

Extraordinary



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INTERNATIONAL STUDIES (REGULATION) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Objectives
2. Upgrading and maintenance of public schools in Nigeria
3. Sensitization of public officers
4. Prohibition of international studies without approval
5. Application for international study
6. Documents for approval
7. Investigation
8. Information of decision
9. Offences/penalties
10. Interpretation
11. Citation

A BILL

FOR

AN ACT TO REGULATE INTERNATIONAL STUDIES FOR WARDS AND CHILDREN OF NIGERIAN PUBLIC OFFICERS, TO STRENGTHEN INDIGENOUS INSTITUTIONS TO PROVIDE EFFICIENT EDUCATIONAL SERVICES FOR NATIONAL DEVELOPMENT AND FOR RELATED MATTERS

Sponsored by Hon. Sergius Oseasochie Ogun

[] Commencement

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

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1. The objectives of the Bill are:

(1) To regulate international studies for wards and children of Nigerian public officers.

(2) Strengthen indigenous institutions for efficient service delivery.

(3) Reduce over dependence on foreign certificate.

(4) Boost the economy through the educational sector.

(5) Minimize corruption by public officers.

2.-(1) The government shall ensure constant upgrading and maintenance of public schools in Nigeria by:

(a) employing qualified persons to teach in the schools;

(b) reviewing the salary of academic and non-academic staff in accordance with international best practices to encourage Nigerian academia in the Diaspora to come back and develop the educational sector;

(c) providing modern learning equipment equivalent to what is obtainable in civilized countries;

(d) giving preference to certificate obtained in Nigeria over certificate obtained abroad;

(e) conducting constant oversight on the activities of schools, to
- Objectives

Upgrading and maintenance of public schools in Nigeria

	1	ensure maintenance of standard; and
	2	(f) meting out adequate sanction to the management of any school that
	3	fails to ensure the maintenance and safekeeping of the equipment and facilities
	4	at their disposal.
	5	(2) The government shall encourage and sponsor research in any area
	6	of study that will improve the educational sector.
Sensitization of public officers	7	3. Every government department, ministry or agency may, from time
	8	to time, organize seminars to sensitize public officers on dangers of sending
	9	their children and ward abroad and its negative effect on the country's
	10	educational sector.
International studies to be with leave	11	4. A public officer shall not send his ward or child overseas for studies
	12	without declaration of interest subject to approval.
	13	5. The declaration under sub clause 1 of this clause shall be in writing
	14	addressed to the Minister.
Documents to be exhibited in the application	15	6. A public officer declaring interest in sending his ward or child
	16	abroad for further studies shall submit the following documents for
	17	consideration:
	18	(a) A completed form stating the name and address of the public
	19	officer, the name and age of the child or ward, his level of education, name of
	20	intended school abroad, duration of study and number of children studying
	21	abroad;
	22	(b) Letter of appointment;
	23	(c) Bank statement of account;
	24	(d) Salary pay slip;
	25	(e) Declaration of assets form; and
	26	(f) Sworn affidavit stating that he is financially capable of sponsoring
	27	his education.
	28	7.-(1) The minister shall conduct an investigation to verify the
	29	authenticity of the documents submitted for approval.
	30	(2) If after the investigation under sub clause (1) the Minister is

1 satisfied that the public officer's income is capable of taking care of the ward
2 or child's school expenses, he may grant the application.

3 (3) If investigation reveals that the document is false or not
4 satisfactory, the minister shall refuse the application.

5 **8.** The Minister shall inform the applicant in writing of his
6 approval or refusal within 10 working days of submission declaration of
7 interest form.

8 **9.** A person who contravenes any of the provisions of this Bill
9 shall, upon conviction, be liable to a fine not exceeding one million naira or a
10 term not exceeding three years, or to both. Offences/penalties

11 **10.** In this Bill, unless the context otherwise requires: Interpretation
12 "Public Officer" means elected political office holders at all levels, political
13 appointees, civil servants and government officials;
14 "Minister" means the Minister for the time being responsible for education;
15 "Abroad" means any country outside Nigeria;
16 "Government" means the federal government of Nigeria;
17 "Diaspora" means any country outside Nigeria.

18 **11.** This Bill may be cited as International Studies (Regulation)
19 Bill, 2019. Citation

EXPLANATORY MEMORANDUM

This Bill seeks to regulate international trip for studies by wards and children of Nigerian public officers to strengthen the indigenous institutions to provide efficient educational services for national development.

PUBLIC OFFICERS INTERNATIONAL MEDICAL TRIP

(REGULATION) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Objectives
2. Upgrading and maintenance of public hospitals in Nigeria
3. Sensitization of public officers
4. Prohibition of overseas medical trip by public officers
5. Application for medical trip abroad
6. Conditions for approval
7. Documents for approval
8. Investigation
9. Information of decision
10. Report after treatment
11. Offences/Penalties
12. Interpretation
13. Citation

A BILL

FOR

AN ACT TO REGULATE INTERNATIONAL TRIP FOR MEDICAL TREATMENT BY
PUBLIC OFFICERS TO STRENGTHEN THE HEALTH INSTITUTIONS FOR
EFFICIENT SERVICE DELIVERY AND FOR RELATED MATTERS

Sponsored by Hon Sergius Oseasochie Ogun

[] Commencement

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

- | | | |
|----|---|------------------|
| 1 | 1. The objectives of the Bill are: | Objectives |
| 2 | (1) To prohibit overseas medical trip by public officers without | |
| 3 | approval. | |
| 4 | (2) To regulate overseas medical trip by public officers. | |
| 5 | (3) Strengthen the health institutions for efficient service delivery | |
| 6 | and internal revenue generation. | |
| 7 | 2.-(1) The government shall ensure constant upgrading and | Upgrading and |
| 8 | maintenance of hospitals and medical centres in Nigeria by: | maintenance of |
| 9 | (a) employing qualified doctors, nurses, and other medical and | public hospitals |
| 10 | paramedical staff with specialization in the treatment of various ailments; | in Nigeria |
| 11 | (b) reviewing the salary of medical personnel in accordance with | |
| 12 | international best practices to encourage Nigerian doctors in the Diaspora to | |
| 13 | come back to practice in Nigeria; | |
| 14 | (c) providing modern equipment and manpower for the treatment | |
| 15 | of terminal ailments and non-terminal ailments; | |
| 16 | (d) conducting constant oversight on the activities of hospital, to | |
| 17 | ensure maintenance of standard; and | |
| 18 | (e) meting out adequate sanction to the management of the hospital | |
| 19 | that fails to ensure the maintenance and safekeeping of the equipment and | |
| 20 | facilities in their hospital. | |

	1	(2) The government shall encourage and sponsor research in every
	2	area of medicine to ensure that the health sector is up to date in meeting up with
	3	new medical challenges.
Sensitization of public officers	4	3. Every government department, ministry or agency may, from time
	5	to time, organize health seminars to sensitize public officers on the need to go
	6	for constant medical check for early detection of diseases and aversion of
	7	terminal diseases.
Prohibition of overseas medical trip by public officers	8	4. A public officer shall not:
	9	(a) embark on medical trip abroad without approval; or
	10	(b) embark on medical trip abroad unless he satisfactorily proves to
	11	the office where he is working, that such ailment cannot be treated in Nigeria.
Application for medical trip abroad	12	5. A public officer desirous of travelling abroad for medical treatment
	13	shall apply in writing to the Minister seeking approval to travel abroad for
	14	medical treatment.
Conditions for approval	15	6.-(1) A public officer may be allowed to travel abroad for medical
	16	treatment for the treatment of ailments provided for in the schedule.
	17	(2) A public officer seeking to travel abroad for medical treatment
	18	shall fulfill all the requirements stated in the schedule prior to approval.
Documents for approval	19	7. The applicant shall submit the following documents for
	20	consideration by the Minister:
	21	(1) A certified true copy of the doctor's report recommending further
	22	treatment abroad.
	23	(2) Local treatment paper consisting of the name of the hospital
	24	visited and the treatment administered.
	25	(3) Result of laboratory investigation conducted on the applicant.
	26	(4) Sworn affidavit stating the urgency of the treatment.
	27	(5) A Completed request form obtained from the Minister seeking to
	28	travel abroad for medical treatment.
Investigation	29	8.-(1) The minister shall conduct an investigation to verify the
	30	authenticity of the documents submitted for approval.

1 (2) If after the investigation under sub clause (1) it is revealed that
 2 the ailment is not compelling enough to warrant overseas treatment, the
 3 minister may refuse the application.

4 (3) If investigation reveals that the document is false, the minister
 5 shall refuse the application.

6 **9.** The Minister shall inform the applicant in writing of his Information of
 7 approval or refusal within 5 working days of submission of request or within decision
 8 2 working days of submission of request in case of emergency

9 **10.-(1)** A public officer who receives approval to travel abroad for Report after
 10 medical treatment shall within 7 working days of his return, submit to the treatment
 11 Minister, photocopy of all the papers evidencing treatment received abroad
 12 for documentation.

13 (2) The public officer shall while submitting the photocopies of the
 14 treatment under sub clause 1, produce the original treatment paper for citing.

15 **11.** A person who contravenes any of the provisions of this Bill Offences/Penalties
 16 shall, upon conviction, be liable to a fine not exceeding one million naira or a
 17 term not exceeding three years, or to both.

18 **12.** In this Bill, unless the context otherwise requires: Interpretation

19 "Public Officer" means elected political office holders at all levels, political
 20 appointees, civil servants and government officials;

21 "Minister" means the Minister for the time being responsible for health;

22 "Terminal illness" means those disease that cannot be cured or adequately
 23 treated and that is reasonably expected to result in the death of the patient
 24 within a short period of time maybe weeks, months or years;

25 "chronic disease" means disease lasting 3 months or more, that cannot be
 26 prevented by vaccines or cured by medication, nor do they just disappear;

27 "Hospital" means federal government owned hospitals and medical centres;

28 "Government" means the federal government of Nigeria "Diaspora" means
 29 any country outside Nigeria.

