is appointed.

30 (3) A decision of a committee of the Council shall be of no effect until

1 confirmed by the Council.

2 7.-(1) The fixing of the Institute SEAL shall be authenticated by the
3 signature of the President of the Institute or some other member of the
4 Council authorized generally or specially authorized to act for that purpose.

5 (2) Any contract or instrument which is made or executed by a
6 person who not being a body corporate would not be required to be under
7 seal, may be made or executed on behalf of the Institute or of this Council as
8 the case may require, by any person generally or specially by the Institute to
9 act for that purpose by the Council.

10 (3) Any document purporting to be a document duly executed
11 under the seal of the Institute shall be received in evidence and shall, unless
12 the contrary is prove, it is deemed to be executed.

13 8. The validity of any proceeding of the Institute or the Council or
14 of the committee of the Council shall not be adversely affected by any
15 vacancy in membership or by any defect in the appointment of a member of
16 the Institute of the Council or of a person to serve on the committee or by
17 reason that a person not entitled to do so took part in the proceeding.

18 SCHEDULE 2

19 SUPPLEMENTARY PROVISION RELATING TO DISCIPLINARY TRIBUNAL AND
20 INVESTIGATING PANEL

21 1. The quorum of the Tribunal shall be 5 of whom at least 2 shall be
22 members of the profession.

23 2.-(1) The Attorney General of the Federation may make rules as to
24 the selection of members of the tribunal for the purpose of any proceeding
25 and as to the procedure to be followed and the rules of evidence to be
26 observed in proceedings before the tribunal.

27 (2) The rules shall in particular provides:

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

1 (b) For securing that any party to the proceedings shall, if so required
2 be entitled to be heard by the tribunal;

3 (c) For securing that any party to the proceedings to be represented by
4 a Legal Practitioner;

5 (d) Subject to the provisions of section 15(7) of this act, as to cost of
6 proceedings before the tribunal;

7 (e) For requiring in a case where it is alleged that the person who is the
8 subject of proceedings is guilty of infamous conduct in any professional
9 respect, that where the tribunal adjudged that the allegation has not been
10 proved, it shall record a finding that the person is not guilty of such conduct in
11 respect of the matters to which the allegation relates;

12 (f) For publishing in the gazette of notice of any direction of the
13 tribunal which has taken effect providing that a person's name shall be struck
14 off the register;

15 (g) For determining who in addition to person aforesaid, shall be party
16 to the proceeding.

17 (3) For the purpose of any proceedings before the Tribunal, any
18 member of the Tribunal may administer oaths and any party to the proceedings
19 may issue out of the registry of the Federal High Court writ of *subpoena-ad-*
20 *testificandum and duces tecum* but no person appearing before the tribunal
21 shall be compelled:

22 (a) To make any statement before the tribunal pending to incriminate
23 himself; or

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

26 3.-(1) For the purpose of advising the Tribunal on question of law
27 arising in the proceedings before it, there shall in all such proceedings be an
28 Assessor to the Tribunal who shall be appointed by the Council on the
29 nomination of the Attorney General of the Federation and shall be a Legal
30 Practitioner of not less than 10 years post call.

1 (2) The Attorney General of the federation shall make rules as to
2 the functions of Assessors appointed under this paragraph, and in particular
3 such rules shall contain this provisions for securing that:

4 (a) Where as Assessor advices the Tribunal on any question of law
5 as to evidence, procedure or any other matters specified by the rules, he shall
6 do so in the presence of every party or persons representing the party to the
7 proceedings who appears thereat or if the advice is tendered while the
8 tribunal is deliberating in private, that every such party or person as
9 aforesaid shall be informed what advice the assessor has tendered;

10 (b) Every such party or person as aforesaid shall be informed if in
11 any case the tribunal does not accept the advice of the Assessor on such a
12 question as aforesaid.

13 *The Panel*

14 4. The quorum of the panel shall be 3.

15 5.-(1) The panel may at any of its meeting attended by not less than
16 5 members of the panel, make standing orders with respect to the panel.

17 (2) Subject to the provision of any standing orders, the panel may
18 regulate its procedure.

19 *Miscellaneous*

20 6. A person ceasing to be a member of the tribunal or the pan el
21 shall be eligible for reappointment as a member

22 7. A person if otherwise eligible, be a member of both the tribunal
23 and panel, but no person who acted as a member of the panel with respect to
24 any case shall act as a member of the Tribunal with respect to the case.

25 8. The Tribunal or the panel may act notwithstanding any vacancy
26 in its membership and the proceeding of either body shall not be invalidated
27 by any irregularity in the appointment of a member of that body or (subject
28 to paragraph 7 of this schedule) by reason of the fact that any person who
29 was not entitled to do so took part in the proceeding of the body.

30 9. Any document authorized or required by virtue of this Act to be

1 served on the Tribunal or the panel shall be served on the Registrar appointed in
2 pursuant of section 6 of this Act.

3 10. Any expenses of the Tribunal or the panel shall be defrayed by the
4 Institute

5 SCHEDULE 3

6 *Transitional Provisions as to Assets and Liabilities Transfer of*
7 *Asset and Liability*

8 1. Every agreement to which the Incorporated Institute was a party
9 immediately before the commencement of this Act, whether in writing or not
10 and whether or not of such a nature that the rights, liabilities and obligations
11 thereunder could be assigned by the incorporated Institute, shall unless its
12 terms or subject matter make it impossible that it should have effect as
13 modified in the manner provided by the Sub-paragraphs have effect from the
14 commencement of this Act so far as it relates to assets and liabilities transferred
15 by this Act to the Institute as if:

16 (a) The Institute had been a party to the agreement;

17 (b) For any reference (however worded and whether expressed or
18 implied) to the Incorporated Institute, there were substituted in respect of
19 anything falling to be done on or after the commencement of this Act a
20 reference to the Institute;

21 (c) For any reference however worded to a member or members of the
22 Council of the Incorporated Institute, there were substituted, in respect of
23 anything falling to be done on or after the commencement of this act, a
24 reference to a member or members of the Council under this Act.

25 2. Other documents which refer whether specially or generally to the
26 Incorporated Institute shall be considered in accordance with sub-paragraph
27 (1) of this paragraph so far as applicable.

28 3. Without prejudice to the generality of the foregoing provisions of
29 this schedule, where by operation of section 6 of this act, any right, liability or
30 obligation vest in the Institute, the Institute and all other person shall as from

1 the commencement of this Act have same rights, power and remedies (and in
2 particular the same rights as to the taking or resisting of legal proceedings or
3 the making or resisting of applications to any authority) for ascertaining,
4 perfecting or enforcing that right, liability or obligation as they would have
5 if it had at all times been a right, liability or obligation of the Institute.

6 4. Any legal proceedings or application to any authority pending
7 before the commencement of this Act by or against the Incorporated
8 Institute and relating to assets or liabilities transferred by this Act to the
9 Institute may be continued on or after that day or against the Institute.

10 5. On commencement of this Act, any person holding any paid
11 appointment in the Incorporated Institute shall hold a correspondent
12 appointment in the Institute on the same term and condition as to tenure and
13 Incorporated Institute and the Institute in respect of the same period of
14 service.

15 6. If the law in force at the place where any property transferred by
16 this Act is situate provides for the registration or transfer of property of the
17 kind in question (whether by reference to an instrument of transfer or
18 otherwise) the law shall, so far as it provides for alteration of a regular (but
19 not for avoidance of transfer, the payment of fees or any other matter) apply
20 with necessary modifications, to the transfer of the property aforesaid, and it
21 shall be the duty of the Council to furnish the necessary particulars of the
22 transfer to the proper officer of the registration authority, and for that officer
23 to register the transfer accordingly.

24 7. All regulations, rules and similar instruments made for the
25 purpose of the Incorporated Institute and in force immediately before the
26 coming into force of this Act shall except in so far as they are subsequently
27 revoked or amended by any authority having power in that behalf have
28 effect with any necessary modification as if duly made for the corresponding
29 purposes of the Institute.

1 SCHEDULE 4

2 *Supplementary Provisions Relating to Professional Membership*3 *Requirement*

4 1. Subject to the provision of Section 9 of this Act for the purpose of
5 professional requirement, student members shall be a full time student in any
6 Institution of higher learning on an accredited course of study leading to
7 specialization in polymer science, engineering and technology.

8 2. Technician member shall be HND, a ND holder in polymer science
9 or engineering or requisite experience in the operation and service of polymer
10 industry equipment.

11 3. Graduate member, shall possess a maximum of 4 years polymer
12 education with credits earned in polymer science, engineering or technology,
13 plastic coating or such other qualification as may be recognized by the Institute
14 as equivalent to the foregoing requirement for admission to graduate polymer
15 Institute of Nigeria.

16 4. Associate members shall be persons with not less than 6 years
17 experience with credit earned for diploma, a degree in a discipline other than
18 polymer science, engineering or technology and involvement in polymer or
19 polymer equipment marketing sales, purchasing, education, engineering,
20 designs, production, processing, research and development, consulting or
21 other levels of management.

22 5. Full members, polymer chemistry, polymer physics, polymer
23 engineering, plastic engineering, polymer technology and allied field shall
24 have a minimum of 6 years' experience with credits of which 4 years must be
25 earned for full time polymer education to at least a second class honour
26 bachelor degree level or equivalent and as approved by the council.

27 6. Fellows:- shall be conferred on a member for outstanding work in
28 field of polymer science or engineering and services to the institute.

29 7. Honorary fellow.- shall be chosen and nominated by the council
30 for services to the polymer Industry and the Institute.

1 8. Corporate (company) membership:- company involved in
2 production or services to Polymer Science Engineering.

3 CHARTERED POLYMER INSTITUTE OF NIGERIA REGULATIONS

4 ARRANGEMENT OF REGULATIONS

5 *Regulations*

6 1. Application for membership

7 2. Number of members

8 3. Membership

9 4. Qualification for membership

10 5. Compliance for regulation etc

11 6. Issue of practicing certificate

12 7. Entrance fees and subscriptions

13 8. Cessation of membership on death

14 9. Resignation of membership

15 10. Bankruptcy

16 11. Annual general meetings

17 12. Extraordinary and general meetings

18 13. Omission to give notice

19 14. Special business

20 15. Quorum

21 16. Adjournment of dissolution

22 17. Unfinished business to be discussed

23 18. President of the council to preside at meetings of the Institute

24 19. How resolution decided

25 20. How poll to be taken

26 21. No poll in certain cases

27 22. Equality of votes

28 23. Consequence of a demand of a poll

29 24. Votes of members

30 25. Members in arrears

1	26. Proxies
2	27. Instrument
3	28. Effect of vote by proxy
4	29. Constitution of the Council of the Institute
5	30. Power of appointing additional members of the Council
6	31. Powers of the Council
7	32. Age limit for Council members
8	33. Disclosure of personal interest
9	34. Restriction of voting in Council
10	35. Powers of the Council
11	36. Continuing members of the Council may act to fill vacancies on
12	summons meetings
13	37. Affirming of Common seal
14	38. How rules may be made or varied and the matter with which may
15	relate
16	39. The Registrar
17	40. Vacancies of office
18	41. One third of members of council
19	42. Retirement of rotation
20	43. Re-nomination of retiring member
21	44. Vacancies to be field
22	45. Notice to be given for re-nomination
23	46. Removal of members
24	47. Meeting of Council and quorum and casting vote to President
25	48. Seven days notice of meeting of Council required
26	49. Nomination of President and vice President
27	50. Quorum competent to exercise all powers of council
28	51. Committee of the Council
29	52. All acts done by the Council or committee to be valid
30	53. Minutes of proceedings

- 1 54. Disciplinary Tribunal
- 2 55. Members of disciplinary Tribunal
- 3 56. Suspension of membership
- 4 57. Disciplinary action
- 5 58. Suspension etc
- 6 59. Forfeiture of membership on the Council
- 7 60. Re-admission to membership
- 8 61. Subversive activity
- 9 62. Funds
- 10 63. Accounts to be kept
- 11 64. Annual accounts and reports
- 12 65. Notices to members
- 13 66. Rules for regulating proceedings
- 14 67. Registered office
- 15 68. Income and property
- 16 69. Remuneration
- 17 70. Submission to Minister
- 18 71. Interpretation
- 19 72. Citation

20 CHARTERED POLYMER INSTITUTE OF NIGERIA REGULATIONS

21 Under Section 21

22 ORDER 1

23 Citation application

24 *Membership*

- 25 1. Application for admission to membership of the Chartered
- 26 Polymer Institute shall be made to the Council on the appropriate form
- 27 accompanied by such other information as the council may from time to
- 28 time determine, the admission of an applicant, and no applicant shall be
- 29 admitted as a member unless he has first satisfied the Council as to his
- 30 professional status.

Application for
Membership

Number of members	1	2. The Institute shall consist of an unlimited number of members.
Membership	2	3. The institute shall constitute the present members and such other
	3	persons as may be admitted to membership upon the terms and conditions
	4	contained in these regulation.
Qualification of Membership	5	4. No person shall be eligible for admission as a member of the
	6	Institute unless:
	7	(a) He is a regular enrolled full time student in any institution of
	8	higher learning on an accredited course of study leading to specialization in
	9	polymer science, engineering and/or technology;
	10	(b) He has HND, OND in polymer science or engineering or requisite
	11	experience in the operation and service of polymer industry equipment;
	12	(c) He has a maximum of 4 years of polymer education with credits in
	13	polymer science engineering or technology, plastics coatings, engineering and
	14	technology or such other qualifications as may be recognized by the Council as
	15	equivalent to the foregoing requirement for admission;
	16	(d) He has not less than 6 years experience with credit earned for
	17	diploma or degree in a discipline other than polymer science, engineering or
	18	technology and involvement in polymer or polymer equipment marketing,
	19	sales, purchasing, education, processing, research and development,
	20	consulting or other levels of management;
	21	(e) He has a minimum of 6 years experience with credit of which 4
	22	years must be earned for full time polymer education to at least a second class
	23	honours, bachelor degree level or equivalent and as approved by the Council;
	24	(f) He has been chosen and nominated by the Council for services to
	25	the polymer industry and the institute. It is a company involved in production
	26	or services related to polymer science and engineering;
	27	(g) He is a member of a professional polymer science engineering and
	28	technology body as may from time to time be approved by the Council of;
	29	(h) He is a graduate in polymer science from any Nigerian University
	30	or such other approved overseas Universities with 3 years post-qualification

1 experience, inclusive of National Youth Service Corps, and the degree was
2 obtained not later than June 1975;

3 (i) As at the date of application he is a holder of a position as a
4 senior engineer in polymer science engineering and technology in the
5 service of the Federation or a State or in any polymer industry or in the
6 private science engineering and technology engineer and is a fit and proper
7 person to be a member;

8 (j) He passes the institute qualifying examination for membership
9 conducted by the Council and completes the period of practical experience
10 that may be prescribed from time to time;

11 (k) He is a member of any other recognized Chartered polymer
12 Institute anywhere in the world and shall, at the discretion of the Council, be
13 eligible for direct admission to membership of the institute.

14 5. A person shall, upon applying for admission sign an
15 undertaking that he shall if admitted, and for as long as he is a member, duly
16 observe the regulations and rules of the Institute for the time being in force,
17 and he shall not use any of the professional designatory, letters denoting
18 membership of the institute except while as a member of the Institute.

Compliance
with regulations

19 *Practicing Certificate*

20 6.-(1) A member of the institute shall be entitled to engage in public
21 practice as a Chartered Polymer Institute only if he holds a valid practicing
22 certificate issued by the Council of the Institute.

Issue of practicing
certificate

23 (2) A member applying for a practicing license must supply
24 sufficient evidence of his professional experience to satisfy the Council that
25 he has appropriate experience to practice.

26 7. The fees and subscription payable by the members of the
27 Institute shall be determined by the rules made by the Institute as amended
28 from time to time and the annual subscriptions shall be liable to be paid in
29 advance.

Entrance Fees
and Subscription

	1	<i>Cessation of Membership</i>
Cessation of membership on death	2	8. Any person ceasing by death or otherwise to be a member of the
	3	Institute, shall not, nor shall his representative have any claim upon or interest
	4	in the funds of the Institute and the provisions of this Regulation shall be
	5	without prejudice to the right of the Institute, at the time of his ceasing to be a
	6	member.
Resignation of membership	7	9. -(i) A member of the Institute may resign his membership on given
	8	notice to the Council, but shall remain liable to pay any subscription due from
	9	him as at date of receipt of such notice;
	10	(ii) A member of the Institute shall cease to be a member of the
	11	Institute in the event of his annual subscription or such other contribution to the
	12	institute becoming payable, but shall nevertheless be liable to pay the amount
	13	of the annual subscription and such other arrears of subscription or other sums
	14	due by him to the institute and shall remain liable for the payment of the arrears
	15	for the period that his membership continued until the date when all such
	16	subscriptions, arrears, and other sums were fully paid;
	17	(iii) The Council shall have power in special cases, to suspend the
	18	operation of the provision of paragraph (2) of this regulation in the case of a
	19	person who had ceased to be a member under this Regulation and the Council
	20	may, at its discretion, re-admit the person to membership upon such conditions
	21	as it may deem fit in each circumstances.
Bankruptcy	22	10. If a member of the institute shall become bankrupt or shall either
	23	individually or in partnership with a firm or agree to make an assignment for
	24	the benefits of his creditor or shall make any arrangement or composition with
	25	his creditors or shall take or attempt to take the benefit of any statutory
	26	provision for arrangement with his creditors, he may be re-instated with or
	27	without the payment of an entrance fee or membership subscription and the
	28	Council shall have the right to publish in the Gazette or such newspaper or
	29	Journals as it may elect an announcement of the termination of his
	30	membership.

1	<i>General meetings</i>	
2	11. An annual general meeting of the Institute shall be held subject	Annual General Meeting
3	to the provision of the Act.	
4	12. The Council may convene an extra-ordinary general meeting	Extra-Ordinary Meetings
5	and extra-ordinary general meeting may also be convened on such	
6	requisition by members of the institute as may be provided by the Act.	
7	13. An omission to give notice of a meeting to or the non-receipt of	Omission to give Notice
8	such notice by any member of the Institute, shall not invalidate any	
9	resolution passed or any proceedings of such meeting.	
10	<i>Proceedings at General Meeting</i>	
11	14. All business of the Institute which is transacted at an extra	Special Business
12	ordinary general meeting and that is transacted at an annual general meeting	
13	shall also be deemed special with the exception of consideration of the	
14	accounts and balance sheets and the reports of the Council and of the	
15	auditors, the nomination and fixing of the remunerations of the auditors.	
16	15. No business of the Institute shall be transacted at any general	Quorum
17	meeting unless a quorum of 20 members are present at the time when the	
18	meeting proceeds to business, the quorum at any extra ordinary general	
19	meeting of the Institute shall be 50.	
20	16. If within half an hour from the time appointed for the meeting a	Adjournment or Dissolution
21	quorum is not formed, the meeting, if convened on the requisition of	
22	members, shall be dissolved and in any other case it shall stand adjourned to	
23	the same day in the next week, at the same place or such other places as the	
24	President shall appoint, and if at such adjourned meeting a quorum is not	
25	present with half an hour from the time appointed for the meeting, the	
26	numbers present shall for the purpose of that meeting form a quorum.	
27	17.-(i) The President may with the consent of the members of any	Unfinished business to be discussed
28	meeting at which a quorum is present and shall if so directed by the meeting,	
29	adjourn the meeting from time to time from place to place, but no business	
30	shall be transacted at any adjourned meeting other than the business left	

	1	unfinished at the meeting from which the adjournment took place;
	2	(ii) When meeting is adjourned pursuant to paragraph (1) of this
	3	regulation for 10 days or more, notice of the meeting shall be given as in the
	4	case of an original meeting save as aforesaid it shall not be necessary to give
	5	notice of an adjournment or of the business to be transacted at an adjourned
	6	meeting.
President of the Council to preside at meetings of the Institute	7	18.-(i) The President of the institute shall preside at every general
	8	meeting of the institute and, if the president is absent or, if any meeting he shall
	9	not be present within 15 minutes after the time appointed for holding the
	10	meeting or shall be unwilling to preside, the Vice President of the institute shall
	11	preside and in his absence a member of the Council nominated by the members
	12	present shall preside;
	13	(ii) Where no member of the Council is present to preside, the
	14	members present shall appoint one of their numbers to preside over the
	15	meeting.
How resolution is decided	16	19. At all general meetings of the Institute, a resolution put to vote
	17	during the meeting shall be decided by show of hands by a majority of the
	18	members present and voting, unless before or upon the declaration of the result
	19	of the show of hands a poll is demanded in writing by the President of the
	20	meeting that a resolution has been carried by a particular majority or lost or not
	21	carried by a particular majority shall be conclusive and an entry made to that
	22	effect in the minute book of the Institute, shall be conclusive evidence thereof,
	23	without proof of number or proportion of votes recorded in favour of or against
	24	such resolution.
How poll to be taken	25	20. If a poll is demanded in the manner specified in Regulation 19 of
	26	this Regulation, it shall be taken at such time and place, and in such manner, as
	27	the President of the institute shall direct and the result of the poll shall be
	28	deemed to be resolution of the meeting at which the poll was demanded.
No poll in certain case	29	21. No poll shall be demanded on the election of a President of a
	30	meeting or on any question of adjournment.

1	22. In cases of an equality of votes, whether a show of hands or on	Equality of Votes
2	poll, the Chairman of the meeting at which the show of hands takes place or	
3	at which the poll is demanded shall be entitled to a second or casting vote.	
4	23. The demand for a poll shall not prevent the continuance of a	Consequence of
5	meeting for the transaction of any business other than question on which a	a demand for poll
6	poll has been demanded.	
7	24. Every member of the Institute whose subscription shall have	Votes of Members
8	been paid for the current year shall be entitled to one vote at every meeting of	
9	the Institute.	
10	25. Save as herein expressly provided, no person shall at a general	Members in
11	meeting of the Institute, other than a member duly registered and who has	arrears
12	paid every subscription and such other sum (if any) which shall be due and	
13	payable to the Institute in respect of his membership, be entitled to be	
14	present or to vote on any question either personally or by proxy or as proxy	
15	for any other member.	
16	26. On a poll, votes may be given either or by proxy shall be a	Proxies
17	member of the Institute entitled to be present and liable to vote.	
18	27.-(i) The instrument appointing a proxy as provided in the	Instrument
19	schedule to this regulation shall be in writing under the hand of the appointer	
20	or his attorney duly authorized in writing;	
21	(ii) The instrument appointing a proxy and the power of attorney (if	
22	any) under which it is signed or a certified copy thereof shall be deposited at	
23	the office of the Registrar of the Institute at least 24 hours before the time	
24	appointed for holding the meeting at which the person's name in such	
25	instrument proposes to vote, otherwise the person name shall not be entitled	
26	to vote in respect thereof and the instrument appointing him shall be valid	
27	only for purposes of that meeting or its adjournment thereof.	
28	28. A vote given in accordance with the term of an instrument of	Effect of Proxy
29	proxy shall be valid notwithstanding the previous death of the appointer or	
30	revocation of the proxy, provided no intimation in writing of the death or	

	1	revocation shall have been received during office hours at least before the time
	2	for holding that meeting.
	3	<i>Council of the Institute</i>
Constitution of the Council of the Institute	4	29.-(i) The Constitution of the Institute shall be deemed for all
	5	purposes to be the Governing body of the Institute;
	6	(ii) The Council shall consist of the numbers specified in the Act and
	7	shall be nominated by the Institute at an annual general meeting on the
	8	recommendation of the Council.
Power of appointing additional members of the Council	9	30. The Council may, from time to time and at any time appoint any
	10	member of the Institute as a member of the Council, to fill a vacancy in the
	11	Council, provided that the prescribed minimum number shall not be exceeded
	12	and any member so appointed shall retain his office only until the next annual
	13	general meeting and shall be eligible for re-nomination.
Age limit for Council member	14	31. No person shall be eligible to hold office as a member of the
	15	Council, unless he is 40 years old.
Disclosure of Personal Interest	16	32. Any member of the Council or of a committee thereof, who has a
	17	personal interest in any contract or arrangement entroned into or proposed to
	18	be considered by the council or a committee thereof, shall forthwith disclose
	19	his interest to the council or the committee as the case may be, and shall not
	20	vote on any question relating to such contract or arrangement.
Restriction of voting in Council	21	33. No member of the Council shall be disqualified from acting as
	22	such only by reason of his being so interested but he shall be eligible to vote at
	23	the meeting of the Council on any matter relating to any operation,
	24	undertaking, or business in which he is interested either individually or as a
	25	member of the partnership or as a director or officer of the body corporate or
	26	corporation and if he shall so vote his vote shall not be counted.
Powers of the Council	27	34.-(1) The business of the Institute shall be managed by the Council
	28	which may exercise all the powers of the Institution and do on behalf of the
	29	Institute all and done by the Institute and as by virtue of the Act or Regulation
	30	required to be so exercised.

1 (2) No regulation made by the Council at the general meeting shall
2 invalidate any prior act of the Council which would have been made.

3 35. Notwithstanding any vacancy in the Council, the continuing
4 membership on the Council may at any time be reduced in number to less
5 than the maximum number prescribed by or in accordance with these
6 Regulations and it shall be lawful for such members to continue to act as
7 members of the Council for the purpose of filling vacancies of summoning a
8 general meeting of the members, but not for any other purpose.

Counting member
of the council
may act to fill
vacancies or
summons meetings

9 *Common Seal*

10 36-(1) The Institute shall have a common seal which shall be kept
11 in the custody of the Registrar who shall produce it when it is required for
12 use by the Institute.

Affirming of
Common Seal

13 (2) All legal matters required to be executed by the Institute shall be
14 signed by the President and the registrar and seal with the common seal of
15 the Institute.

16 (3) The common seal of the Institute shall not be affixed to any
17 instrument except authority of a resolution of the Council, and in the
18 presence of at least 2 members of the Council and the Registrar, and the
19 members and the Registrar shall sign every instrument to which the common
20 seal shall be affixed in their presence and in favour of a purchaser or person
21 bonafide dealing with the Institute and such signatures shall be conclusive of
22 the fact that the common seal was properly affixed.