Citation 1 **13.** This Bill may be cited as Public Officers International Medical
2 Trip (Regulation) Bill, 2019.

SCHEDULE

1. The following ailments care categorized as chronic or terminal ailments:

- 6 (a) Cancer;
- 7 (b) Chronic liver failure;
- 8 (c) Chronic kidney failure;
- 9 (d) Aids;
- 10 (e) Heart failure;
- 11 (f) Chronic hepatitis;
- 12 (g) Chronic ulcer;
- 13 (h) Syndromes;
- 14 (i) Eye failure; and
- 15 (j) Any other ailment that may be considered chronic or terminal.
- 16 2. Requirement for approval to travel Abroad for medical treatment:
- 17 (a) Application in writing to the minister;
- 18 (b) Obtaining of approval form for a token to be prescribed by the
- 19 Minister;
- 20 (c) Submission of the completed form with document in support of
- 21 the application;
- 22 (d) Refusal or approval by the Minister in writing;
- 23 (e) Deposition of treatment paper after treatment.

EXPLANATORY MEMORANDUM

This Bill seeks to regulate international trip for medical treatment by public officers to strengthen the health institutions for efficient service delivery.

A BILL

FOR

AN ACT TO AMEND SECTION 5 OF THE POLICE ACT, CAP. 19, LAWS OF THE
FEDERATION OF NIGERIA, 2004, TO, AMONGST OTHERS, PROVIDE FOR THE
APPOINTMENT OF INSPECTOR-GENERAL OF POLICE FROM AMONG SERVING
DEPUTY INSPECTOR GENERAL OF POLICE AND FOR RELATED MATTERS,
2019

Sponsored by Hon. Uzoma Nkem Abonta

[] Commencement

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

- | | | |
|----|---|--|
| 1 | 1. The Police Act Cap 19 Laws of the Federation of Nigeria 2004 | Amendment of
the Police Act
Cap 19 LFN, 2004 |
| 2 | (in this Bill referred to as the “Principal Act”) is hereby amended as set out in | |
| 3 | this Bill. | |
| 4 | 2. Section 5 of the Principal Act is amended by inserting (1) as | Amendment of
Section 5 |
| 5 | follows- | |
| 6 | (1) The President may, upon the advice of the Nigeria Police | |
| 7 | Council, appoint the Inspector-General of Police from among serving | |
| 8 | Deputy Inspectors General of Police. | |
| 9 | 3. This Bill may be cited as the Police Act (Amendment) Bill, | Citation |
| 10 | 2019. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Police Act Cap 19 Laws of the Federation of
Nigeria to make provisions for the appointment of the Inspector - General of
Police from among Deputy Inspectors General Police to enhance the
organization and administration of the Nigeria Police Force as well as create
stability and efficiency in the office of the Inspector General of Police.

OFFICES OF THE LEGISLATIVE COUNSEL, FOR THE FEDERAL REPUBLIC
OF NIGERIA (ESTABLISHMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Offices of Legislative Counsel
2. Establishment of the Offices of Legislative Counsel
3. Appointment of Legislative Counsel
4. Purpose and Policy
5. Duration of office
6. Staff and Administration
7. Functions of the Offices of Legislative Counsel
8. Appropriations and Expenditures
9. Travel and Related Expenses
10. Interpretation
11. Citation

A BILL

FOR

AN ACT TO ESTABLISH OFFICES OF LEGISLATIVE COUNSEL FOR THE
FEDERAL REPUBLIC OF NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Ossai Nicholas Ossai

[] Commencement

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

1 **1.** There shall be Offices of Legislative Counsel for the Executive
2 and Legislative Arms of Government of the Federal Republic of Nigeria.

3 **2.-(1)** There shall be in the Federal Executive Arm of Government
4 of the Federation to be known as the Office of the Legislative Counsel, and
5 to be under the direction of the President of the Federal Republic of Nigeria.

Establishment
of Offices of
Legislative
Counsel

6 **(2)** There shall be in the Senate an office to be known as the Office
7 of the Legislative Counsel, and to be under the direction of the Senate
8 President.

9 **(3)** There shall be in the House of Representatives an office to be
10 known as Office of the Legislative Counsel, and to be under the direction of
11 the Speaker of the House of Representatives.

12 **3.-(1)** The Legislative Counsel of the Federal Government of
13 Nigeria shall be appointed by the President of the Federal Republic of
14 Nigeria, without reference to political affiliation and solely on the ground of
15 fitness and on merit to perform the duties of the office. Any person so
16 appointed shall serve at the pleasure of the President of the Federal Republic
17 of Nigeria.

Appointment of
Legislative Counsel

18 **(2)** The Legislative Counsel of the Senate shall be appointed by the
19 Senate President, while the Legislative Counsel of the House of
20 Representatives shall be appointed by the Speaker of the House of
21 Representatives and such appointments shall be without reference to

	1	political affiliation and solely on the ground of fitness and on merit to perform
	2	the duties of the office.
	3	(3) A person shall be qualified for appointment as a Legislative
	4	Counsel if:
	5	(i) is a citizen of Nigeria;
	6	(ii) possesses a degree in law;
	7	(iii) has a Post Graduate Degree Certificate in Legislative Drafting;
	8	(iv) has a minimum of Ten years post call to the Nigerian Bar;
	9	(v) has had at least Eight years proven experience in Legislative
	10	Drafting;
	11	(vi) has a distinguished career and experience and has demonstrated
	12	ability in the field of Legislative Drafting.
Purpose and Policy	13	4. The purpose of the Office shall be to advise and assist the President
	14	of the Federal Republic of Nigeria and the Presidency, the Senate and its
	15	Committees, the House of Representatives and its Committees, in the
	16	achievement of a clear, faithful and coherent expression of legislative policies.
	17	The Office shall maintain impartially on issues of legislative policy to be
	18	determined by the President or his or her representatives, the Senate and the
	19	House of Representatives, and shall not advocate the adoption or rejection of
	20	any legislation except when duly requested by the President of the Federation,
	21	the Senate President and the Speaker of the House of Representatives or a
	22	Committee of either House to comment on a proposal directly affecting the
	23	functions of the Office. The Office shall maintain the attorney-client
	24	relationship with respect to all communications between it and any staff in the
	25	Presidency or the Senator or the House of Representatives.
Duration of Office	26	5. The Legislative Counsel of the Government of the Federation, the
	27	Senate and the House of Representatives shall hold office for four years subject
	28	to re-appointment for another four years.
Functions of the Office of Legislative Counsel	29	6.-(1) The office of the Legislative Counsel shall aid in drafting public
	30	bills and resolutions or amendments thereto on the request of the President of

1 the Federal Republic of Nigeria or any of his or her representative or Federal
2 Government Ministries, Departments and Agencies, but the President of the
3 Federal Republic of Nigeria will approve and determine the preference, to
4 be given to any of such requests.

5 (2) The office of the Legislative Counsel shall aid in drafting public
6 bills and resolutions or amendments thereto on the request of the Senate
7 President or any Committee of the Senate, but the Senate President will
8 approve and determine the preference, if any, to be given to such requests of
9 the Committee of the Senate.

10 (3) The office of the Legislative Counsel shall aid in drafting public
11 bills and resolutions or amendments thereto on the request of the Speaker of
12 the House of Representatives or any Committee of the House of
13 Representatives, but the Speaker of the House of Representatives will
14 approve and determine the preference, if any, to be given to such requests of
15 the Committee of the House Representatives.

16 (4) The Office of the Legislative Counsel shall serve as the quality
17 assurance and control unit of the Office of the Clerk to the National
18 Assembly for the purpose of registration, gazetting, engrossment and
19 enrolment to ensure quality legislation of bills in the National Assembly.

20 (5) The Legislative Counsel shall, from time to time, prescribe
21 rules and regulations for the conduct of the work of the Committees of the
22 Senate and the House of Representatives, subject to the approval of the
23 Senate or the House Representatives as the case may be.

24 (6) The Legislative Counsel shall perform the duties of draftsmen
25 and legislative drafting services of the Federal Executive Arm of
26 Government, the Senate and the House of Representatives on a non-
27 partisan, impartial and confidential basis.

28 (7) Providing advice (including advice on form and procedure) on
29 drafts of bills, resolutions, amendments etc.

30 (8) Providing advice on constitutional, legal and technical

1 problems in status, proposed legislation, reports and explanatory statements
2 accompanying proposed legislation.

3 (9) Drafting bills reported by Committees of the Senate and House of
4 Representatives and Conference reports for House and Senate Conference
5 Committees.

6 (10) The Legislative Counsel shall perform such other functions that
7 may be assign to it by the President of the Federal Republic of Nigeria, the
8 Senate President or the Speaker of the House of Representatives.

Staff and
Administration

9 7.-(1) Not more than three employees in the office of the Legislative
10 Counsel of the Executive Arm of Government or Senate or House of
11 Representatives may be designated as Senior Counsel.

12 (2) The Legislative Counsel may, subject to the approval of the
13 President of the Federal Republic of Nigeria or Senate President or Speaker of
14 the House of Representatives, designate one of the Senior Counsel appointed
15 as Deputy Legislative Counsel.

16 (3) The Deputy Legislative Counsel shall perform the functions of the
17 Legislative Counsel during the absence or disability of the Legislative
18 Counsel, or when the office is vacant.

19 (4) The Legislative Counsel shall, subject to the approval of the
20 President of the Federal Republic of Nigeria or Senate President or the Speaker
21 of the House of Representatives employ such assistant counsel, clerk and other
22 employees, and purchase of such furniture, office equipment, books,
23 stationary, and other supplies as may be necessary for the proper performance
24 of the duties of the office and as may be appropriated for by the National
25 Assembly.

Appropriations
and Expenditure

26 8.-(1) All appropriations for the Office of the Legislative Counsel to
27 the President of the Federal Government, the Senate and the House of
28 Representatives shall be appropriated by the National Assembly.