23 37-(1) The Council may from time to time, make rules for carrying
24 on the business of the Institute and may at anytime at an annual general
25 meeting vary any rules so made and for the time being in force shall be
26 binding on the members of the Institute and shall have full effect
27 accordingly.

How Rules may
be made or valid
and the matter with
which they may
relate

28 (2) The subject of the rules referred to in paragraph (1) of this
29 Regulation shall among other things, include the matters set out hereunder,
30 that is:

1 (a) The annual or other subscriptions or payment to be payable by
2 members of the Institute;

3 (b) The right and privileges which shall be accorded to the members
4 of the Institute;

5 (c) The qualification, restrictions and conditions which shall be in
6 accordance with the provisions of Section 9 of the act;

7 (d) The qualification, initials and designation to be used by members
8 of the Institute;

9 (e) The removal of members who, in the opinion of the Council, are no
10 longer proper persons to continue in membership of the Institute;

11 (f) Committee connected with management of the Institute, the
12 Register and all the officers of the Institute including the auditors;

13 (g) Branches or districts center committees;

14 (h) Creation and maintenance of the fund of the Institute;

15 (i) Arrangement with other Institute for reciprocal concession;

16 (j) The year book of the Institutes, Journals, publication of papers or
17 books or such other papers as may be conducive to the welfare and
18 advancement of the objectives of the Institute;

19 (k) The postal ballot for the purpose of nominating members of the
20 council and the procedure in connection therewith;

21 (l) Provided that no rules shall be made pursuant to this Regulations
22 which may only lawfully be made at a special resolution of the Institute.

The Registrar

23 **38.** The Registrar shall hold office on such conditions as Council may
24 determine in accordance with the provisions of the Act. The termination of his
25 appointment shall require a resolution passed by not less than 95% of the
26 members of the Council present and voting at meeting of the Council at which
27 not less than 95% of the members of the Council shall be present.

28 *Disqualification of member of the Council*

Vacation of
Office

29 **39.** The office of a member of the Council shall become vacant if:

30 (a) A receiving order is made against him;

- 1 (b) He makes any arrangement with his creditors;
 2 (c) He becomes a lunatic or is of unsound mind;
 3 (d) He cease to be a member of the Institute or by notice in writing
 4 to the Institute he resigns his office;
 5 (e) He cease to hold office by virtue of any provisions of the Act.

6 *Rotation of member of the Council*

7 **40.**-(1) At an annual general meeting of the Institute, one third of One third of
 8 members of the Council for the time being or if their member is not a members of the
 9 multiple of three, then the number nearest to but not exceeding one third, Council
 10 shall retire from office.

11 (2) A retiring member of the Council shall retain his office until the
 12 dissolution or adjournment of the meeting at which his successor shall be
 13 nominated or it is determined not to fill his place.

14 **41.**-(1) The members of the Council retiring shall be those who Retirement by
 15 have been longest in office since their last nomination or appointment and as rotation
 16 between members of equal seniority, the members to retire shall, in the
 17 absence of an agreement, be selected from among them by ballot.

18 (2) The length of time a member has been in office shall be
 19 computed from his last nomination or appointment.

20 (3) A retiring member of the Council may be eligible for re-nomination.

21 **42.** A retiring member of the Council eligible for re-nomination Re-Nomantion
 22 shall, unless he shall have signified his desire to offer himself re-nomination of retiring member
 23 be deemed to be nominated.

24 **43.** The Institute may, at the meeting at which any member of the Vacancies to be
 25 Council retires in any manner whatsoever, fill the vacant office of the filled
 26 member by nominating another member thereto unless as such meeting it
 27 shall be determined to reduce the number of members of the Council.

28 **44.**-(1) No person, except as a member, of the Council, retiring at Notice to be
 29 the meeting or seeking re-nomination, and on the recommendation of the given for re-
 30 Council, shall be eligible for nomination to the Council except if notice in nomination

	1	writing shall be given to the Registrar not less than 1 month before the day
	2	appointed for the meeting and the notice shall be required to be signed by the 10
	3	members dully signed by the person nominated of his willingness to be
	4	nominated.
	5	(2) No nomination shall be valid if the person nominated or any of his
	6	nominators under any precautionary liability to the Institute.
Removal of Members	7	45. -(1) In the event of any member of the Council failing to attend 6
	8	consecutive meeting s of the Council, of which he has been duly notified, the
	9	council may unless his absence was caused by illness (or other circumstances
	10	which in the opinion of the Council may cause his absence) resolve that he shall
	11	cease to be a member of the Council and the Institute may nominate another
	12	member to fill the vacancy thus created.
	13	(2) The Institute may, by an ordinary resolution of which special
	14	notice shall have given, remove any member of the Council before the expiring
	15	of his tenure of tenure, and may by an ordinary resolution appoint another
	16	member in his stead provided that any person so appointed shall retain his
	17	office for only such period as the member in whose place he was appointed
	18	would have held the same if he had not been removed.
	19	<i>Proceedings of the Council</i>
Meeting of the Council, quorum and casting of vote of President	20	46. -(1) The Council may meet together for the dispatch of its business
	21	adjourned and otherwise regulate its meetings as it may think fit, and determine
	22	the quorum necessary for the transaction of its business and unless otherwise
	23	determined by the Council, the quorum at every meeting of the Council shall be
	24	7 (seven).
	25	(2) Question arising at any meeting of the Council, shall be decided by
	26	a Majority Votes and in the case of an equality of votes, the President shall have
	27	a second or casting vote.
Seven days notice of meeting of Council required	28	47. -(1) Council meeting shall be called by the Registrar at any time at
	29	the request of the President, or seven (7) members of the Council given Seven
	30	(7) clear days notice to the members of the Council.

1 (2) A member of the Council who is absent from Nigeria shall not
2 be entitled to notice of meeting.

3 **48.**-(1) The Council shall from time to time nominate one of their
4 members to act as President and another as vice President both of whom
5 shall hold office for three (3) years after the date of election.

Nomination of
President and
Vice President

6 (2) The President or in his absence within 30 minutes after the time
7 appointed for holding the meeting, the members of the Council present shall
8 appoint one of their members to be the President for the purpose of that
9 meeting.

10 **49.** A meeting of the members of the Council for the time being at
11 which a quorum is present shall be competent to exercise all the authority,
12 powers and discretion or under the regulation of the Institute for the time
13 being vested in the Council.

Quorum competent
to exercise all
powers of Council

14 **50.**-(1) The Council may appoint committees in accordance with
15 the rules for the time being in force, and subject to any rules, the Council
16 may delegate any of its functions to a committees consisting of such member
17 or members of the Council of the Institute as it thinks fit, and any committee
18 so formed shall conforms to any regulations imposed on it by the Council.

Committee of
the Council

19 (2) The meeting and proceedings of any such committee shall be
20 governed by the provisions of these Regulations for regulating its meeting.

21 *All Acts Done By Council or Committees to be Valid*

22 **51.** Done at any meeting of the Council by any person acting as a
23 member of the Council, or if any Committee notwithstanding that there was
24 defect in the appointment on the Councilor committee or appointment of any
25 person or member of the Council or committee acting as aforesaid or that
26 they or any of them were not qualified at the time of their appointment, or
27 have become disqualified, shall be as valid as if such Councilor Committees
28 were appointed without any defect.

All Acts Bonafide

29 **52.** The Council shall cause proper minutes to be kept of the
30 proceedings of the meetings of the Institute} Council or committee and all

Minutes of
Proceedings

	1	business transacted at such meetings or any meeting if purporting to be signed
	2	by the chairman of the meeting or by the chairman of succeeding meetings
	3	shall be conclusive evidence of the proceedings therein without any further
	4	proof of the fact therein stated.
Disciplinary Tribunal	5	53. -(1) A disciplinary tribunal shall be constituted with the powers
	6	and for the purpose specified in Section 14 of the Act.
	7	(2) The disciplinary Tribunal shall consist of the chairman and other
	8	members who shall be appointed by the Council from among the members of
	9	the Council and the quorum shall be four (4).
Membership of the Disciplinary Tribunal	10	54. All vacancies from time to time occurring in the Disciplinary
	11	Tribunal shall be filled by the Council} but the disciplinary Tribunal shall be
	12	filled by the Council, but the Disciplinary Tribunal may act notwithstanding
	13	any vacancy in its membership provided that the members shall not be less than
	14	four (4).
Suspension of Membership	15	55. -(1) The Disciplinary Tribunal shall meet at such time and in such a
	16	place as may from time to time be found expedient and minutes shall be kept of
	17	all proceedings of the Disciplinary Tribunal.
	18	(2) The disciplinary Tribunal may suspend any member of as the
	19	Institute who is proved to the satisfaction of the Disciplinary Tribunal to have
	20	been guilty of discreditable act or conduct and that member shall be stopped
	21	from the exercise of all rights and privileges as a member during such period as
	22	it may think fit or it may censure any member for any act or conduct which in its
	23	opinion is so expedient. Provided that at least five (5) members of the
	24	Disciplinary Tribunal are present at the meeting at which the suspension or
	25	censure be reduced.
	26	(3) If any member of the Disciplinary tribunal shall in the opinion of
	27	the investigation panel, be guilty or if any member of the institute be accused of
	28	a dishonourable conduct or explanation be derogatory to the ethnic of the
	29	institute or render him unfit to remain a member then investigation panel shall
	30	send to such member at his last registered address a statement in writing of the

1 conduct imputed to him and shall afford him an opportunity of giving an
2 explanation personally or in writing as he may elect.

3 (4) If any member of the Disciplinary Tribunal shall, in the opinion
4 of the investigating panel, be guilty, or if any member shall either before or
5 after his admission to the institute be accused of a dishonourable conduct, or
6 of conduct which would in the absence of satisfactory explanation, be
7 derogatory to the ethics of the institute or render him unfit to remain a
8 member, then investigation panel shall send to such member at his last
9 registered address, a statement in writing of the conduct imputed to him and
10 shall afford him an opportunity of giving an explanation personally or in
11 writing as he may elect.

12 (5) If on the consideration of such explanation, or in the absence of
13 any explanation the investigation panel shall be of the opinion that the
14 number ought to be excluded from the institute, it shall state its opinion in
15 the form of a report to be laid before the Disciplinary Tribunal for further
16 action.

17 **56.** On any report being laid before the Council by the Disciplinary
18 Tribunal recommending the exclusion of a member, a meeting of the
19 Council shall be convened and the member may be dealt with as the Council
20 may think fit.

Disciplinary
Action

21 **57.-(1)** In the event of the suspension, removal or exclusion of a
22 member, the Council shall be at liberty to cause a notice thereof to be
23 published in such newspaper or journal as it may elect.

Suspension

24 (2) In the event of resignation, suspension, removal or exclusion of
25 a member, or of a member ceasing to be a member, for any other cause, every
26 certificate of membership held by him, shall be delivered up to the institute
27 to be retained during the period of his suspension.

28 **58.** If it shall appear that a member failed to give adequate
29 information about himself or that the particulars given therein were
30 incorrect or misleading so that the insufficient inaccurate or misleading

Forfeiture of
membership on
the Council

	1	information might have been responsible for or have influenced the granting of
	2	his application for membership, the Council may by vote of two third of the
	3	members of the council present, exclude such member from further
	4	membership of the Institute.
Re-admission of Membership	5	59. In case of a person whose membership has ceased in accordance
	6	with the provisions of the Act or these Regulation, the Council may by
	7	unanimous resolution at a meeting covered with notice of the object and upon
	8	such conditions as it may think fit admit or refuse to re-admit an applicant
	9	without disclosing any reason for such refusal.
Subversive activity	10	60. Where, it is established that a person is involved in any subversive
	11	activity against the Institute, that person if a member of the Institute, shall be
	12	expelled for life from the Institute, if howsoever, the person is an applicant
	13	seeking membership of the Institute his action shall be sufficient reason to
	14	reject the application for membership of the Institute.
Register of member	15	61. The Council shall keep a register of members in respect of each
	16	State of the Federation and the Federal Capital Territory, Abuja and the register
	17	shall specify the name, and address of every member for the time being resident
	18	in that State and the Federal capital territory, Abuja and the class in which such
	19	member is for the time being placed by the Council and the register shall be
	20	open for inspection by members of the public at all reasonable time.
Funds	21	62. -(1) All monies, bills and notes belonging to the Institute shall be
	22	deposited with the Institutes bankers in an account to be kept in the name of the
	23	Institute.
	24	(2) All cheques of the Institutes bankers, until otherwise resolved by
	25	the Council shall be signed by the President, Registrar and such other member
	26	of the Council authorized so to do.
	27	(3) The Institutes bank account shall be kept with such banker or
	28	bankers as the council may, from time to time determine.
	29	<i>Accounts</i>
Accounts to be kept	30	63. -(1) The Council shall cause true and correct account to be kept

1 (a) of the assets and liability of the Institute;
2 (b) of all monies received and expended by the institute and the
3 matters in respect of which such receipts and expenditures were made, and
4 (c) of all sales and purchases of goods by the Institutes;

5 (2) The books of account of the Institute shall be kept at the office,
6 or at such other place or places as the Council may deem fit and shall be open
7 to inspection by members of the Council and the Institute.