29 (2) The Legislative Counsel shall, subject to the approval of the
30 President of the Federal Republic of Nigeria or Senate President or the Speaker

1 of the House of Representatives make such expenditure as may be necessary
2 or appropriate for the functioning of the Office of the Legislative Counsel of
3 the Executive Arm of Government, the Senate and the House of
4 Representatives.

5 (3) All appropriations for the Office of the Legislative Counsel for
6 the Government of the Federation shall be disbursed by the President or his
7 representative.

8 (4) All appropriations for the Office of the Legislative Counsel in
9 the Senate or House of Representatives shall be disbursed by the clerk of the
10 House or the Senate.

11 9.-(1) Funds expended by the Legislative Counsel of the
12 Government of the Federation for travel and related expenses shall be
13 subject to the approval of the President of the Federal Republic of Nigeria.

Travel and
Related Expenses

14 (2) Funds expended by the Legislative Counsel of the Senate or
15 House of Representatives of the Federal Republic of Nigeria for travel and
16 related expenses shall be subject to the same regulations and limitations {in
17 so far as they are applicable) as those which the Senate or House of
18 Representatives prescribes for application to travel and related expenses for
19 which payment is authorized to be made from the fund of the Senate or
20 House of Representatives of the Federal Republic of Nigeria.

21 10. In this Act, unless the context otherwise requires:
22 "Legislative Counsel" means Draftsmen who performs Legislative Drafting
23 Service.

Interpretation

24 11. This Bill may be cited as the Offices of the Legislative Counsel
25 Bill, 2019.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to establish Offices to provide advice and assist the Federal Government of Nigeria on the one hand and the National Assembly of Nigeria (Senate and House of Representatives) on the other hand, in the achievement of an independent, systematic, simple, clear, coherent and professionalism in the drafting of legislation and bills. The Offices shall maintain impartiality as to issues of legislative policy to be determined by the relevant authorities of the Federal Government of Nigeria through the Federal Executive Council, and shall not advocate the adoption or rejection of any legislation except when duly requested by the President of the Federal Republic of Nigeria as Chairperson of the Federal Executive Council or his or her representative to comment on a proposal directly affecting the functions of the Offices.

The Office of the Legislative Counsel for Engrossment and Enrolment of Bills of the National Assembly shall serve as the quality assurance and control unit of the Office of the Clerk to the National Assembly for the purpose of ensuring quality legislation and a register of bills as stipulated under Section 5 of the Acts Authentication Act, 1961.

The Offices shall maintain a politically neutral, attorney-client relationship with respect to all communications between itself and the President of the Federal Republic of Nigeria or a duly designated representative of any Member of the Federal Executive Council on the one hand and the members and leadership of the National Assembly on the other hand.

ROAD PARKING (PAYMENT & ADMINISTRATION) BILL, 2019

ARRANGEMENT OF SECTIONS

Section:

PART I - OBJECTIVE AND APPLICATION

1. Objective and Application

PART II - ADMINISTRATION OF THE PARK AND PAY SYSTEM IN

THE TERRITORY

2. Establishment of the Federal Capital Territory Transportation Secretariat
3. Function of the Secretariat
4. Powers of the Secretariat

PART III - GENERAL PROVISIONS RELATING TO PARKING

5. Control of Parking
6. Parking on a Public Road
7. Parking by a Seller of a Vehicle and Parking of Vehicle under Repair
8. Resident Parking Permit
9. Parking Meters
10. Prevention of Parking by the Secretariat and Park and Pay Managers
11. Unlawful Parking and Clamping or Removal of Unlawfully Parked Vehicles
12. Exemption
13. Short Title

	1	under this Bill.
Functions of Secretariat	2	3. The Secretariat shall:
	3	(a) be solely responsible for the administration of the Park and Pay
	4	System;
	5	(b) develop policies and regulations that are intended to improve the
	6	Parking and Pay System within the Territory;
	7	(c) cooperate with all relevant agencies within the Territory to ensure
	8	well managed and functional Park and Pay System is operational at all times
	9	within the Territory; and
	10	(d) perform such other functions that may be assigned to it by the
	11	Minister of the Federal Capital Territory or any similar office that superintends
	12	over the Territory at that time;
Powers of the Secretariat and the Service	13	4.-(1) The Secretariat shall have the power to:
	14	(a) Issue Regulations, Guidelines and Policies in respect of the Park
	15	and Pay System within the Territory;
	16	(b) establish or issue operational policies and procedural manual,
	17	regulations and any other documents relevant for carrying out of its functions
	18	under this Bill;
	19	(c) Delineate the Territory into Parking Zones and determine the size
	20	and boundary of each Parking Zones;
	21	(d) Licence Park and Pay Managers that will be responsible for
	22	administering Parking Zones within any Parking Zone assigned to the
	23	Licencee;
	24	(e) Determine the licence fees to be paid by applicants for Park and
	25	Pay Manager's Licence;
	26	(f) Approve the kits, uniforms, tools and equipment to be utilized by
	27	Parking Marshalls engaged by Park and Pay Managers.
	28	(g) In conjunction with the Federal Capital Territory Internal Revenue
	29	Service (in this Bill referred to as "as the Service"), determine the fee to be paid
	30	by persons parking within the Parking Zone designated by the Secretariat;

1 (h) Cooperate with the Service in respect of the exercise of the
2 powers of the Service to manage the collection of Parking Fees; and

3 (i) Exercise any other powers conferred on the Secretariat by any
4 other law or any other subsidiary legislation.

5 (2) In exercising and performing the powers, functions and duties
6 conferred on it under this Bill, the Secretariat may delegate the whole or any
7 part of its powers to its staff or appoint, contract, liaise or co-operate with
8 experts, including specialised agencies, resource persons, academic and
9 technical institutions or advisory committees to perform some of its
10 functions or duties under this Bill.

11 (3) The Service shall be solely responsible for administering the
12 collection of Parking fees, licence fee, penalties and other payments due and
13 payable under the Park and Pay system and shall for that purpose, the
14 Service be entitled to issue Circulars, Regulations and Policies in respect of
15 the exercise of this power under the Bill.

16 (4) For all intent and purposes, the provisions of the Federal
17 Capital Territory Internal Revenue Service Act shall be applied by the
18 Service where necessary in administering provisions of this Bill in respect of
19 collection of Parking Fees, penalties and other payments due and payable
20 under the Park and Pay system.

21 (5) The Service shall be entitled to 4 percent of all its collection as
22 administrative charge and the Secretariat shall be entitled to 4 percent of all
23 collection by the Service as administrative charge for effective regulation of
24 the Park and Pay System.

25 PART III - GENERAL PROVISIONS RELATING TO PARKING

26 5.-(1) The Secretariat shall manage the Park and Pay System and Control of Parking
27 the Service shall collect any fees due and payable under the Park and Pay
28 System including any licence fees due and payable by any Park and Pay
29 Manager.

30 (2) No person shall without the prior written approval of the

1 Secretariat erect or place any sign or notice in any position or place indicating
2 that parking in any parking bay is either reserved for a person or a class of
3 persons.

4 (3) Where the Secretariat deem appropriate it may manage a
5 particular area directly without engaging the services of a Park and Pay
6 Manager.

7 (4) The Secretariat may operate a parking management system in
8 areas and during times determined by the Secretariat from time to time.

9 (5) A person who disregards an instruction of an authorised officer of
10 the Secretariat or a Park and Pay Manager in respect of this Bill commits an
11 offence and upon conviction shall be liable to a fine of not less than N50,000.00
12 (Fifty Thousand Naira)

Parking on a
Public Road

13 **6.-(1)** No person who operates or who is in charge of a vehicle on a
14 public road may park (without written consent of the Secretariat or the Park and
15 Pay Manager) the vehicle in any public road within the Territory for a period
16 beyond that indicated on a road traffic sign relevant to that specific area.

17 (2) No person may, without the written consent of the Secretariat or a
18 Park and Pay Manager shall park a heavy motor vehicle, designed, adapted or
19 used for the conveyance of goods, between the hours of 8:00 am and 5:00 pm
20 anywhere in the Territory, except on private land or in those areas where road
21 traffic signs regulating such parking have been erected.

22 (3) Application for consent must be made in writing to the relevant
23 Park and Pay Manager or the Secretariat.

Parking by a
seller of a vehicle
and Parking of
vehicle under
repair

24 **7.-(1)** No dealer or seller of a vehicle may park or allow to be parked
25 on the verge of a public road within the Territory area a vehicle which is
26 advertised for sale or for rental.

27 (2) No person responsible for the control of a business of recovering
28 or repairing vehicles may park, cause or permit to be parked, in any public road
29 or public place within the Territory any vehicle that is in an obvious state of
30 disrepair, which has been placed in his or her charge in the course of the

1 business of recovering and repairing.

2 (3) No person who owns a broken down vehicle shall be allowed to
3 keep such vehicle on a public road for more than 30 minutes when it
4 breakdown or for such longer period as may be determined by the
5 Secretariat.

6 (4) Any person that contravenes this provision shall be guilty of an
7 offence and be liable upon conviction after a summary trial to a fine of not
8 less than N50, 000.00 (Fifty Thousand Naira).

9 **8.-(1)** Subject to any conditions the Secretariat may impose and
10 subject to any term it deems appropriate, a resident parking permit may be
11 granted to persons:

Resident Parking
Permit

12 (a) who reside in a residence:

13 (i) situated on a section of road in circumstances where parking
14 immediately adjacent to the residence is regulated by time;

15 (ii) in circumstances where not more than one person who resides
16 in the residence is the holder of a current permit; and

17 (iii) situated on a section of road in circumstances where the issue
18 of the permit would not unduly impede the flow of traffic either on the road
19 or in the area.

20 (b) whose residence does not have and cannot reasonably provide
21 off-street parking.

22 **9.-(1)** The Service may install or cause to be installed or operate or
23 cause to be operated in a public road or place in the Territory:

Parking Meters

24 (a) a parking meter at a demarcated parking bay;

25 (b) a combined parking meter at demarcated parking bays; or

26 (c) any other device by which parking time can be recorded and
27 displayed.

28 (2) When a vehicle is parked in a parking bay, the driver or person
29 in charge of the vehicle must:

30 (i) immediately deposit or cause to be deposited in the parking

1 meter which adjoins the parking bay or bays in respect of which it is installed
2 the prescribed coin or coins as indicated on the meter for the period of time
3 during which he or she desires to park his or her vehicle in the bay, and must,
4 where applicable, set the meter in operation either by inserting the prescribed
5 coin in the appropriate slot of the parking meter, or where applicable in
6 accordance with the instructions appearing on the parking meter;

7 (ii) effect payment by any other means prescribed by the Service
8 irrespective of the device used to record the time parked and irrespective
9 whether payment is required at the beginning or end of the period so parked,
10 and a driver or person in charge of a vehicle who fails to do so commits an
11 offence and shall be guilty upon conviction to a fine of not less than N50, 000
12 (Fifty Naira) or any other higher fine prescribed by the Service in a Regulation;

13 (iii) No person may leave a vehicle parked in a parking bay for a
14 continuous period exceeding the maximum permissible parking time as
15 indicated on the meter or other device, and a person who leaves a vehicle
16 parked in a parking bay for a continuous period exceeding the maximum
17 permissible parking time as indicated on the meter, a sign or device, commits
18 an offence and can be penalized in line with any written prescription by the
19 Service.

Prevention of
Parking by the
Secretariat and
Park and Pay
Managers

20 **10.** A Marshall authorised by the Secretariat or a Park and Pay
21 Manager to display road traffic signs may, whenever necessary or expedient to
22 do so in the interest of the movement or control of traffic, place or erect a traffic
23 sign or signs indicated "No Stopping" or "No Parking" at a parking bay or bays,
24 and no person may stop or park a vehicle or cause or permit a vehicle to be
25 stopped or parked in such parking bay or bays-

26 (a) while the sign is so placed or erected; or

27 (b) during any period when the stopping or parking of a vehicle in the
28 public road or portion of the public road concerned is prohibited in terms of
29 such traffic sign.

1 "driver" means any person who drives or attempts to drive any vehicle or who
2 rides or attempts to ride any pedal cycle and "drive" or any like word has a
3 corresponding meaning;

4 "park" means to keep a vehicle, whether occupied or not, stationary for a period
5 of time longer than is reasonably necessary for the actual loading or unloading
6 of persons or goods, but does not include any such keeping of a vehicle by
7 reason of a cause beyond the control of the person in charge of such vehicle;

8 "parking meter" means a device commissioned in terms of this Bill, registering
9 and visibly recording the parking time wither b means of a meter affixed to the
10 device, or on a parking meter ticket issued by the device, or any other device by
11 which parking time can be recorded whether operated by an authorised official
12 or a service provider approved by the Secretariat;

13 "parking period" means the maximum continuous period during which a
14 vehicle is permitted to park in a parking ground or parking bay as indicated by a
15 road traffic sign;

16 "public road" means any road, street, cycle path, thoroughfare, parking bay or
17 any other place, and includes:

18 (a) The verge of any such public road;

19 (b) Any footpath, sidewalk or similar pedestrian portion of a road
20 reserve;

21 (c) Any bridge, ferry or drift traversed by any such public road;

22 (d) Any other object belonging to such public road, which has at any
23 time been dedicated to the public, used without interruption by the public for a
24 period of at least 30 years, declared or rendered such by any public authority or
25 constructed with public funds.

26 "Secretariat" means the Transport Secretariat of the Federal Capital Territory
27 or any Authority that regulates and supervises the transport sector within the
28 Federal Capital Territory;

29 "Service" means the Federal Capital Territory Internal Revenue Service;

30 "Territory" means the Federal Capital Territory, Abuja.

- 1 14. This Bill may be cited as the Road Parking (Payment & Short title
2 Administration) Bill, 2019.

EXPLANATORY MEMORANDUM

*(This Memorandum does not form part of this Bill but is intended to
explain its purport)*

This Bill seeks to provide for the Regulation of Parking, Stopping, or
Leaving of Vehicles on Public Land within the Federal Capital.

A BILL

FOR

AN ACT TO AMEND THE FISCAL RESPONSIBILITY COMMISSION (ESTABLISHMENT) ACT, 2007 TO EMPOWER THE COMMISSION TO STEM THE HUGE COST ASSOCIATED WITH BUDGET DELAY IN NIGERIA THROUGH EFFICIENT BUDGET CYCLE MANAGEMENT AND AUTOMATION OF BUDGET FORMULATION PROCESS AT THE FEDERAL LEVEL AND FOR RELATED MATTERS

Sponsored by Hon. Mansur Manu Soro

[] Commencement

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

- | | | |
|----|---|--|
| 1 | 1. The Fiscal Responsibility (Establishment) Act Cap F40 LFN | Amendment of the Fiscal Responsibility Act, 2007 |
| 2 | 2007 (in this Bill referred to as "the Principal Act") is amended as set out in | |
| 3 | this Bill. | |
| 4 | 2. Section 19 of the Principal Act is amended by introducing a new | Amendment of Section 19 |
| 5 | subsection (g) which shall read thus "an Annual Budget Policy Statement | |
| 6 | which shall clearly detail government policy thrust in the next fiscal year | |
| 7 | and set out procedures for allocation of resources to sectors and spending | |
| 8 | ceiling". | |
| 9 | 3. Section 21(2) of the Principal Act is further amended thus "Each | Amendment of section 21 subsection (2) |
| 10 | of the bodies referred to in subsection (1) of this section shall submit to the | |
| 11 | Minister not later than the date prescribed in Schedule III of this Act". | |
| 12 | 4. Section 22(1) of the Principal Act is further amended to read | Amendment of section 22 subsection (1) |
| 13 | thus "Notwithstanding the provisions of any written law governing the | |
| 14 | corporation, each corporation shall be guided by the extant regulations on | |
| 15 | the operations of Treasury Single Account of the Federal Government of | |
| 16 | Nigeria". | |

Deletion of section 22 subsection (2)	1	5. Section 22(2) of the Principal Act is hereby deleted.
Amendment of section 23 subsection (3)	2	6. Section 23(3) of the Principal Act is further amended to read thus
	3	"Each corporation shall prepare and publish quarterly consolidated budget
	4	performance report in accordance with requirements set out in Schedule VI of
	5	this Act".
Introduction of a new section 23 subsection (4)	6	7. The Principal Act is further amended by introducing section 23 (4)
	7	which shall read thus "Each corporation shall prepare and submit monthly
	8	transcripts of revenues and expenditures by line items and forward to the CBN
	9	and Ministry of Finance in accordance with Schedule IV of this Act".
Amendment of section 30 subsection (1)	10	8. Section 30(1) of the Principal Act is further amended and read thus
	11	"The Minister of Finance, through the Budget Office of the Federation, shall
	12	monitor and evaluate the implementation of the Annual Budget in accordance
	13	with Schedule V of this Act, assess the attainment of fiscal targets and report on
	14	a monthly basis to the Fiscal Responsibility Council and the Joint Finance
	15	Committee of the National Assembly".
Amendment to the Schedule	16	9. The Schedule in the Principal Act is amended and reads thus
	17	"Schedule J".
Introduction of a new Schedule 2	18	10. The Principal Act is further amended by introducing Schedule n
	19	which shall provide details on the annual budget planning activities.
Introduction of a new Schedule 3	20	11. The Principal Act is further amended by introducing Schedule III
	21	which shall provide details on the annual budget preparation activities.
Introduction of a new Schedule 4	22	12. The Principal Act is further amended by introducing Schedule IV
	23	which shall provide details on budget execution and control activities.
Introduction of a new Schedule 5	24	13. The Principal Act is further amended by introducing a Schedule V
	25	which shall provide details on budget monitoring and evaluation activities.
Introduction of a new Schedule 6	26	14. The Principal Act is further amended by introducing a Schedule
	27	VI which shall provide details on budget audit and reporting activities.
Citation	28	15. This Bill may be cited as the Fiscal Responsibility Act
	29	(Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to enhance the powers of the Fiscal Responsibility Commission to carry-out its statutory responsibilities and stem the huge cost associated with budget delay in the country through efficient budget cycle management and improved budget formulation, execution, and monitoring at the Federal level.

SCHEDULE II
ANNUAL BUDGET PLANNING

S/N	ACTIVITY	RESPONSIBILITY	TIMELINE
1	Review Economic and Fiscal Situation & Updates	▪ Ministry of Finance	Week 2, June
2	Preparation of a Fiscal Framework.	▪ Ministry of Finance	Week 3, June
3	Review of Annual Budget Policy	▪ Ministry of Finance	Week 4, June
4	Preparation of Draft Annual Budget Call Circular	▪ Ministry of Finance	Week 4, June
5	Preparation/Updating of Medium-Term Expenditure Framework (MTEF)	▪ Ministry of Finance	Week 4, June
6	Stakeholders' Consultation	✦ Ministry of Finance ✦ Ministry of Information	Week 4, June
7	Consideration/Approval of Draft Call Circular	✦ Joint Appropriation Committees ✦ Ministry of Finance	Week 1, July

SCHEDULE III
ANNUAL BUDGET PREPARATION

S/N	ACTIVITY	RESPONSIBILITY	TIMELINE
1	Approval and Circulation of Annual Budget Call Circular to all MDAs.	▪ Ministry of Finance	Week 1, July
2	Consultation between EXCO and the National Assembly	▪ Honourable Minister, Ministry of Finance	August
3	Preparation of Annual Budget Proposals by MDAs.	▪ All MDAs	August
4	Submission of draft Budget Proposals by MDAs to the Ministry of Finance.	▪ All MDAs	Week 1, August
5	Review of Budget Proposals by the Ministry of Finance	▪ Ministry of Finance	Week 2, August
6	Bilateral budget discussions (negotiation and defense of MDAs' budget proposals)	✦ Ministry of Finance ✦ Other MDAs	15 th August to 7 th September