8 (3) The Council at general meeting may, from time to time, make
9 reasonable conditions of the accounts and books of the Institute or any of
10 them by members of the Institute or of the Council and subject to such
11 conditions and regulations, the accounts and books of the Institute shall be
12 open for inspection by members at all reasonable times during business
13 hours.

14 **64.**-(1) Once at least in every year the Council shall cause to be
15 prepared and laid before the Institute at a general meeting an income and
16 expenditure account for the previous year made up to date not more than six
17 (6) months before such meeting.

Annual Account
and Report

18 (2) A balance sheet in respect of the accounts of the Institute shall
19 be made out every year at the same date, and laid before the Council at a
20 general meeting and every balance sheet shall be accompanied by a report of
21 the Council as to the affairs of the Institute generally and a report of the
22 auditors, and a printed copy of such account, balance sheet and reports shall
23 not less than twenty (20) clear days before the meeting be served on the
24 auditors and on the manner in which notices are herein after directed to be
25 served.

26 (3) At least once in every year accounts of the Institute shall be
27 examined and the correctness of the income and expenditure of the account
28 and balance sheet shall be curtailed by one or more auditors.

29 *Notice*

30 **65.**-(1) Any summons, notice, order or such other document

Notice to members

	1	required to be sent to or served upon the Institute, may be sent or served by
	2	leaving the same or sending it through the post in a prepaid letter addressed to
	3	the Institute or to such officers at the office.
	4	(2) Any notices, if served by post, shall be deemed to have been
	5	served on the day following that on which the letter containing the notice was
	6	properly addressed and put into the post office as a prepaid letter.
Rules for regulating proceedings	7	66. -(1) It shall be lawful for the Council, from time to time to make
	8	rules regulating proceeding, reserved or alter rules, regulations and standing
	9	orders for regulating its proceedings and the procedure of the Institute and the
	10	management of the members thereof, for the calling of meetings, of the
	11	procedure at meetings, nominations, the service of documents and for other
	12	matters affecting the Institute.
	13	(2) Provided always that no rules, regulation or standing order shall
	14	have any validity or effect which is contrary to the provisions of these
	15	regulations or Act or constitute or involves such an alteration of or addition to
	16	these Regulations as can any lawfully be made by a special resolution of the
	17	Institute. Accordingly a rule, regulation or standing order of the Institute shall
	18	not be made except by a resolution of the Council passed by a majority of two
	19	thirds of the members present and voting at the meeting of the Council.
Registered Office	20	67. The registered office of the Institute shall be at such place or
	21	places as the Council may from time to time determine and where any change
	22	in places of the registered office of this Institute shall occur it shall be notified
	23	in writing to all members of the Institute within seven (7) days of the change
	24	being made.
Income and Property	25	68. The income and property of the Institute whatsoever derived shall
	26	be applied solely towards the promotions of the objectives of the Institute as
	27	provided in the Act and such other subsidiary legislation made thereunder and
	28	no portion thereof shall be paid or transferred directly, by way of dividends,
	29	bonus or otherwise.
Remuneration	30	69. -(1) Nothing in this Regulations shall prevent the payment in good

1 faith of reasonable and proper remuneration to any officer or servant of the
 2 Institute or to any member of the Institute in return for any services actually
 3 rendered to the Institute provided that no member of the Council shall be
 4 appointed member of the Council shall be appointed to any salaried office of
 5 the Institute and no remuneration of other benefit in money or money's
 6 worth shall be given by the Institute to any member of the Council except
 7 repayment or out-of- pocket expenses or reasonable and proper rent for
 8 premises demised, or let to the Institute.

9 (2) The provisions of paragraph (1) of this Regulation shall not
 10 apply to any payment to anybody corporate or to a member shall hold not
 11 more than one hundred part of the share capital, and the member shall not be
 12 bond to account for any share or profit he may receive in respect of any such
 13 payment.

14 **70.** No addition, alteration or amendment shall be made to this
 15 Regulation for the time being in force unless the same shall have been
 16 submitted to the Minister.

Submission to
the Minister

17 **71.** In this Regulation, unless the context otherwise requires:
 18 "Act" means the Chartered Polymer Institute of Nigeria Act No.....
 19 year.....
 20 "Minister" means the Minister of Science and Technology.

Interpretation

21 **72.** This Regulation may be cited as Chartered Polymer Institute
 22 of Nigeria Regulation.....The year.

Citation

1	SCHEDULE
2	[Regulation 27]
3	Proxy Form
4	Chartered Polymer Institute of Nigeria
5
6	of.....
7	Being a member of the Chartered Polymer Institute of Nigeria hereby appoint
8
9

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Polymer Institute of Nigeria, to promote the advance and develop the application of Polymer Science engineering and technology in the Polymer and Allied Industries in Nigeria and elsewhere.

FEDERAL COLLEGE OF AGRICULTURE ISE-ORUN, EKITI STATE
(ESTABLISHMENT) BILL, 2022
ARRANGEMENT OF CLAUSES

Clauses:

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF
THE FEDERAL COLLEGE OF AGRICULTURE ISE-ORUN, EKITI STATE

*Establishment and Objectives of the Federal College of
Agriculture Ise-Orun, Ekiti State*

1. Constitution and Principal Officers of the College.
2. Powers of the College and their exercise.
3. Composition, Tenure and Powers of the Council of the College
4. Functions of the Council and its Finance and General Purposes Committee.
5. Functions of the Senate of the College
6. Functions of the Provost

PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
COLLEGE AND CONDITION OF SERVICE OF EMPLOYEES

8. General Fund of the College
9. Transfer of Property, etc.

PART III - STATUTES OF THE COLLEGE

10. Power of the College to make Statutes
11. Mode of exercising power to make Statutes
12. Proof of Statutes

PART IV - SUPERVISION AND DISCIPLINE

13. The Visitor
14. Removal of certain members of the Council

15. Removal and discipline of academic, administrative and professional staff
16. Removal of examiners
17. Participation and Discipline of Students

PART V - MISCELLANEOUS AND GENERAL

18. Exclusion of Discrimination on Account of Race, Religion, Etc.
19. Restriction on disposal of land by College
20. Quorum and procedure of bodies established by this Bill
21. Appointment of committees, etc
22. Retiring age of academic staff
23. Special provisions relating to pensions of Professors
24. Miscellaneous Administrative Provisions
25. Restriction of suits and execution
26. Interpretation
27. Short title

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AGRICULTURE ISE-ORUN, EKITI STATE, THAT SHALL PROVIDE FULL-TIME COURSES OF AGRICULTURE TEACHING, INSTRUCTION AND TRAINING IN THE SCIENCES, SOCIAL SCIENCES, COMMERCE, ARTS, APPLIED SCIENCES, MANAGEMENT AND HUMANITIES; AND CARRY OUT RESEARCH, INNOVATION, DEVELOPMENT AND ADAPTATION OF TEACHING TECHNIQUES, AND FOR

1 RELATED MATTERS

2 *Sponsored by Senator Olujimi, Biodun*

3 [] Commencement

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

6 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
7 FEDERAL COLLEGE OF AGRICULTURE ISE-ORUN, EKITI STATE

8 1.-(1) There is hereby established the Federal College of
9 Agriculture Ise-Orun, Ekiti State.

Establishment
and Objective
of the Federal
College of
Agriculture Ise-
Orun, Ekiti State

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

12 (3) The College shall be a training institution for the development
13 of Agriculture in the country.

14 (4) The College shall be supervised by the Federal Ministry of
15 Education through the National Commission for Colleges of Education
16 (NCCE) who shall be responsible for approving and regulating all academic
17 programmes run in the College, to ensure quality compliance and provide
18 funds for academic and research programmes, infrastructures and
19 remunerations of employees.

20 (5) The objects of the College shall be-

21 (a) to encourage the advancement of learning and to hold out to all

- 1 persons without distinction of race, creed, sex or political conviction;
- 2 (b) to develop and offer academic and professional programmes
- 3 leading to the award of certificates, first degrees, post-graduate research,
- 4 diploma and higher degrees with emphasis on planning, developmental and
- 5 adaptive skills in technology, applied science, agriculture, commerce, arts,
- 6 social science, humanities, management and allied professional disciplines;
- 7 (c) to produce socially mature Agriculturists men and women with
- 8 capabilities not to only understand the agricultural need of Nigeria as a nation,
- 9 but also to exploit existing agricultural infrastructure and improve on it to
- 10 develop new ones;
- 11 (d) to act as agents and catalysts for effective agricultural system,
- 12 through post graduate training , research and innovation, for effective
- 13 economic utilization and conservation of the country's human resources;
- 14 (e) to bring quality change in agriculture by focusing on Agriculture
- 15 teacher Education through teaching and learning innovations;
- 16 (f) to collaborate with other national and international institutions
- 17 involved in training, research and development of agricultural Education with
- 18 a view to promoting governance, leadership and management skills among
- 19 agricultural managers;
- 20 (g) to identify agricultural needs of the society with a view to finding
- 21 solutions to them within the context of overall national development;
- 22 (h) to provide and promote sound basic agriculture Educational
- 23 training as a foundation for the development of Nigeria, taking into account
- 24 indigenous culture and the need to enhance national unity;
- 25 (i) to provide higher Education in agriculture and foster a systematic
- 26 advancement of the science in agriculture;
- 27 (j) to provide for instruction in such branches of agriculture teacher
- 28 Education as it may deem necessary to make provision for research
- 29 advancement and dissemination of knowledge in such manner as it may
- 30 determine;

1 (k) to provide teachers with operational competence for teaching in
 2 pre-tertiary institutions, basic, senior secondary schools and non-formal
 3 Education institutions;

4 (m) to undertake any other activities that is appropriate for a
 5 College of agriculture of the highest standard.

6 **2-** (1) The College shall consist of-

Constitution and
Principal Officers
of the College

7 (a) a Provost;

8 (b) Deputy provost;

9 (c) a Provost and a Senate;

10 (d) a body to be called Congregation;

11 (e) a body to be called Convocation;

12 (f) the campuses and colleges of the College;

13 (g) the colleges, institutes and other teaching and research units of
 14 the College;

15 (h) the persons holding the offices constituted by the First Schedule
 16 to this Bill other than those mentioned in paragraphs (a) to (c) of this
 17 subsection;

18 (i) all graduates and undergraduates of the College; and

19 (j) all other persons who are members of the College in accordance
 20 with provisions made by statute in that behalf.

21 (2) The First Schedule to this Bill shall have effect with respect to
 22 the principal officers of the College.

23 (3) Subject to section 5 of this Bill provision shall be made by
 24 statute with respect to the constitution of the Council, the Senate,
 25 Congregation and Convocation.

26 **3.-**(1) For the carrying out of its objects as specified in section 1 of
 27 this Bill, Federal College of Agriculture Ise-Orun, Ekiti State shall have
 28 power:

Powers of the
Federal College
of Agriculture
Ise-Orun, Ekiti
State and its
exercise

29 (a) to offer courses of instruction, training and research in
 30 Agriculture and allied areas for the production of quality and skilled

1 teachers required to teach at lower, middle and higher levels of Education in
2 Nigeria in particular and the world at large.

3 (b) to establish such colleges, campuses, institutes, schools,
4 departments and other teaching and research units within the College as may
5 from time to time be deemed necessary or desirable subject to the approval of
6 National Universities Commission;

7 (c) to institute professorships, readerships or associate
8 professorships, lectureships, and other posts and offices and to make
9 appointments thereto;

10 (d) to institute and award fellowships, scholarships, exhibitions,
11 bursaries, medals, prizes and other titles, distinctions, awards and forms of
12 assistance;

13 (e) to provide for the discipline and welfare of members of the
14 College;

15 (f) to hold examinations and grant degrees, diplomas, certificates and
16 other distinctions to persons who have pursued a course of study approved by
17 the College and have satisfied such other requirements as the College may lay
18 down;

19 (g) to grant honorary degrees, fellowships or academic titles;

20 (h) to demand and receive from any student or any other person
21 attending the College for the purposes of instruction, such fees as the College
22 may from time to time determine subject to the overall directives of the
23 Minister;

24 (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or
25 otherwise deal with or dispose of movable and immovable property wherever it
26 is situate;

27 (j) to accept gifts, legacies and donations, but without obligation to
28 accept the same for a particular purpose unless it approves the terms and
29 conditions attached thereto;

30 (k) to enter into contracts, establish trusts, act as trustee, solely or

1 jointly with any other person, and employ and act through agents;

2 (l) to erect, provide, equip and maintain libraries, laboratories,
3 workshops, lecture halls, halls of residence, refectories, sports grounds,
4 playing fields and other buildings or things necessary, suitable or convenient
5 for any of the objects of the College;

6 (m) to hold public lectures and to undertake printing, publishing
7 and book selling;

8 (n) subject to any limitations or conditions imposed by statute, to
9 invest any moneys appertaining to the College by way of endowment it, not
10 being immediately required for current expenditure in any investments or
11 securities or in the purchase or improvement of land, with power from time
12 to time, to vary any such investments to deposit any moneys for the time
13 being not invested with any bank on deposit or current account;

14 (o) to borrow, whether on interest or not and if need be upon the
15 security of any or all of the property, movable or immovable, of the College,
16 such moneys as the Council may from time to time in its discretion find it
17 necessary or expedient to borrow of to guarantee any loan, advances or
18 credit facilities;

19 (p) to make gifts for any charitable purpose;

20 (q) to do anything which it is authorized or required by this Bill or
21 by statute to do; and

22 (r) to do all such acts or things, whether or not incidental to the
23 foregoing powers, as may advance the objects of the College.