7	Collation, Analysis and Consolidation of draft budget	▪ Ministry of Finance	Week 2, September
8	Presentation of Draft Consolidated budget to the Central Bank of Nigeria	▪ Honourable Minister, Ministry of Finance	Week 3, September
9	Presentation of Draft Consolidated Budget to the Federal Executive Council	▪ Federal Executive Council	Week 4, September
10	Presentation of Draft Budget to National Assembly	▪ The President	Week 4, September
11	Debate, defence, and report on the Appropriation Bill by the National Assembly	▪ National Assembly	November/ December
12	President's Assents to Appropriation Act	▪ The President	Week 3, December
13	Presentation of the Budget to the general public	▪ The President	Week 1, January

SCHEDULE IV
BUDGET EXECUTION & CONTROL

S/N	ACTIVITY	RESPONSIBILITY	TIMELINE
1	MDAs carry out budget profiling of both revenues	▪ MDAs (coordinated by the Ministry of Finance)	January
2	Request for Quarterly Capital Project Work Plan	✦ CBN ✦ Ministry of Finance	Week 2, January
3	Submission of Quarterly Capital Project Work Plan	▪ MDAs	Week 4, January
4	Monthly Release of Funds for Personnel and non-salary recurrent costs.	▪ CBN	Monthly
5	Monthly Revenue & Expenditure Returns	▪ MDAs	Week 2, Monthly

SCHEDULE V
BUDGET MONITORING & EVALUATION

S/N	ACTIVITY	RESPONSIBILITY	TIMELINE
1	Monthly Budget Performance Review	All MDAs	Week 2 of the succeeding month
2	Monitoring of Individual Capital Project & Programme	<ul style="list-style-type: none"> ✦ MDAs ✦ Ministry of Finance ✦ Budget Office 	Monthly
3	Consolidated Budget Performance	<ul style="list-style-type: none"> ✦ Ministry of Finance ✦ Budget Office 	Week 3 of the succeeding month
4	Consolidated Project Monitoring	<ul style="list-style-type: none"> ✦ Ministry of Finance 	Quarterly

SCHEDULE VI
AUDIT & REPORTING

S/N	ACTIVITY	RESPONSIBILITY	TIMELINE
1	Preparation of monthly internal audit reports	MDAs' Resident Internal Auditors	Week 1 of the succeeding month
2	External Audit (Statutory Audit, ad hoc, special, interim and final Audit)	Office of the Auditor-General of the Federation (OAUGF)	<ul style="list-style-type: none"> ✦ Quarterly ✦ Annually
3	Reporting, Publication and Dissemination of various reports.	<ul style="list-style-type: none"> ✦ Ministry of Finance ✦ OAUGF ✦ CBN ✦ MDAs' Internal Auditor's Office 	<ul style="list-style-type: none"> ✦ Quarterly ✦ Annually

FEDERAL COLLEGE OF MEDICAL AND PHARMACEUTICAL SCIENCES,
KONKIYEL (ESTABLISHMENT) BILL, 2019

ARRANGEMENT OF SECTIONS

Section

1. Establishment of the Federal College of Medical & Pharmaceutical Sciences, Konkiyel
 2. Governing Council of the college
 3. Membership of the Governing Council
 4. Tenure of members of the Governing Council
 5. Functions of the College
 6. Powers of the Council
 7. The Visitor
 8. The Academic Board and its functions
 9. Power of Minister
 10. The Provost of the College
 11. Deputy Provosts
 12. The Registrar of the College
 13. Other Principal Officers of the College
 14. Resignation of appointment of Principal Officer
 15. Other employees of the College
 16. Pension
 17. Selection Board for other Principal Officers
 18. Fund of the college
 19. Power to accept gifts
 20. Account and audit
 21. Annual Reports
 22. Interpretation
 23. Short title
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF MEDICAL AND PHARMACEUTICAL SCIENCES, KONKIYEL, TO PROVIDE PART-TIME AND FULL- TIME COURSES, TEACHING, INSTRUCTION AND TRAINING IN MEDICAL, PHARMACEUTICAL, LABORATORY AND APPLIED SCIENCES; AND TO PROVIDE FOR THE APPOINTMENT OF THE PROVOST AND OTHER OFFICERS OF THE COLLEGE TO CARRY OUT THE ADMINISTRATION AND THE DISCIPLINE OF STUDENTS OF THE COLLEGE AND FOR RELATED MATTERS

Sponsored by: Hon. Mansur Manu Soro

[] Commencement

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

- 1 1.-(1) There is established the Federal College of Medical and Establishment of
2 Pharmaceutical Sciences, Konkiyel, Bauchi State (hereinafter referred to as of the Federal College
3 "the college"). of Medical and
4 Pharmaceutical
5 Sciences, Konkiyel
- 6 (2) The college shall be a body corporate with perpetual succession
7 and common seal and shall have power to acquire and dispose of interest in
8 movable and immovable properties.
- 9 (3) The college may sue and be sued in its corporate name.
- 10 2.-(1) The governance and direction of the college affairs shall rest Governing Council
11 in the governing council of the college (hereinafter referred to as "the of the College
12 Council").
- 13 (2) The Council shall have the responsibility to consider and
14 approve:
15 (a) The Programme of studies to be undertaken in the college;
 (b) The annual estimates of the college; and
 (c) The investment plan of the college.

	1	(3) The provision of the schedule to this Bill shall have effect with
	2	respect to the Council as mentioned herewith.
Membership of the Council of the College	3	3. The Council of the college shall consist of:
	4	(a) A chairman and other members to be appointed by the President;
	5	(b) A representative of the Federal Ministry of Education;
	6	(c) A representative of the university to which the college is affiliated
	7	for the purposes of moderation;
	8	(d) Two representatives of the academic board of the college;
Tenure of members of the Council	9	(e) A representative of the National Commission for College of
	10	Education; and
	11	(f) The Provost of the college.
	12	4.-(1) A member of the Council (other than the ex officio members)
	13	shall hold office for a term of four years and subject to the provision of
	14	subsection (2) of this section shall be eligible for re-appointment for a further
Functions of the College	15	term of four years.
	16	(2) The office of a member appointed under section 3 of this Bill shall
	17	become vacant if:
	18	(a) The member resigns from office by notice in writing under his
	19	hand and addressed to the Minister; or
	20	(b) The Minister is satisfied that it is not in the interest of the college
	21	for the person to continue in office and notifies the member in writing to that.
	22	5. The functions of the college shall be:
	23	(a) To provide part-time and full-time courses in teaching,
	24	instructions, and training in:
	25	(i) Medical, Pharmaceutical, Laboratory, and Applied Sciences.
	26	(ii) In such discipline of learning relevant to the delivery of quality
	27	healthcare to Nigerians.
	28	(b) To conduct courses in medical, pharmaceutical, laboratory, and
	29	applied sciences;
	30	(c) To arrange conferences, seminars, and workshops relative to the

1 functions of the college; and

2 (d) To perform such other functions as in the opinion of the Council
3 may promote the objectives of the college.

4 **6.** The Council of the college shall have power to:

Powers of the
Council

5 (a) Hold examinations and grant certificates, diplomas, and other
6 distinctions to persons who have pursued course of study approved and
7 accredited by the National Commission for Colleges of Education;

8 (b) Recruit staff and determine structure of such staff;

9 (c) Demand and receive from any student or any other person
10 attending the college, for the purpose of education or training, such fees as
11 the Council may with the approval of the Minister from time to time
12 determine;

13 (d) Hold public lectures and undertake printing, publishing, and
14 bookselling;

15 (e) Award fellowships, medals, prizes, and academic title;

16 (f) Establish and maintain such schools and other teaching units
17 with the college or extra moral departments as the Council may from time to
18 time determine;

19 (g) Erect, provide, equip, and maintain such educational
20 recreational and residential facilities as the college may require;

21 (h) Create lectureships and other academic post and offices and to
22 make appointment thereof receive and make gifts;

23 (i) Enter into such contracts as may be necessary or expedient for
24 carrying into effect the objective of the college;

25 (j) Provide amenities for and make such other provisions for the
26 welfare of the staff and students of the college;

27 (k) Encourage and make provision for research in the college; and

28 (l) Do such acts and things whether or not incidental to the
29 foregoing (a) to (k) as may advance the objects of the college.

The Visitor	1	7.-(1) The Minister responsible for education shall be the Visitor of
	2	the college.
	3	(2) The Visitor shall, not less than once in every five years, conduct a
	4	visitation to the college or appoint a visitation panel to consist of not less than
	5	five experts to conduct the visitation:
	6	(a) For the purpose of evaluating the academic and administrative
	7	performance of the college; and
	8	(b) For such other purpose as the Visitor may deem fit.
The Academic Board and its functions	9	8.-(1) There shall be established for the college a board to be known as
	10	the Academic Board which shall consist of the following members:
	11	(a) The Provost of the college as the chairman;
	12	(b) All heads of departments;
	13	(c) The college Bursar;
	14	(d) The college Librarian; and
	15	(e) Not more than three members of the academic staff other than the
	16	heads of departments to be appointed by the Council.
	17	(2) The Academic Board shall be responsible for:
	18	(a) The direction and management of academic matters of the college
	19	including the regulation of admission of students, the award of certificates,
	20	scholarships, prizes, and other academic distinctions; and
	21	(b) Discharging any other functions which the Council may from time
	22	to time delegate to it.
Power of Minister	23	9. The Minister may give to the Council directions of general
	24	character or relating generally to matters with regard to the exercise by the
	25	Council of its functions and it shall be the duty of the Council to comply with
	26	such directions.
The Provost of the College	27	10.-(1) There shall be a Provost for the college (hereinafter referred to
	28	as "the Provost") who shall be appointed by the President on the
	29	recommendation of the Minister.
	30	(2) Where a vacancy occurs in the post of the Provost, the Council

1 shall advertise the vacancy in reputable widely-read newspaper in Nigeria
2 specifying:

3 (a) the academic qualifications and qualities of the person who
4 may apply for the post; and (b) the terms and conditions of service
5 applicable to the post and thereafter draw up a shortlist of suitable
6 candidates for consideration of the Minister.