24 (2) Subject to the provisions of this Bill and of the statutes and
25 without prejudice to section 7(2) of this Bill, the powers conferred on the
26 College by subsection (1) of this section shall be exercisable on behalf of the
27 College by the Council or by the Senate or in many other manner which may
28 be authorized by the statute.

29 (3) The power of the College to establish further campuses and

Composition,
Tenure and Powers
of the Council
of the College

1 colleges within the College shall be exercisable by statute and not
2 otherwise.

3 4.-(1) The Council of the College shall consist of:-

4 (a) the Provost;

5 (c) the Deputy Provost(s);

6 (d) one person from the Ministry responsible for Education;

7 (e) four persons representing a variety of interests and broadly
8 representative of the whole Federation to be appointed from:

9 (i) the Teacher's Registration Council;

10 (ii) Tertiary Education Trust Fund; and

11 (iii) two other persons, one of whom shall be a representative of the
12 College host community.

13 (f) four persons appointed by the Senate from among its members;

14 (g) two persons appointed by Congregation from among its members;

15 (h) one person appointed by Convocation from among its members.

16 (i) two persons representing the community appointed by the
17 President.

18 (2) Persons to be appointed to the Council shall be of proven integrity,
19 knowledgeable and familiar with the affairs and tradition of the College.

20 (3) The Council so constituted shall have a tenure of four years from
21 the date of its inauguration provided that where a Council is found to be
22 incompetent and corrupt, it shall be dissolved by the Visitor and a new Council
23 shall be immediately constituted for the effective functioning of the College.

24 (4) The powers of the Council shall be exercised, as in this Bill and to
25 that extent establishment circulars that are inconsistent with this Bill shall not
26 apply to the College.

27 (5) The Council shall be free in the discharge of its functions and
28 exercise of its responsibilities for the good management, growth and
29 development of the College.

30 (6) The Council in the discharge of its functions shall ensure that

1 disbursement of funds of the College complies with the approved budgetary
2 ratio for:
3 (a) personnel cost;
4 (b) overhead cost;
5 (c) research and development;
6 (d) library developments; and
7 (e) the balance in expenditure between academic vis-à-vis non-
8 academic activities.

9 **5.-(1)** Subject to the provisions of this Bill relating to the Visitor,
10 the Council shall be the governing body of the College and shall be charged
11 with the general control and superintendence of the policy, finances and
12 property of the College.

Functions of the
Council and its
Finance and General
Purpose Committee

13 (2) There shall be a committee of the Council, to be known as the
14 Finance, and General Purposes Committee, which shall, subject to the
15 directions of the Council, exercise control over the property and expenditure
16 of the College and perform such other functions of the Council as the
17 Council may from time to time delegate to it.

18 (3) Provision shall be made by statute with respect to the
19 constitution of the Finance and General Purposes Committee.

20 (4) The Council shall ensure that proper accounts of the College are
21 kept and that the accounts of the College are audited annually by an
22 independent firm of auditors approved by the Council and that an annual
23 report is published by the College together with certified copies of the said
24 accounts as audited.

25 (5) Subject to this Bill and the statutes, the Council and the Finance
26 and General Purposes Committee may each make rules for the purpose of
27 exercising any of their respective functions or of regulating their own
28 procedure.

29 (6) Rules made under sub-section (5) of this section by the Finance
30 and General Purposes Committee shall not come into force unless approved

1 by the Council; and in so far and to the extent that any rules so made by that
2 Committee conflict with any direction given by the Council, whether before or
3 after the coming into force of the rules in question, the directions of the Council
4 shall prevail.

5 (7) There shall be paid to the members respectively of the Council, the
6 Finance and General Purposes Committee and of any other committee set up
7 by the Council, allowances in respect of travelling and other reasonable
8 expenses, at such rates as may from time to time be fixed by the Minister.

9 (8) The Council shall meet as and when necessary for the
10 performance of its functions under this Bill and shall meet at least three times in
11 every year.

12 (9) If requested in writing by any five members of the Council, the
13 chairman shall within 28 days after the receipt of such request call a meeting of
14 the Council.

15 (10) Any request made under sub-section (9) of this section shall
16 specify the business to be considered at the meeting and no business not so
17 specified shall be transacted at that meeting.

Functions of the
Senate of the
College

18 6.-(1) Subject to section 5 of this Bill and subsections (3) and (4) of
19 this section and the provisions of this Bill relating to the Visitor, it shall be the
20 general function of the Senate to organize and control the teaching by the
21 College, the admission of student where no other enactment provides to the
22 contrary and the discipline of students; and to promote research at the College.

23 (2) Without prejudice to the generality of subsection (1) of this section
24 and subject as therein mentioned, it shall in particular be the function of the
25 Senate to make provision for:

26 (a) the establishment, organization and control of campuses, colleges,
27 schools, institutes and other teaching and research units of the College and the
28 allocation of responsibility for different branches of learning;

29 (b) the organization and control of courses of study at the College and
30 of the examinations held in conjunction with those courses, including the

- 1 appointment of examiners, both internal and external;
- 2 (c) the award of degrees, and such other qualifications as may be
- 3 prescribed in connection with examinations held as aforesaid;
- 4 (d) the making of recommendations to the Council with respect to
- 5 the award to any person of an honorary fellowship or honorary degree or the
- 6 title of professor emeritus;
- 7 (e) the establishment, organization and control of halls of residence
- 8 and similar institutions at the College;
- 9 (f) the supervision of the welfare of students at the College and the
- 10 regulation of their conduct;
- 11 (g) the granting of fellowships, scholarships, prizes and similar
- 12 awards in so far as the awards are within the control of the College; and
- 13 (h) determining what descriptions of dress shall be academic dress
- 14 for the purposes of the College, and regulating the use of academic dress.
- 15 (3) The Senate shall not establish any new campus, college, school,
- 16 department, institute or other teaching and research units of the College, or
- 17 any hall of residence or similar institution at the College without the
- 18 approval of the Council.
- 19 (4) Subject to this Bill and the statutes, the Senate may make
- 20 regulations for the purpose of exercising any function conferred on it either
- 21 by the foregoing provisions of this section or otherwise or for the purpose of
- 22 making provision for any matter for which provision by regulations is
- 23 authorized or required by this Bill or by statute.
- 24 (5) Regulations shall provide that at least one of the persons
- 25 appointed as the examiners at each final or professional examination held in
- 26 conjunction with any course of study at the College is not a teacher at the
- 27 College but is a teacher of the branch of learning to which the course relates
- 28 at some other College of high repute or a person engaged in practicing the
- 29 profession in a reputable organization or institution.
- 30 (6) Subject to right of appeal to the Council from a decision of the

Functions of the
Provost

1 Senate under this sub-section, the Senate may deprive any person of any
2 degree, diploma or other award of the College which has been conferred upon
3 him if after due enquiry he is found to have been guilty of dishonourable or
4 scandalous conduct in gaining admission into the College or obtaining that
5 award.

6 7.-(1) The Provost shall, in relation to the College, take precedence
7 before all other members of the College except the Chancellor and subject to
8 section 4 of this Bill except the Pro-Chancellor and any other person for the
9 time being acting as Chairman of the Council.

10 (2) Subject to sections 6, 7 and 14 of this Bill, the Provost shall have
11 the general function, in addition to any other functions conferred on him by this
12 Bill or otherwise of directing the activities of the College and shall be the Chief
13 Executive and Accounting Officer of the College and ex-officio Chairman of
14 the Senate.

15 (3) The Provost shall be the Chairman of the College Tenders' Board,
16 which is saddled with the responsibility of approving the conduct of public
17 procurement of goods, works and services within the approved threshold from
18 time to time.

19 (4) It shall be the responsibility of the Provost to establish and appoint
20 members of the Tenders' Board in line with the extant Public Procurement
21 Rules and Regulations.

22 PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE COLLEGE
23 AND CONDITION OF SERVICE OF EMPLOYEES

General fund
of the College

24 8.-(1) There shall be a general fund of the College which shall consist
25 of the following:

26 (a) grants-in-aid;

27 (b) fees;

28 (c) income derived from investments;

29 (d) gifts, legacies, endowments and donations not accepted for a
30 particular purpose;

(e) income derived from the exercise of any functions conferred or imposed on the College by this Bill;

(f) any other amounts, charges or dues recoverable by the College;

(g) revenue, from time to time, accruing to the College by way of subvention;

(h) interests on investments;

(i) donations and legacies accruing to the College from any source for the general or special purposes of the College; and

(j) Regular TETFUND interventions;

(2) The general fund shall be applied for the purposes of the College.

9.-(1) All property held by or on behalf of the Provisional Council of the College shall, by virtue of this sub-section and without further assurance, vest in the College and be held by it for the purpose of the College.

Transfer of
Property

(2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule.

PART III - STATUTES OF THE COLLEGE

10.-(1) Subject to this Bill, the College may make statutes for any of the following purposes, that is to say:-

Power of the
College to make
Statutes

(a) Making provision with respect to the composition and constitution of any authority of the College;

(b) Specifying and regulating the powers and duties of any authority of the College, and regulating any other matter connected with the College or any of its authorities;

(c) Regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;

(d) Determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any

	1	statute, regulation or other instrument made thereunder; or
	2	(e) Making provision for any other matter for which provision by
	3	statute is authorized or required by this Bill.
	4	(2) Subject to section 25(6) of this Bill, the Interpretation Act shall
	5	apply in relation to any statute made under this section as it applies to a
	6	subsidiary instrument within the meaning of section 28(1) of that Act.
Third Schedule	7	(3) The statute contained in the Third Schedule to this Bill shall be
	8	deemed to have come into force on the commencement of this Bill and shall be
	9	deemed to have been made under this section by the College.
Third Schedule	10	(4) The power to make statutes conferred by this section shall not be
	11	prejudiced or limited in any way by reason of the inclusion or omission of any
	12	matter in or from the statute contained in the Third Schedule to this Bill or any
	13	subsequent statute.
Mode of exercising power to make statutes	14	11. -(1) The power of the College to make statutes shall be exercised in
	15	accordance with the provisions of this section and not otherwise.
	16	(2) A proposed statute shall not become law unless it has been
	17	approved:
	18	(a) at a meeting of the Senate, by the votes of not less than two thirds
	19	of the members present and voting; and
	20	(b) at a meeting of the Council, by the votes of not less than two thirds
	21	of the members present and voting.
	22	(3) A proposed statute may originate either in the Senate or in the
	23	Council, and may be approved as required by subsection (2) of this section by
	24	either one of those bodies or the other.
	25	(4) A statute which:
	26	(a) makes provision for or alters the composition or constitution of the
	27	Council, the Senate or any other authority of the College; or
	28	(b) provides for the establishment of a new campus or college or for
	29	the amendment or revocation of any statute.
	30	(5) For the purpose of section 2(2) of the Interpretation Act, a statute

1 shall be treated as being made on the date on which it is duly approved by the
2 Council after having been duly approved by the Senate, or on the date on
3 which it is duly approved by the Senate after having been duly approved by
4 the Council, as the case may be or, in the case of a statute falling within
5 subsection (4) of this section, on the date on which it is approved by the
6 President.

7 (6) In the event of any doubt or dispute arising at any time:

8 (a) as to the meaning of any provision of a statute; or

9 (b) as to whether any matter is for the purposes of this Bill an
10 academic or non-academic matter as they relate to such doubt or dispute, the
11 matter may be referred to the Visitor, who shall take such advice and make
12 such decision thereon as he shall think fit.

13 (7) The decision of the Visitor on any matter referred to him under
14 sub-section (6) of this section shall be binding upon the authorities, staff and
15 students of the College and where any question as to the meaning of any
16 provision of a statute has been decided by the Visitor under that sub-section,
17 no question as to the meaning of that provision shall be entertained by any
18 court of law in Nigeria.

19 (8) Nothing in sub-section (7) of this section shall affect any power
20 of a court of competent jurisdiction to determine whether any provision of a
21 statute is wholly or partly void as being ultra vires or as being inconsistent
22 with the Constitution of the Federal Republic of Nigeria, 1999.

23 12. A statute may be proved in any court by the production of a
24 copy thereof bearing or having affixed to it a certificate purporting to be
25 signed by the Provost or the Secretary to the Council to the effect that the
26 copy is a true copy of a statute of the College.

Proof of Statute

27 PART IV - SUPERVISION AND DISCIPLINE

28 13.-(1) The President shall be the Visitor of the College.

The Visitor

29 (2) The Visitor shall cause a visitation to the College when
30 necessary, at least every five years, or direct that such a visitation be

1 conducted by such person or persons as the Visitor may deem fit and in respect
2 of any of the affairs of the College.

3 (3) It shall be the duty of the bodies and persons comprising the
4 College to make available to the Visitor and to any other person conducting a
5 visitation in pursuance of this section, such facilities and assistance as he or
6 they may reasonably require for the purposes of a visitation.