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

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

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

16 11.-(1) There shall be for the college two deputy provosts namely: Deputy Provosts
17 Deputy Provost (Academic) and Deputy Provost (Administration).

18 (2) The Council shall appoint the deputy provosts from among the
19 chief lecturers in the college in any of the following ways, that is:

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

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

24 (c) On the nomination of the Provost

25 (3) The Selection Board referred to in subsection (2)(b) of this
26 section shall consist of:

27 (a) the chairman of the Council;

28 (b) the Provost of the college; (c) two members of the Academic
29 Board; and

30 (d) two members of the Council not being members of the

1 Academic Board.

2 (4) The Deputy Provost (Academic) shall:

3 (a) assist the Provost in the performance of his function in Academic
4 matters of the college; and

5 (b) act as the Provost when the post of the Provost is vacant or if the
6 Provost is for any reason, absent or unable to perform his function.

7 (5) The Deputy Provost (Administration) shall:

8 (a) assist the Provost in administrative matters of the college; and

9 (b) perform such other functions as the Provost or the Council may
10 from time to time assign to him.

11 (6) Each of the deputy provosts shall hold office for a period of two
12 years and no more.

The Registrar
of the College

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

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

17 (3) The Registrar shall be the secretary to:

18 (a) the Council;

19 (b) the Academic Board; and

20 (c) any committee of the Council.

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

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

Other Principal
Officers of the
College

25 **13.**-(1) There shall be for the college in addition to the Registrar:

26 (a) the Bursar; and (b) the Librarian both of whom shall be appointed
27 by the Council.

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

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

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

6 **14.** A principal officer of the college may resign his appointment: Resignation of
appointment of
Principal Officer
7 (a) in the case of the Provost, by written notice to the Visitor; and
8 (b) in any other case, by written notice to the Council.

9 **15.**-(1) The Council may appoint other persons to be employees of Other employees
of the College
10 the college as the Council may deem fit to assist the Provost and the
11 Principal Officers in the performance of their functions.

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

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

20 **17.**-(1) There shall be a Selection Board for the college which shall Selection Board
for other Principal
Officers
21 consist of:

- 22 (a) the chairman of the Council;
23 (b) the Provost;
24 (c) four members of the Council not being members of the
25 Academic Board; and
26 (d) two members of the Academic Board.

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

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

1 "Council" means the Governing Council of the college established under
2 section 2 of this Bill;
3 "function" includes power and duties;
4 "Minister" means the minister charged with the responsibility of overseeing
5 the Federal Ministry of Education;
6 "member" means a member of the Governing Council including the
7 chairman;
8 "President" means the President and Commander-in-Chief of the Armed
9 Forces of the Federal Republic of Nigeria;
10 "Provost" means the Provost of the college established under section 10 of
11 this Bill.

12 **23.** This Bill may be cited as the Federal College of Medical and Citation
13 Pharmaceutical Sciences, Konkiyel (Establishment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Medical and Pharmaceutical Sciences, Konkiyel to address the acute shortage of medical and pharmaceutical personnel in the North-East region of Nigeria through the provision of quality education and relevant trainings in the areas of medical, pharmaceutical, and related sciences. The education and trainings will culminate in the award of academic certificates, diplomas, professional certificates, and other academic distinctions.

1 SCHEDULE

2 [Section 2(3)]

3 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

4 *Terms of Service*

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

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

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

15 4.-(1) The Council shall meet for the conduct of business at such
16 times, places, and on such days as the chairman may appoint but shall meet not
17 less than once every four months

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

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

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

27 (5) Decisions of the Council shall be arrived at by votes of a simple
28 majority of members in attendance at a Council meeting.

29 *Miscellaneous*

30 5.-(1) the fixing of the seal of the college shall be authenticated by the

1 signature of the chairman, Provost, and of some other members of the
2 Council authorised generally or specially by the Council to act for that
3 purpose.

4 (2) any contract or instrument which, if made or executed by a
5 person other than 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 authorised for that purpose by the Council.

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

FEDERAL POLYTECHNIC (TECHNICAL) WAILO, GANJUWA BAUCHI STATE
(ESTABLISHMENT, ETC) BILL, 2019

ARRANGEMENT OF SECTIONS

*Establishment of the Federal Polytechnic (Technical) Wailo,
Ganjuwa Bauchi State*

1. Establishment of Federal Polytechnic (Technical) Wailo, Ganjuwa Bauchi State
2. Functions of the Polytechnic
3. Establishment and constitution of each Council, etc.
4. Visitation
5. Registrar of the Polytechnic
6. Tenure of office of the Registrar
7. General Functions of the Council

Staff

8. The Rector of the Polytechnic
9. Deputy Rector
10. Other principal officers of each polytechnic
11. Resignation of appointment of principal officers
12. Selection Board for other principal officers
13. Other employees of the polytechnic
14. Application of the Pensions Act

Establishment of the Academic Board

15. The Academic Board

Tenure of Office

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

Discipline

18. Discipline of students
19. Discipline of junior staff

Financial Provisions

- 20. Audit of accounts
- 21. Funds of each Council
- 22. Donations for particular purposes
- 23. Payment into bank
- 24. Annual report

Miscellaneous and Supplemental

- 25. Power to make bye-laws
- 26. Exclusion of discrimination on account of race, religion, etc.
- 27. Quorum and Procedure of bodies established under this Act
- 28. Interpretation
- 29. Short title

SCHEDULE

Supplementary Provisions relating to the Council

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC (TECHNICAL) WAILO, GANJUWA BAUCHI STATE TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY, APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF SUCH POLYTECHNICS AND FOR RELATED MATTERS

Sponsored by Hon. Mansur Manu Soro

[] Commencement

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

3 1. There is hereby established the federal Polytechnic (Technical)
4 Wailo, Ganjuwa Bauchi State specified in the First Schedule to this Act (in
5 this Act severally referred to as "the polytechnic") which shall have such
6 powers and exercise such functions as are specified in this Act.

Establishment of
Federal Polytechnic
(Technical) Wailo,
Ganjuwa Bauchi
State

7 2.-(1) The functions of the Polytechnic shall be:

Functions

8 (a) to provide full-time or part-time courses of instruction and
9 training;

10 (i) in technology, applied science, commerce and management;
11 and

12 (ii) In such other fields of applied learning relevant to the needs of
13 the development of Nigeria in the area of industrial and agricultural
14 production and distribution and for research in the development and
15 adaptation of techniques as the Council may from time to time determine;

16 (b) to arrange conferences, seminars and study groups relative to
17 the fields of learning specified in paragraph (a) of this subsection (1);

18 (c) to perform such other functions as in the opinion of the Council
19 may serve to promote the objectives of the polytechnic.

20 (2) Nothing in this section shall preclude the government of a State

Establishment
and constitution
of each Council,
etc.

1 or any of its agencies from setting up a polytechnic similar to any polytechnic
2 established under this Act.

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

7 (2) The Council shall consist of a Chairman and the following other
8 members, that is:

9 (a) one person to represent the universities;

10 (b) one person to represent the Manufacturers' Association of Nigeria;

11 (c) one person to represent professional bodies whose disciplines are
12 taught at the polytechnic;

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

15 (e) one person of standing in the community where the polytechnic is
16 situate;

17 (f) the Rector of the polytechnic;

18 (g) one representative of the Minister charged with responsibility for
19 matters relating to polytechnics;

20 (h) one representative of the Permanent Secretary of the Ministry
21 charged with responsibility for matters relating to industries;

22 (i) one representative of the academic board of the polytechnic;

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

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

28 (3) The Chairman and members of the Council other than ex-officio
29 members shall be appointed by the President.

30 (4) The provisions set out in the Second Schedule to this Act shall

1 apply in relation to the constitution of the Council and the other matters
2 therein specified.

3 **4.-(1)** The Minister of Education shall be the Visitor to the Visitation
4 Polytechnic.

5 (2) The Visitor shall, not less than once in every five years, conduct
6 a visitation of the college or appoint a Visitation Panel, consisting of not less
7 than five experts. To conduct the visitation:

8 (a) for the purpose of evaluating the academic and administrative
9 performance of the polytechnic;

10 (b) for such other purpose or in respect of any other affairs of the
11 polytechnic as the Visitor may deem fit.

12 **5.-(1)** There shall be a Registrar to the polytechnic who shall be Registrar of the
13 responsible to the Rector for the day- to-day administration of the Polytechnic
14 polytechnic and shall perform such other duties as the Councilor, as the case
15 may be, the Rector may from time to time require him to do.

16 (2) The Registrar shall be the secretary to the Council, the
17 Academic Board and any committee of the Council and shall attend all the
18 meetings of those bodies unless excused
19 for good reason by the chairman of the Council.

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

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

28 **6.-(1)** A Registrar:

29 (a) shall hold office for a period of five years beginning from the
30 effective date of his appointment and on such terms and conditions as may

Tenure of office
of the Registrar

1 be specified in the letter of his appointment; and

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

4 (2) Where on the commencement of this section, a Registrar has held
5 office:

6 (a) for five years or less, he shall be deemed to be serving his first term
7 of office and may be re-appointed for a further term of five years;

8 (b) for more than five years but less than ten years, he shall complete
9 the maximum period of ten years and thereafter relinquish his post and be
10 assigned other duties in the polytechnic;

11 (c) for ten years or more, the Council may allow him to serve as
12 Registrar for a further period of one year only and thereafter he shall relinquish
13 his post and be assigned other duties in the polytechnic.

General functions
of the Council

14 7.-(1) Subject to provision of this Act, the Council shall be the
15 governing body of the polytechnic concerned and shall have the general
16 management of the affairs of the polytechnic, and in particular, the control of
17 the property and finances of the polytechnic; and shall also have power to do
18 anything which in its opinion is calculated to facilitate the carrying out of the
19 activities of the polytechnic and promote its best interests.

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

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

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

1 *Staff*

2 **8.-(1)** There shall be a Rector of the polytechnic ("the Rector") who The Rector
 3 shall be appointed by the President in accordance with the provisions of this
 4 section.

5 (2) Where a vacancy occurs in the post of Rector, the Council shall:

6 (a) advertise the vacancy in a reputable journal or widely read
 7 newspaper In Nigeria, specifying:

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

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

11 (b) constitute a Search Team consisting of:

12 (i) a member of the Council, not being a member of the Academic
 13 Board, as Chairman;

14 (ii) two members of the Academic Board, not below the rank of
 15 Chief Lecturer;

16 (iii) Two members of the Academic Community of the college not
 17 below the rank of Chief Lecturer, to be selected by Council, to identify and
 18 draw up a short list of persons who are not likely to apply on their own
 19 volition because they feel that it is not proper to do so.

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

22 (a) the Chairman of the Council;

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

25 (c) two members of the Academic Board not below the rank of
 26 Chief Lecturer, who were not members of the Search Team, shall consider
 27 the candidates on the short list drawn up under subsection (2) of this section
 28 through an examination of their curriculum vitae and interaction with them
 29 and recommend, through the Council, to the President, three candidates for
 30 his consideration.

1 (4) The President shall appoint, as Rector, one of the candidates
2 recommended to him under the provisions of subsection (3) of this section.

3 (5) Subject to this Act and the general control of the Council, the
4 Rector shall be the Chief Executive of the polytechnic and shall be charged
5 with responsibility for matters relating to the day-to-day management
6 operations of the polytechnic.

7 (6) The Rector:

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

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

Deputy Rector

12 **9.-(1)** There shall be for the polytechnic a Deputy Rector.

13 (2) The Council shall appoint the Deputy Rector from among the
14 chief lecturers in the polytechnic in one of the following ways:

15 (a) from a list of three candidates, in order of preference, submitted by
16 the Rector;

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

19 (c) on the nomination of the Rector.

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

22 (a) consist of:

23 (i) the Chairman of the Council;

24 (ii) the Rector;

25 (iii) two members of the Council not being members of the Academic
26 Board;

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

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

30 (4) The Deputy Rector:

1 (a) shall assist the Rector in the performance of his functions;
 2 (b) act in the place of the Rector when the post of Rector is vacant
 3 or if the Rector is for any reason absent or unable to perform his functions as
 4 Rector; and
 5 (c) perform such other functions as the Rector may, from time to
 6 time, assign to him.

7 (5) The Deputy Rector:

8 (a) shall hold office for a period of two years beginning from the
 9 effective date of his appointment and on such terms and conditions as may
 10 be specified in his letter of appointment; and
 11 (b) may be re-appointed for one further period of two years and no
 12 more.

13 **10.-(1)** There shall be for the polytechnic the following other Other principal
 14 principal officers in addition to the Registrar, that is: officers of the
Polytechnic

15 (a) the Bursar; and
 16 (b) the polytechnic Librarian, who shall be appointed by the
 17 Council on the recommendation of the Selection Board constituted under
 18 section 9(b) of this Act.

19 (2) The Bursar shall be the Chief Financial Officer of the
 20 polytechnic and be responsible to the Rector for the day to day
 21 administration and control of the financial affairs of the polytechnic.

22 (3) The polytechnic Librarian shall be responsible to the Rector for
 23 the administration of the polytechnic library and the co-ordination of the
 24 library services in the teaching units of the polytechnic.

25 (4) The Bursar or Librarian:

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

29 (b) may be re-appointed for a further period of five years and no
 30 more.

	1	(5) Where on the commencement of this section, a Bursar or Librarian
	2	has held office:
	3	(a) for five years or less, he shall be deemed to be serving his first term
	4	of office and may be reappointed for a further term of five years;
	5	(b) for more than five years but less than ten years, he shall complete
	6	the maximum period of ten years and thereafter relinquish his post and be
	7	assigned other duties in the polytechnic;
	8	(c) for ten years or more, the Council may allow him to serve as
	9	Registrar for a further period of one year only and thereafter he shall relinquish
	10	his post and be assigned other duties in the polytechnic.
Resignation of appointment of principal officers	11	11. A principal officer may resign his appointment:
	12	(a) in the case of the Rector, by notice to the Visitor;
	13	(b) in any other case, by notice to the Council.
Selection Board for other principal officers	14	12.-(1) There shall be, for each college, a Selection Board which shall
	15	consist of:
	16	(a) the chairman of the Council;
	17	(b) the Rector;
	18	(c) four members of the Council not being members of the Academic
	19	Board;
	20	(d) two members of the Academic Board.
	21	(2) The functions and procedure and other matters relating to the
	22	Selection Board constituted under subsection (1) of this section shall be as the
	23	Council may, from time to time, determine.
Other employees of the polytechnic	24	13.-(1) The Council may appoint such other persons to be employees
	25	of the polytechnic as the Council may determine to assist the Rector and the
	26	principal officers of the polytechnic in the performance of their functions under
	27	this Act.
	28	(2) The power to appoint all other employees of the polytechnic shall
	29	be exercised:
	30	(a) in the case of senior employees, by the Council on the

1 recommendation of the Appointment and Promotions Committee set up
2 under the provisions of paragraph 3 (2):

3 (a) of the Second Schedule to this Act;

4 (b) in the case of junior employees, by the Rector on the
5 recommendation of the Junior Staff Appointments and Promotions
6 Committee constituted under paragraph 3 (2) (b) of the Second schedule to
7 this Act.

8 (3) Subject to the provisions of this Act, the remuneration, tenure of
9 office and conditions of service of the employees of the Council shall be
10 determined by the Council in consultation with the Federal Civil Service
11 Commission.

12 **14.**-(1) The Federal Civil Service Commission may by order
13 published in the Federal Gazette declare the office of the Rector or any other
14 person employed by the Council to be a pensionable office for the purposes
15 of the Pensions Act.

Application of
the Pension Act

16 (2) Nothing in the provisions of subsection (1) of this section shall
17 prevent the appointment of any person to any office on terms which preclude
18 the grant of a pension or gratuity in respect of service in that office.

19 *Establishment of the Academic Board*

20 **15.**-(1) There shall be established for each polytechnic a board to
21 be known as the Academic Board which shall consist of the following
22 members:

The Academic
Board

23 (a) the Rector of the polytechnic, as the Chairman;

24 (b) the Deputy-Rector of the polytechnic;

25 (c) all Heads of Departments;

26 (d) the polytechnic Librarian; and

27 (e) not more than two members of the academic staff, other than
28 heads of departments, who may be appointed by the Academic Board.

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

30 (a) the direction and management of academic matters of the

1 polytechnic including the regulation of admission of students, the award of
2 certificates and diplomas, scholarships, prizes and other academic distinctions;

3 (b) the making to the Council of such periodic reports on such
4 academic matter as the Academic Board may think fit or as the Council may
5 from time to time direct; and

6 (c) the discharge of any other functions which the Council may
7 delegate to it.

8 *Tenure of Office*

Removal from
office of members
of the Council
and the Rector

9 **16.-(1)** If it appears to the Council that a member of the Council (other
10 than an ex-officio member) or the Rector should be removed from office on the
11 ground of misconduct or inability to perform the functions of his office, the
12 Council shall make a recommendation to that effect to the President, and if the
13 President, after making such inquiries as he considers necessary, approves the
14 recommendation, the President, shall, in writing, declare the office of such
15 member vacant.

16 (2) The President may remove any member of the Council if he is
17 satisfied that it is not in the public interest or in the interest of the polytechnic
18 that such member should continue as a member of the Council.

Removal and
discipline of
academic,
administrative
and technical
staff

19 **17.-(1)** If it appears to the Council that there are reasons for believing
20 that any person employed as a member of the academic, administrative or
21 technical staff of the polytechnic, other than the Rector, should be removed
22 from office on the ground of misconduct or inability to perform the functions of
23 his office, the Council shall:

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

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

27 (c) if he or any three members of the Council so request within the
28 period of one month beginning with the date of the notice, make arrangements:

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

1 (ii) for a committee of the Council to investigate the matter, where
2 it relates to any other member of the staff of the polytechnic and to report on
3 it to the Council; and

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

10 (2) The Rector may, in a case of misconduct by a member of the
11 staff which in the opinion of the Rector is prejudicial to the interests of the
12 polytechnic, suspend such member and any such suspension shall forthwith
13 be reported to the Council.

14 (3) For good cause, any member of staff may be suspended from
15 office or his appointment may be terminated by the Council, and for the
16 purpose of this subsection, "good cause" means:

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

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

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

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

29 (4) Any person suspended pursuant to subsection (2) or (3) of this
30 section, shall be placed on half pay and the Council shall before the

1 expiration of the period of three months after the date of such suspension
2 consider the case against that person and come to a decision as to:

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

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

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

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

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

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

24 *Discipline*

Discipline of
students

25 **18.-(1)** Subject to the provisions of this section, where it appears to
26 the Rector that any student of the polytechnic has been guilty of misconduct,
27 the Rector may, without prejudice to any other disciplinary powers conferred
28 on him by this Act or regulations made hereunder direct:

29 (a) that the student shall not during such period as may be specified in
30 the direction, participate in such activities of the polytechnic, or make use of

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

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

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

7 (d) that the student be expelled from the polytechnic.

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

13 (3) Where a direction is given under subsection (1) (c) or (d) of this
14 section in respect of any student, the student may, within a period of 21 days
15 from the date of the letter communicating the decision to him, appeal from
16 the direction to the Council; and where such an appeal is brought, the
17 Council shall, after causing such inquiry to be made in the matter as the
18 Council considers just, either confirm or set aside the direction or modify it
19 in such manner as the Council may think fit.

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

23 (5) The Rector may delegate his power under this section to a
24 disciplinary committee consisting of such members of the polytechnic as he
25 may nominate.

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

29 (7) It is hereby declared that a direction under subsection (1) (a) of

1 this section may be combined with a direction under subsection (1) (b) of this
2 section.