7 (4) The Visitor shall make the report of such visitations and white
8 paper thereon available to the Council which shall implement same.

Removal of certain
Members of Council

9 **14.**-(1) If it appears to the Council that a member of the Council (other
10 than the Pro-Chancellor or the Provost) should be removed from office on the
11 ground of misconduct or inability to perform the functions of his office or
12 employment, the Council shall make a recommendation to that effect through
13 the Minister to the President, and the President, after making such enquiries (if
14 any) as he may consider appropriate approves the recommendation, he may
15 direct the removal of the person in question from office.

16 (2) It shall be the duty of the Minister to use his best endeavours to
17 cause a copy of the instrument embodying a direction under subsection (1) of
18 this section to be served as soon as reasonably practicable on the person to
19 whom it relates.

Removal and
discipline of
academic,
administrative
and professional
staff

20 **15.**-(1) If it appears to the Council that there are reasons for believing
21 that any person employed as a member of the academic, administrative or
22 professional staff of the College, other than the Provost, should be removed
23 from his office or employment on the ground of misconduct or of professional
24 inability to perform the functions of his office or employment, the Council
25 shall-

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

27 (b) afford him an opportunity of making representations in person on
28 the matter by the Council; and

29 (c) for the person in question to be afforded an opportunity of
30 appearing before and being heard by the investigating committee with respect

1 to the matter, and if the Council, after considering the report of the
2 investigating committee, is satisfied that the person in question should be
3 removed as aforesaid, the Council may so remove him by an instrument in
4 writing signed on the directions of the Council.

5 (2) The Provost may, in a case of misconduct by a member of the
6 staff which in the opinion of the Provost is prejudicial to the interest of the
7 College, suspend such member and any such suspension shall forthwith be
8 reported to the Council.

9 (3) For good cause, any member of the staff may be suspended
10 from his duties or his appointment may be terminated by the Council; and
11 for the purposes of this subsection "good cause" means:

12 (a) conviction for any offence which the Council considers to be
13 such as to render the person concerned unfit for the discharge of the
14 functions of his office; or

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

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

21 (d) conduct which the Council considers to be such as to constitute
22 failure or inability of the person concerned to discharge the functions of his
23 office or to comply with the terms and conditions of his service; or

24 (e) conduct which the Council considers to be generally of such
25 nature as to render the continued appointment or service of the person
26 concerned prejudicial or detrimental to the interest of the College.

27 (4) Any person suspended pursuant to subsection (2) or (3) of this
28 section shall be on half pay and the Council shall before the expiration of a
29 period of three months after the date of such suspension consider the case
30 against that person and come to a decision as:

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

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

5 (c) whether to terminate the appointment of the person concerned, in
6 which case such a person shall not be entitled to the proportion of his
7 emoluments withheld during the period of suspension; or

8 (d) whether to take such lesser disciplinary action against such person
9 (including the restoration of such proportion of his emoluments that might
10 have been withheld) as the Council may determine.

11 (5) In any case where the Council, pursuant to this section, decides to
12 continue a person's suspension or decides to take further disciplinary action
13 against a person, the Council shall before the expiration of a period of three
14 months from such decision come to a final determination in respect of the case
15 concerning any such person.

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

20 (7) Nothing in the foregoing provisions of this section shall:

21 (a) apply to any directive given by the Visitor in consequence of any
22 visitation; or

23 (b) prevent the Council from making regulations for the discipline of
24 other categories of workers of the College as may be prescribed.

Removal of
examiners

25 **16.-(1)** If, on the recommendation of the Senate, it appears to the
26 Provost that a person appointed as an examiner for any examination of the
27 College ought to be removed from his office or appointment, then, except in
28 such cases as may be prescribed by the Provost may, after affording the
29 examiner an opportunity of making representations in person on the matter to
30 the Provost, remove the examiner from the appointment by an instrument in

1 writing signed by the Provost.

2 (2) Subject to the provisions of regulations made in pursuance of
3 section 7(5) of this Bill, the Provost may, on the recommendation of the
4 Senate, appoint an appropriate person as examiner in the place of the
5 examiner removed in pursuance of subsection (1) of this section.

6 (3) It shall be the duty of the Provost on signing an instrument of
7 removal pursuant to this section, to use his best endeavours to cause a copy
8 of the instrument to be served as soon as reasonably practicable on the
9 person to whom it is related.

10 17.-(1) The Students shall be:

Participation and
Discipline of
Students

11 (a) represented in the College's Students Welfare Board and other
12 committees that deal with the affairs of students;

13 (b) Participate in various aspects of curriculum development;

14 (c) Participate in the process of assessing academic staff in respect
15 of teaching; and

16 (d) Be encouraged to be more self-assured as part of the national
17 development process.

18 (2) Subject to the provisions of this section, where it appears to the
19 Provost that any student of the College has been guilty of misconduct, the
20 Provost may, without prejudice to any other disciplinary powers conferred
21 on him by statute or regulations, direct:

22 (a) that the student shall not, during such period as may be specified
23 in the directions, participate in such activities of the College, or make use of
24 such facilities of the College, as may be so specified, or

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

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

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

1 (3) Where a direction is given under subsection (1)(c) or (d) of this
 2 section in respect of any student, that student may, within the prescribed period
 3 and in the prescribed manner, appeal to the Council; and where such an appeal
 4 is brought, the Council shall, after causing such inquiry to be made in the matter
 5 as the Council considers just either confirm or set aside the direction or modify
 6 it in such manner as the Council thinks fit.

7 (4) The fact that an appeal from a direction is brought in pursuance to
 8 subsection (2) of this section shall not affect the operation of the direction while
 9 the appeal is pending:

10 (a) The Provost may delegate his powers under this section to a
 11 disciplinary board consisting of such members of the College as he may
 12 nominate;

13 (b) Nothing in this section shall be construed as preventing the
 14 restriction or termination of students' activities at the College otherwise than on
 15 the ground of misconduct;

16 (c) A direction under subsection (2)(a) of this section may be
 17 combined with a direction under subsection (2)(b) of this section.

18 PART V - MISCELLANEOUS AND GENERAL

Exclusion of
 discrimination
 on account of
 race, religion,
 etc.

19 **18.-(1)** No person shall be required to satisfy requirements as to any of
 20 the following matters, that is to say, race (including ethnic grouping), sex,
 21 account of race, place of birth or of family origin, or religious or political
 22 persuasion, as a condition of becoming or continuing to be a student at the
 23 College, the holder of any degree of the College or of any appointment or
 24 employment at the College, or a member of anybody established by virtue of
 25 this Bill; and no person shall be subject to any disadvantage or accorded any
 26 advantage relation to the College, by reference to any of those matters.

27 (2) Nothing in subsection (1) of this section shall be construed as
 28 preventing the College from imposing any disability or restriction on any of the
 29 persons mentioned in that subsection where such person willfully refuses or
 30 fails on grounds of religious belief to undertake any duty generally and

1 uniformly imposed on all such person or any group of them which duty,
 2 having regard to its nature and the special circumstances pertaining thereto,
 3 is in the opinion of the College reasonably justifiable in the national interest.

4 **19.** Without prejudice to the provisions of the Land Use Act, the
 5 College shall not dispose of or charge any land or an interest in any land
 6 (including any land transferred to the College by this Bill) except with the
 7 prior written consent, either general or special, of the Governor:

Restriction on
disposal of land
by College

8 Provided that such consent shall not be required in the case of any
 9 lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease
 10 or tenancy to a member of the College for residential purpose.

11 **20.** Except as may be otherwise provided by statute or by
 12 regulations, the quorum and procedure of any body of persons established
 13 by this Bill shall be as determined by that body.

Quorum and
procedure of bodies
established by
this Bill

14 **21.-(1)** Anybody of persons established by this Bill shall, without
 15 prejudice to the generality of the powers of that body, have power to appoint
 16 committees, which need not consist exclusively of members of that body,
 17 and to authorize a committee established by it:

Appointment of
committee, etc.

18 (a) to exercise, on its behalf, such of its functions as it may
 19 determine;

20 (b) to co-opt members, and Appointment of committee, etc.

21 (2) Any two or more such bodies may arrange for the holding of
 22 joint meetings of those bodies, or for the appointment of committees
 23 consisting of members of those bodies, for the purpose of considering any
 24 matter within the competence of those bodies or any of them, and either of
 25 dealing with it or of reporting on it to those bodies or any of them.

26 (3) Except as may be otherwise provided by statute or by
 27 regulations, the quorum and procedure of a committee established or
 28 meeting held in pursuance of this section, shall be such as may be
 29 determined by the body or bodies which have decided to establish the
 30 committee or hold the meeting.

1 (4) Nothing in the provisions of subsection (1), (2) and (3) of this
2 section shall be construed as:

3 (a) enabling the statutes to be made otherwise than in accordance with
4 section 1 of this Bill; or

5 (b) enabling the Senate to empower any other body to make
6 regulations of the award degrees or other qualifications.

7 (5) The Pro-Chancellor and the Provost shall be members of every
8 committee of which the members are wholly or partly appointed by the Council
9 (other than a committee appointed to inquire into the conduct of the officer in
10 question); and the Provost shall be a member of every committee of which the
11 members are wholly or partly appointed by the Senate.

Retiring age of
academic staff

12 **22.**-(1) Notwithstanding anything to the contrary in the Pension Act,
13 the compulsory retiring age of the following categories of staff shall be as
14 follows:

15 (a) Academic staff of the College in the non-Professorial cadre shall
16 be 65 years;

17 (b) Academic staff of the College in the Professorial Cadre shall be 70
18 years;

19 (c) Non-academic staff of the College shall be 65 years.

20 (2) A law or rule requiring a person to retire from the public service
21 after serving for 35 years shall not apply to an academic staff of the
22 College.

Special Provisions
relating to Pension
of Professors

23 **23.** An academic staff of the College who retires as a Professor in the
24 College shall be entitled to pension at a rate equivalent to his annual salary
25 provided that the Professor has served continuously in the College up to the
26 retirement age.

Miscellaneous
Administrative
Provisions

27 **24.**-(1) The seal of the College shall be such as may be determined by
28 the Council and approved by the Chancellor, and the affixing of the seal shall
29 be authenticated by any member of the Council and by the Provost, Secretary to
30 the Council or any other person authorized by statute.

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

4 (3) Any contract or instrument which if made or executed by a
5 person not being a body corporate would not be required to be under seal,
6 may be made or executed on behalf of the College by any person generally or
7 specially authorized to do so by the Council.

8 (4) The validity of any proceedings of anybody established in
9 pursuance of this Bill shall not be affected by any vacancy in the
10 membership of the body, or by any defect in the appointment of a member of
11 the body or by reason that any person not entitled to do so took part in the
12 preceding.

13 (5) Any member of any such body who has a personal interest in
14 any matter proposed to be considered by that body shall forthwith disclose
15 his interest to the body and shall vote on any question relating to that matter.

16 (6) Nothing in section 12 of the Interpretation Act (which provides
17 for the application in relation to subordinate legislation of certain incidental
18 provisions) shall apply to statutes or regulations made in pursuance to this
19 Bill.

20 (7) The power conferred by this Bill on anybody to make statutes or
21 regulations shall include power to revoke or vary any statute (including the
22 statute contained in the Third Schedule of this Bill) or any regulation by a
23 subsequent statute or as the case may be, by a subsequent regulation and
24 statutes and regulations may make different provisions in relation to
25 different circumstances.

26 (8) No stamp or other duty shall be payable in respect of any
27 transfer of property to the College by virtue of section 8 or section 18 of this
28 Bill or the Second Schedule to this Bill.

29 (9) Any notice or other instrument authorized to be served by virtue

	1	of this Bill may, without prejudice to any other mode of service, be served by
	2	post.
Restriction of suits and execution	3	25.-(1) Pre-Action Notice:
	4	(a) No legal proceeding shall be instituted and/or commenced against
	5	the College or any of its agents in the course of their official duties unless a 3
	6	months' Pre-Action Notice of such intention is served on the College by an
	7	aggrieved party;
	8	(b) The Notice shall state the reason and the cause of action intended
	9	to be taken against the College, the particulars of the claim, the name and place
	10	of abode of the intending plaintiff and the relief which he claims.
	11	(b) For the avoidance of doubt, it is hereby declared that no suit shall
	12	be commenced against an officer or servant of the College, in any case where
	13	the College is vicariously liable for any alleged act, neglect or default of the
	14	officer or servant in the performance or intended performances of his duties,
	15	unless three months at least has elapsed after written notice of intention to
	16	commence the same shall have been served on the College by the intending
	17	plaintiff or his agent;
	18	(c) In any suit against this College, no execution or attachment or
	19	process in the nature thereof shall be issued against the College, but any sums
	20	of money which may be judgment of the court be awarded against the College
	21	shall, subject to any direction given by the court where notice of appeal has
	22	been given by the College in respect of the said judgment, be paid by the
	23	College from its general fund.
	24	(2) Service of Notices:
	25	Service upon the College of any notice, order or other document may
	26	be effected by delivering the same or by sending it by registered post addressed
	27	to the Registrar and Secretary of the Council.
Interpretation	28	26.-(1) In this Bill, unless the context otherwise requires:-
	29	"Campus" means any campus which may be established by the College;
	30	"College" means the College established pursuant to section 2 (1) (b) of this

- 1 Bill for the College;
- 2 "Council" means the Governing Council of the College established by
- 3 section 5 of this Bill;
- 4 "Functions" includes powers and duties
- 5 "Graduate" means a person on whom a degree, other than an honorary
- 6 degree, has been conferred by the College and any other person as may be
- 7 designated as a graduate by the Council, acting in accordance with the
- 8 recommendation of the Senate; (Erroneously omitted);
- 9 "Minister" means the Hon. Minister of Education;
- 10 "Notice" means notice in writing;
- 11 "Officer" does not include the Visitor;
- 12 "Prescribed" means prescribed by statute or regulations;
- 13 "Professor" means a person designated as a Professor of the College in
- 14 accordance with provisions made in that behalf by statute or by regulations;
- 15 "Property" includes rights, liabilities and obligations;
- 16 "Provisional Council" means the provisional council appointed for the
- 17 College;
- 18 "Regulations" means regulations made by the Senate or the Council;
- 19 "Senate" means the Senate of the College established pursuant to section
- 20 2(1)(e) of this Bill;
- 21 "School" means a unit of closely related academic programmes;
- 22 "Statute" means a statute made by each College under section 10 of this Bill
- 23 and in accordance with the provisions of section 11 of this Bill, and
- 24 "the statutes" means all such statutes as are in force from time to time;
- 25 "Teacher" means a person holding a full-time appointment as a member of
- 26 the teaching or research staff of the College;
- 27 "Undergraduate" means a person registered as a student undergoing a course
- 28 of study for a first degree of the College or such other course in the College
- 29 as may be approved by the Senate as qualifying a student undergoing it for
- 30 the status of an under-graduate;

1 "College" means the Federal College of Agriculture Ise-Orun, Ekiti State
2 established and incorporated by section I of this Bill.

3 (2) It is hereby declared that where in any provision of this Bill it is
4 laid down that the proposals are to be submitted or a recommendation is to be
5 made by one authority or another through one or more intermediate authorities,
6 it shall be the duty of every such intermediate authority to forward any
7 proposals of that or recommendations received by it in pursuance of that
8 provision to the appropriate authority; but any such intermediate authority
9 may, if it thinks fit, forward therewith its own comments thereon.

Short title

10 27. This Bill may be cited as the Federal College of Agriculture Ise-
11 Orun, Ekiti State Bill, 2022.

12 SCHEDULES

13 FIRST SCHEDULE

14 [Section 2(2)]

15 PRINCIPAL OFFICERS OF THE COLLEGE

16 *The Provost.*

17 1-(1) There shall be a Provost of the College who shall be appointed
18 by the Council in accordance with the provisions of this paragraph.

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

20 (a) advertise the vacancy in a reputable journal or a widely read
21 newspaper in Ekiti ia a, specifying:-

22 (i) the qualities of the persons who may apply for the post; and

23 (ii) the terms of conditions of service applicable to the post, and
24 thereafter draw up a short list of suitable candidates for the post for
25 consideration:

26 (b) constitute a Search Team consisting of:-

27 (i) a member of the Council, who is not a member of the Senate, as
28 chairman;

29 (ii) two members of the Senate who are not members of the Council,
30 one of whom shall be a Professor;

1 (iii) two members of Congregation who are not members of the
2 Council, one of whom shall be a Professor, to identify and nominate for
3 consideration, suitable persons who are not likely to apply for the post on
4 their own volition because they felt that it is not proper to do so.

5 (3) A Joint Council and Senate Selection Board consisting of-

6 (a) the Pro-Chancellor, as chairman:

7 (b) two members of the Council, not being members of the Senate;

8 (c) two members of the Senate who are Professors, but who were
9 not members of the Search Team, shall consider the candidates and persons
10 in the shortlist drawn up under subsection (2) of this paragraph through an
11 examination of their curriculum vitae and interaction with them, and
12 recommend to the Council three candidates for further consideration.

13 (4) The Council shall select and appoint as the Provost one
14 candidate from among the three candidates recommended to it under
15 subsection (3) of this section and thereafter inform the Visitor.

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

19 (6) The Provost may be removed from office by the Council on
20 grounds of gross misconduct or inability to discharge the functions of his
21 office as a result of infirmity of the body or mind, at the initiative of the
22 Council, Senate or the Congregation after due process.

23 (7) When the proposal for the removal of the Provost is made, the
24 Council shall constitute a Joint Committee of Council and Senate consisting
25 of:

26 (i) three members of the Council, one of whom shall be the
27 Chairman of the committee; and

28 (ii) two members of the Senate,

29 Provided that where the ground for removal is infirmity of the body
30 or mind, the Council shall seek appropriate medical opinion.

1 (8) The committee shall conduct investigation into the allegations
2 made against the Provost and shall report its findings to the Council.

3 (9) The Council may where the allegations are proved remove the
4 Provost or apply any other disciplinary action it may deem fit and notify the
5 Visitor accordingly provided that a Provost who is removed shall have right of
6 appeal to the Visitor

7 (10) There shall be no sole administrator in the College.

8 (11) In any case of a vacancy in the office of the Provost, the Council
9 shall appoint an acting Provost on recommendation of the Senate.

10 (12) An acting Provost in all circumstances shall not be in office for
11 more than 6 months.

12 *Deputy Provost*

13 2.-(1) There shall be for the College such number of Deputy Provosts
14 as Council may from time to time deem necessary for the proper administration
15 of the College.

16 (2) Where a vacancy occurs in the post of Deputy Provost, the Provost
17 shall forward to the Senate a list of two candidates for each post of Deputy
18 Provost that is vacant.

19 (3) The Senate shall select for each vacant post one candidate from
20 each list forwarded to it under subsection (2) of this paragraph and forward his
21 name to the Council for confirmation.

22 (4) A Deputy Provost shall-

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

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

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

29 (5) A Deputy Provost:

30 (a) shall hold office for a period of two years beginning from the

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

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

5 (c) may be removed from office for good cause by the Council
6 acting on the recommendations of the Provost and Senate.

7 (d) "Good cause" for the purpose of this section means gross
8 misconduct or inability to discharge the functions of his office arising from
9 infirmity of the body or mind.

10 *Office of the Registrar*

11 3.-(1) There shall be for the College, a Registrar, who shall be the
12 chief administrative officer of the College and shall be responsible to the
13 Provost for the day-to-day administrative work of the College except as
14 regards matters for which the Bursar is responsible in accordance with
15 paragraph 6(2) of this Schedule.

16 (2) The person holding the office of the Registrar shall by virtue of
17 that office be Secretary to the Council, the Senate, Congregation and
18 Convocation.

19 *Other Principal Officers of the College*

20 4.-(1) There shall be for the College the following principal
21 officers, in addition to the Registrar, that is:

22 (a) the Bursar; and

23 (b) the College Librarian,

24 who shall be appointed by the Council on the recommendation of the
25 Selection Board constituted under paragraph 7 of this Schedule.

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

29 (3) The College Librarian shall be responsible to the Provost for the
30 administration of the College Library and the co-ordination of the library

1 services in the College and its campuses, colleges, schools, departments,
2 institutes and other teaching or research units.

3 (4) Any question as to the scope of the responsibilities of the aforesaid
4 officers shall be determined by the Provost

5 *Selection Board for other Principal Officers*

6 5.-(1) There shall be, for the College, a Selection Board for the
7 appointment of principal officers, other than the Provost or Deputy Provost,
8 which shall consist of-

9 (a) the Pro-Chancellor, as chairman;

10 (b) the Provost;

11 (c) four members of the Council not being members of the Senate; and

12 (d) two members of the Senate.

13 (2) The functions, procedure and other matters relating to the
14 Selection Board constituted under subsection (1) of this paragraph shall be as
15 the Council may, from time to time, determine.

16 (3) The Registrar, Bursar and Librarian shall hold office for a single
17 term of five years only beginning from the effective date of their appointments
18 and on such terms and conditions as may be specified in their letters of
19 appointment.

20 (4) Notwithstanding subsection (3) of this section, the Council may,
21 upon satisfactory performance, extend the tenure of the Registrar, Bursar or
22 Librarian for a further period of one year only and thereafter such principal
23 officer shall relinquish his post and be assigned to other duties in the College

24 *Resignation and Re-appointment*

25 8.-(1) Any officer mentioned in the foregoing provisions of this
26 Schedule may resign his office-

27 (a) in the case of the Chancellor or Pro-Chancellor, by notice to the
28 Visitor;

29 (b) in any other case, by notice to the Council and the Council shall, in
30 the case of the Provost, immediately notify the Visitor.

(2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to College

1. Without prejudice to the generality of section 9(1) of this Bill:-

(a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;

(b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the College.

2.-(1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the College had been a party thereto in place of the Provisional Council.

(2) Documents not falling within subsection (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-section so far as applicable.

(3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the College.

Registration of transfers

3.-(1) If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter)

(2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

7 4.-(1) The first meeting of the Council shall be convened by the Pro-
8 Chancellor on such date and in such manner as he may determine.

12 (3) The first meeting of the Senate as constituted by this Bill shall be
13 convened by the Provost on such date and in such manner as he may determine.

(5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the College immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the College as constituted by this Bill.

(7) Any person who was a member of the staff of the College as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the College with the status, designation and functions which correspond as nearly as may be to those which appertained

to him as member of that staff or as such an employee.

THIRD SCHEDULE

[Section 9 (3)]

FEDERAL COLLEGE OF AGRICULTURE ISE-ORUN, EKITI STATE

STATUTE NO. 1

ARRANGEMENT OF ARTICLES

Articles:

1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation.
14. Short Title

The Council

1.-(1)The composition of the Council shall be as provided in section 5 of this Bill.

(2) Any member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.

(3) A member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of

1 four years beginning with effect from 1 August in the year which he was
2 appointed.

3 (4) Where a member of the Council holding office otherwise than in
4 pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the
5 expiration of the period aforesaid, the body or person by whom he was
6 appointed may appoint a successor to hold office for the residue of the term of
7 his predecessor.

8 (5) A person ceasing to hold office as a member of the Council
9 otherwise than by removal for misconduct shall be eligible for re-appointment
10 for only one further period of four years.

11 (6) The quorum of the Council shall be five, at least one of whom shall
12 be a member appointed pursuant to section 5 (d) or (e) of this Bill.

13 (7) If the Pro-Chancellor is not present at a meeting of the Council,
14 such other member of the Council present at the meeting as the Council may
15 appoint as respects that meeting shall be the chairman at that meeting, and
16 subject to section 4 of this Bill and the foregoing provisions of this paragraph,
17 the Council may regulate its own procedure.

18 (8) Where the Council desires to obtain advice with respect to any
19 particular matter may co-opt not more than two persons for that purpose, and
20 the persons co-opted may take part in the deliberations of the Council at any
21 meeting but shall not be entitled to vote.

22 *The Finance and General Purposes Committee*

23 2.-(1) The Finance and General Purposes Committee of the Council
24 shall consist of-

25 (a) the Pro-Chancellor, who shall be the chairman of the Committee at
26 any meeting at which he is present;

27 (b) the Provost and Deputy Provosts;

28 (c) six other members of the Council appointed by the Council, two of
29 whom shall be selected from among the four members of the Council

1 appointed by the Senate and one member appointed to the Council by
2 Congregation;

3 (d) the Permanent Secretary of the Federal Ministry of Education,
4 or in his absence, such member of his Ministry as he may designate to
5 represent him; and

6 (e) the Executive Secretary of the Petroleum Technology
7 Development Fund, or in his absence, such member of the Fund as he may
8 designate to represent him.

9 (2) The quorum of the Committee shall be five.

10 (3) Subject to any directions given by the Council, the Committee
11 may regulate its own procedure.

12 *Annual budget and estimates, etc.*

13 (4) (i) The estimates of income and expenditure for a financial year
14 shall be presented by the Provost to the Council and may be approved by the
15 Council before the beginning of that financial year;

16 Provided that the Provost may during any financial year present
17 and the Council may approve supplementary estimates of income or
18 expenditure.

19 (ii) The annual and supplementary estimates shall be prepared in
20 such form and shall contain such information as the Council may direct.

21 *Gifts, donations, etc.*

22 (5) (i) The Council may on behalf of the College accept by way of
23 grants, gift, testamentary disposition or otherwise, property and money in
24 aid of the finances of the College on such conditions as it may approve;

25 (ii) Registers shall be kept of all donations to the College including
26 the names of donors and any special conditions under which any donation
27 may have been given.

28 Provided that the College shall not be obliged to accept a donation
29 for a particular purpose unless it approves of the terms and conditions
30 attaching to such donation.

1 (iii) All property, money or funds donated for any specific purposes
2 shall be applied and administered in accordance with the purposes for which
3 they are donated and shall be accounted for separately.

4 *Payment into bank:*

5 (6) All sums of money received on account of the College shall be
6 paid into such bank as may be approved by the Council for the credit of the
7 College's general, current or deposit account:

8 Provided that the Council may invest, as it deems fit, any money not
9 required for immediate use other than donations of money referred to in
10 subsection (1) of this section.

11 *Audit*

12 3.-(1) The Council shall cause the accounts of the College to be
13 audited by auditors appointed by the Council as soon as may be after the end of
14 each financial year or for any such other period as the Council may require.

15 (2) The appointment and other matters relative to the auditors, their
16 continuance in office and their functions, as the case may be, shall, subject to
17 the provisions of this section, be prescribed by statute.

18 *The Senate*

19 4.-(1) The Senate shall consist of:

20 (i) the Provost;

21 (ii) Deputy Provosts;

22 (iii) the Deans in the College;

23 (iv) the Professors in the College;

24 (v) Heads of Academic Departments and Units;

25 (vi) the College Librarian;

26 (vii) One elected representative of the College;

27 (viii) Two members of Academic Staff elected by the Congregation;

28 (ix) One elected representative of each department;

29 (x) Two members representing a variety of interests of the
30 professional bodies outside the College appointed by the Senate on the

1 recommendation of the Provost;

2 (xi) Registrar - Secretary.

3 (2) The procedure for election of members of Senate to the Council
4 shall be prescribed by Regulations.

5 (3) The Provost shall be the chairman at all meetings of the Senate
6 when he is present, and in his absence any of the Deputy Provosts present at
7 the meeting as the Senate may appoint for that meeting shall be the chairman
8 at the meeting.

9 (4) The quorum of the Senate shall be one quarter or the nearest
10 whole number less than one quarter; and subject to paragraph (3) of this
11 Article, the Senate may regulate its own procedure.

12 (5) An elected member may, by notice to the Senate, resign his
13 office.

14 (6) Subject to paragraph (8) of this article, there shall be elections
15 for the selection of elected members which shall be held in the prescribed
16 manner on such day in the month of May or June in each year as the Provost
17 may from time to time determine.

18 (7) An elected member shall hold office for the period of two years
19 beginning with 1 August in the year of his election, and may be a candidate at
20 any election held in pursuance to paragraph (6) of this article in the year in
21 which his period of office expires, so however that no person shall be such a
22 candidate if at the end of his current period of office he will have held office
23 as an elected member for a continuous period of six years or would have so
24 held office if he had not resigned it.

25 (8) No election shall be held in pursuance of this article in any year
26 if the number specified in the certificate given in pursuance to paragraph
27 (11) of this article does not exceed by more than one the figure which is
28 thrice the number of those elected members holding office on the date of the
29 certificate who do not vacate office during that year in pursuance of
30 paragraph (7) of this article.

1 (9) For the avoidance of doubt it is hereby declared that no person
2 shall be precluded from continuing in or taking office as an elected member by
3 reason only of reduction in the after 30 April in any year in which he is to
4 continue in or take office as all elected member.

5 (10) If so requested in writing by any fifteen members of the Senate,
6 the Provost or in his absence any of the Deputy Provost duly appointed by him,
7 shall convene a meeting of the Senate to be held not later than the tenth day
8 following that on which the request was received.

9 (11) In this article "total of non-elected members" means as respect
10 any year, such number as may be certified by the Provost on 30 April of that
11 year to be the number of persons holding office as members of the Senate on
12 that day otherwise than as elected members.

13 *Congregation*

14 5.-(1) Congregation shall consist of-

15 (i) Provost;

16 (ii) the Deputy Provosts;

17 (iii) the full-time members of the academic staff;

18 (iv) The Registrar;

19 (v) The Librarian;

20 (vi) Every member of the administrative staff who holds a degree,
21 other than honorary degree, of any College recognized for the purposes of this
22 statute by the Provost.

23 (2) Subject to section 4 of this Bill, the Provost shall be the chairman
24 at all meetings of Congregation when he is present; and in his absence any of
25 the Deputy Provosts present at the meeting as Congregation may appoint for
26 that meeting, shall be the chairman at the meeting.

27 (3) The quorum of Congregation shall be one third or the whole
28 number nearest to one third of the total number of members of Congregation of
29 fifty, whichever is less.

30 (4) A certificate signed by the Provost specifying:

1 (a) the total number of members of Congregation for the purpose of
2 any particular meeting or meetings of Congregation; or

3 (b) the names of the persons who are members of Congregation
4 during a particular period, shall be conclusive evidence of that number or, as
5 the case may be, of the names of those persons.

6 (5) The procedure for election of members of Congregation to the
7 Council and the Senate shall be prescribed by Regulations.

8 (6) Subject to the foregoing provisions of this article, Congregation
9 may regulate its own procedure.

10 (7) Congregation shall be entitled to express by resolutions or
11 otherwise its opinion on all matters affecting the interest and welfare of the
12 College and shall have such other functions, in addition to the function of
13 electing a member of the Council, as may be provided by statute or regulations.

14 *Convocation*

15 6.-(1) Convocation shall consist of:-

16 (i) the officers of the College mentioned in the First Schedule to this
17 Bill;

18 (ii) All teachers within the meaning of this Bill;

19 (iii) All other persons whose names are registered in accordance with
20 paragraph (2) of this article.

21 (2) A person shall be entitled to have his name registered as a member
22 of convocation if-

23 (a) he is either a graduate of a College or a person satisfying such
24 requirements as may be prescribed for the purposes of this paragraph; and

25 (b) he applies for the registration of his name in the prescribed manner
26 and pay the prescribed fees.

27 (3) Regulations shall provide for the establishment and maintenance
28 of a register for the purpose of this paragraph and subject to paragraph (4) of
29 this article may provide for the payment, from time to time, of further fees by
30 persons whose names are on the register and for the removal from the register

1 of the name of any person who fails to pay those fees.

2 (4) The person responsible for maintaining the register shall, without
3 the payment of any fees, ensure that the names of all persons who are for the
4 time being members of the Convocation by virtue of paragraph (1) (a) or (b) of
5 this article are entered and retained on the register.

6 (5) A person who reasonably claims that he is entitled to have his
7 name on the register shall be entitled on demand to inspect the register or a copy
8 of the register at the principal times of the College at all reasonable times.

9 (6) The register shall, unless the contrary is proved, be sufficient
10 evidence that any person named therein is not, a member of Convocation; but
11 for the purpose of ascertaining whether a particular person was such a member
12 on a particular date, any entries in and deletions from the register made on or
13 after that date shall be disregarded.

14 (7) The quorum of Convocation shall be fifty or one third or the whole
15 number nearest to one third or the whole number of members of Convocation
16 whichever is less.

17 (8) Subject to section 4 of the Act, the Chancellor shall be chairman at
18 all meetings of Convocation when he is present, and in his absence the Provost
19 shall be the chairman at the meeting.

20 (9) Convocation shall have such functions, in addition to the function
21 of appointing a member of the Council, as may be provided by statute or
22 regulations.

23 *Division of the College*

24 7. The College shall be divided into such number of branches as may
25 be prescribed.

26 *College Boards*

27 8.-(1) There shall be established in by the College, a Board of Studies
28 which, subject to the provisions of this Statute, and subject to the directions of
29 the Provost, shall:

30 (a) Regulate the teaching and study of, and the conduct of

1 examinations connected with, the subjects assigned to the college;

2 (b) Deal with any other matter assigned to it by statute or by the
3 Provost or by the Senate; and

4 (c) Advise the Provost or the Senate on any matter referred to it by
5 the Provost or the Senate.

6 (2) The Board of Studies shall consist of-

7 (a) the Provost;

8 (b) the Dean;

9 (c) the persons severally in charge of the branches of the school;

10 (d) the College Examination Officer;

11 (e) such of the teachers assigned to the college and having the
12 prescribed qualifications as the Board may determine; and

13 (f) such persons, whether or not members of the College, as the
14 Board may determine with the general or special approval of the Senate.

15 (3) The quorum of the Board shall be eight members or one quarter,
16 whichever is greater, of the members for the time being of the board; and
17 subject to the provisions of this statute and to any provision made by
18 regulations in that behalf, the Board may regulate its own procedure.

19 *Deans of the Colleges*

20 9.-(1) The Board of the College shall, at a meeting in the last term
21 of any academic year which the term of office of the Dean expires, nominate
22 one of its members, being one of the Professors assigned to that teaching
23 unit, for appointment by the Senate as Dean of the College.

24 (2) The person appointed under paragraph 1 of this Article shall act
25 as Dean of the College and chairman of all meetings of the College Board
26 when he is present and shall be a member of all committees and other boards
27 appointed by the College.

28 (3) The Dean shall hold office for two years and shall be eligible for
29 re-appointment one further period of two years. Thereafter he shall not be
30 eligible for re-appointment until two years have elapsed.

1 (4) The Dean of a College shall exercise general superintendence over
2 the academic and administrative affairs of the College.

3 (5) It shall be the function of the Dean to present to Convocation for
4 the conferment of degrees to persons who have qualified for the degrees of the
5 College at examination held in the branches of learning for which
6 responsibility is allocated to that College.

7 (6) There shall be a committee to be known as the Committee of
8 Deans consisting of all the Deans of the several Colleges and that Committee
9 shall advise the Provost on all academic matters and on particular matters
10 referred to the College by the Senate.

11 (7) The Dean of a College may be removed from office for good cause
12 by the College Board after a vote would have been taken at a meeting of the
13 Board, and in the event of a vacancy occurring following the removal of a
14 Dean, an acting Dean may be appointed by the Provost:

15 Provided that at the next College Board meeting an election shall be
16 held for a new Dean.

17 (8) In this article "good cause" has the same meaning as in section
18 15(3) of the Act.

19 *Departmental Board of Studies*

20 10.-(1) there shall be a Departmental Board of Studies whose
21 membership shall be made of all academic staff of the Department;

22 (2) It shall be headed by a Professor who shall be appointed by the
23 Provost and in the absence of a Professor, a senior academic staff shall be
24 appointed in acting capacity;

25 (3) For a Professor the term is for 3 years while 1 year is for acting
26 capacity.

27 (4) The Board shall superintend over all teachings and examinations
28 in the Department;

29 (5) The Board shall handle all disciplinary matters in the Department
30 and make recommendations to the College where necessary;

(6) Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

*Selection of Directors of Physical Planning and Development,
Works and Services and Health*

11.-(1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:-

- (a) the Pro-Chancellor;
- (b) the Provost;
- (c) two members appointed by the Council, not being members of the Senate;
- (d) Two members appointed by the Senate.

(2) The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

Tenure of Directors

12.-A Director shall hold office on such terms and conditions as may be specified in his letter of appointment subject to the extant Regulations.

Creation of Academic Posts

13. Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purposes Committee.

Appointment of Academic Staff

14. -(1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.

(2) For the purpose of filling such vacancies, suitable selection

1 boards to select and make appointments on behalf of the Council shall be set
2 up.

3 (3) For appointment to Professorships, Associate Professorship or
4 Readerships or equivalent posts, a Board of Selection, with power to appoint,
5 shall consist of:

6 (a) the Provost - Chairman;

7 (b) Deputy Provost - Member;

8 (c) The Dean of the College - Member;

9 (d) Head of Department - Member;

10 (e) such other person(s), not exceeding two in number, deemed
11 capable of helping the Board in assessing both the professional and academic
12 suitability of a candidate under consideration, as the Senate may from time to
13 time appoint;

14 (f) Registrar - Secretary.

15 (4) For other academic posts, a Selection Board, with power to
16 appoint, shall consist of:

17 (a) the Provost or his representative- Chairman;

18 (b) The Dean of the College - Member;

19 (c) Head of the Department concerned - Member;

20 (d) An internal member of Council (not below the Rank of Senior
21 Lecturer from the sister college in the Candidate's subject-area) - Member;

22 (e) Registrar or his representative - Secretary.

23 (5) All appointments to senior library posts shall be made in the same
24 way as equivalent appointments in the academic cadre; and for all such posts
25 other than that of the Librarian, the Librarian shall be a member of the Selection
26 Board.

27 (6) Boards of Selection may interview candidates directly or consider
28 the reports of specialist interviewing panels and shall in addition, in the case of
29 Professorships, Associate Professorship, Readerships or equivalent Posts,
30 consider the reports of External Assessors relevant to the area in which the

1 appointment is being considered. Quorum shall be three (3) including the
2 Chairman.

3 *Appointment of Administrative and Professional Staff*

4 15.-(1)The administrative and professional staff of the College
5 other than principal officers shall be appointed by the Council or on its
6 behalf by the Provost in accordance with delegation of powers made by the
7 Council on its behalf.

8 (2)A Selection Board, with power to appoint, shall consist of:

9 (i) Provost;

10 (ii) Deputy Provost;

11 (iii) Registrar

12 (iv) Bursar;

13 (v) College Librarian;

14 (vi) The Head of Department concerned;

15 (vii) Establishment and Human Resources Officer who shall serve

16 as Secretary Quorum shall be three (3) including the Chairman.

17 *Interpretation*

18 16. In this Statute, the expression "the Act" means the Federal
19 College of Agriculture Ise-Orun, Ekiti State Act and any word or expression
20 defined in the Act has the same meaning in this Statute.

21 *Short Title*

22 17. This Statute may be cited as the Federal College of Agriculture Ise-
23 Orun, Ekiti State Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Agriculture Ise-Orun,
Ekiti State.