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

Discipline of
junior staff

5 **19.**-(1) If any junior staff is accused of misconduct or inefficiency, the
6 Rector may suspend him for not more than three months and forthwith shall
7 direct the Junior Staff Appointments and Promotions Committee:

8 (a) to consider the case; and

9 (b) to make recommendations as to the appropriate action to be taken
10 by the Rector.

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

14 (3) The Rector may, after considering the recommendation made
15 pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or
16 down-grade the officer concerned.

17 (4) Any person aggrieved by the Rector's decision under subsection
18 (3) of this section, may within a period of 21 days from the date of the letter
19 communicating the decision to him, address a petition to the Council to
20 reconsider his case and the Council's decision thereon shall be final.

21 (5) In any case of gross misconduct on the part of a junior staff, the
22 Rector shall forthwith suspend him and thereafter refer the matter to the Junior
23 Staff Appointments and Promotions Committee to be dealt with according to
24 the foregoing provision of this section.

25 *Financial Provisions*

Audits of
accounts

26 **20.**-(1) Each Council shall keep proper accounts and proper records in
27 relation thereto and shall cause to be prepared, not later than 1 October in each
28 financial year, an estimate of its revenue and expenditure for the ensuing
29 financial year and when prepared, the estimate shall be submitted to the
30 National Board for Technical Education for approval. (2) At the end of each

1 financial year but not later than 30 June the Council shall cause to be
2 prepared a statement of its income and expenditure during the previous
3 financial year.

4 (3) The statement of accounts referred to in subsection (2) of this
5 section shall, when certified by the Rector, be audited by a firm of auditors
6 appointed from the list and in accordance with the guidelines supplied by the
7 Auditor-General of the Federation and shall be published in the annual
8 report of the polytechnic.

9 **21.** The funds of the Council shall include:

Funds of the
Council

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

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

13 (c) revenue from time to time accruing to the Council from the
14 Federal Government by way of subvention, grant-in-aid, endowment or
15 otherwise howsoever;

16 (d) donations and legacies accruing to the Council from any source
17 for the special purpose of the Council.

18 **22.-(1)** Donations of money to be applied to any particular purpose
19 shall be placed to the credit of a special reserve account approved by the
20 Council until such time as they may be expended in fulfilment of such
21 purpose.

Donations for
particular purposes

22 (2) No Council shall be obliged to accept a donation for a particular
23 purpose unless it approves of the terms and conditions attached to such
24 donation.

25 **23.** All sums of money received on account of the Council shall be
26 paid into such bank for the credit of the Council as may be approved by the
27 Council.

Payment into
bank

28 **24.** The Council shall on or before 31 December in each year
29 prepare and submit to the President through the Minister, a report of the
30 activities during the preceding financial year and shall include in the report,

Annual report

1 the audited accounts of the polytechnic in respect of that financial year and the
2 auditors' comments on the account.

3 *Miscellaneous and Supplemental*

Power to make
bye-laws

4 **25.**-(1) The Council may make bye-laws relating to any matter within
5 its competence under this Act other than matters for which provision is to be
6 made by standing orders pursuant to paragraph 7 of the Schedule to this Act.

7 (2) All such bye-laws shall be in writing and shall come into force
8 when sealed with the seal of the Council unless some other date for their
9 commencement is prescribed therein.

10 (3) Nothing in subsection (2) of this section, shall make it obligatory
11 for the Council to publish any of the said bye-laws in the Federal Gazette but
12 the Council shall bring such bye-laws to the notice of all affected thereby.

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

13 **26.** No person shall be required to satisfy requirements as to any of
14 the following matters, that is to say race (including ethnic grouping), sex, place
15 of birth or of the family origin or religious or political persuasion or as a
16 condition of becoming or continuing to be a student at the polytechnic or as a
17 holder of any certificate of the polytechnic; or of any appointment or
18 employment at the polytechnic, or a member of anybody established by virtue
19 of this Act; and no person shall be subjected to any disadvantage or accorded
20 any advantage in relation to the polytechnic by reference to any of those
21 matters:

22 Provided that, nothing in this section shall be construed as preventing
23 the polytechnic from imposing any disability or restriction on any of the
24 aforementioned persons where such a person wilfully refuses or fails on
25 grounds of religious belief to undertake any duty generally and uniformly
26 imposed on all such persons or any group of them which duty, having regard to
27 its nature and the special circumstances pertaining thereto is, in the opinion of
28 the polytechnic, reasonably justifiable in the national interest.

Quorum and
procedure of
bodies established
under this Act

29 **27.** Subject to the provisions of paragraph 6 (2) of the Schedule to this
30 Act and any standing orders or bye-law made under this Act, the quorum and

1 procedure of any body of persons established by this Act shall be such as
2 may be determined by that body.

3 **28.** In this Act, unless the context otherwise requires:

Interpretation

4 "The Academic Board" means the board establish under section 10 of this
5 Act;

6 "The Appointments and Promotions Committee" means a body by that
7 name established under paragraph 3 (2) (a) of the Schedule to this Act;

8 "Polytechnic" means the respective polytechnics set up under section 1 of
9 this Act;

10 "The Junior Staff Appointments and Promotion Committee" means a body
11 by that name set up under paragraph 3 (2) (b) of the Schedule to this Act;

12 "The Minister" means the Minister charged with responsibility for matters
13 relating to technical education;

14 "The Registrar" means the Registrar of each polytechnic appointed under
15 section 4 (1) of this Act.

16 **29.** This Bill may be cited as the Federal Polytechnic (Technical)
17 Wailo, Ganjuwa Bauchi State (Est, etc) Bill, 2019.

Short title

18 SCHEDULE

19 [Section 7.]

20 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

21 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

22 *Terms of office of members*

23 1.-(1) A member of the Council other than an ex-officio member
24 shall hold office for a period of three years beginning with the date on which
25 he was appointed and shall be eligible for re-appointment for a further term
26 of three years and thereafter he shall no longer be eligible for re-
27 appointment.

28 (2) Members of the Council holding office as specified in
29 paragraph 1 (1) of this Schedule, shall be paid remuneration or allowance in

1 accordance with rates specified from time to time by the National Council of
2 Ministers.

3 (3) A member of the Council holding office as specified in paragraph
4 1 (1) of this Schedule may by notice in writing to the Minister resign his office.

5 2.-(1) Where a vacancy occurs in the membership of the Council, that
6 vacancy shall be filled by the appointment of a successor to hold office for the
7 remainder of the term of office of his predecessor; so however that the
8 successor shall represent the same interest as his predecessor.

9 (2) The Council may act notwithstanding any vacancy in its
10 membership or the absence of any member or that a person not entitled to do so
11 took part in its proceedings.

12 *Committees*

13 3.-(1) The Council may appoint one or more committees to which it
14 may delegate any of its functions.

15 (2) Without prejudice to the generality to sub-paragraph (1) of this
16 Schedule, the Council shall appoint the following committees, that is:

17 (a) the Appointments and Promotions Committee which shall without
18 prejudice to section 7 (4) of this Act:

19 (i) consist of a chairman to be appointed by the Rector from members
20 of the senior staff of the polytechnic and four other members who shall be
21 appointed by the Council;

22 (ii) be charged with the responsibility for making recommendations
23 to the Council on the appointment and promotion of the academic and senior
24 staff of the polytechnic and have a quorum of three members;

25 (b) the Junior Staff Appointments and Promotions Committee which
26 shall consist of a chairman and four other members to be appointed by the
27 Council and shall have the powers set out in sections 7 (5) and 14 of this Act"

28 (c) the Committee on Students' Affairs which shall consist of the
29 following members:

30 (i) a chairman who shall be appointed by the Rector from among the

- 1 senior employees of the polytechnic;
- 2 (ii) one member of the Council;
- 3 (iii) two members of the academic staff of the polytechnic; and
- 4 (iv) four students of the polytechnic, and the Committee on
- 5 Students' Affairs shall be charged with the duty of:
- 6 (i) considering any matter which relates to the welfare of students;
- 7 (ii) any other matter referred to it by either the Council or students
- 8 of the polytechnic;
- 9 (iii) any matter which the students wish to refer to the Council shall
- 10 be referred to the Committee on Student's Affairs in the first instance.
- 11 (3) No decision of a committee shall have effect unless it is
- 12 confirmed by the Council.
- 13 *Proceedings of the Council*
- 14 4.-(I) The Council shall meet for the conduct of business at such
- 15 times as the chairman of the Council may appoint but shall meet not less than
- 16 twice in a year.
- 17 (2) The chairman of the Council may at any time and shall at the
- 18 request in writing of not less than five members of the Council summon a
- 19 meeting of the Council.
- 20 (3) Particulars of the business to be transacted shall be circulated to
- 21 members with the notice of the meeting at least two weeks before the date of
- 22 the meeting.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic (Technical) Wailo, Ganjuwa Bauchi State to provide full-time courses in technology, applied science management and other fields of studies and to make provisions for the general administration of such polytechnics.

A BILL

FOR

AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH THE
FEDERAL MEDICAL CENTRE ILESHA-BARUBA IN BARUTEN LOCAL
GOVERNMENT AREA OF KWARA STATE AND FOR RELATED MATTERS

Sponsored by Hon. Mohammed Omar Bio

[] Commencement

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

- 1 **1.**-(1) There is hereby established the Federal Medical Centre Establishment
2 Ilesha-Baruba (in this Act referred to as "the Federal Medical Centre") and
3 the Medical Centre shall serve as the Medical Centre subject to the provision
4 of this Act.
- 5 (2) The hospital:
6 (a) Shall be a body corporate;
7 (b) May sue and be sued in its corporate name;
8 (c) Shall have perpetual succession and a common seal.
- 9 **2.** There is hereby established for the management of the Medical Board
10 Centre a Board of Management (in this Act referred to as "Board") which
11 shall be constituted and have the functions and powers set out in this Act.
- 12 **3.**-(1) The Board shall consist of: Composition
13 (a) A chairman; of Board
14 (b) The Chief Medical Director of the Medical Centre;
15 (c) The Director of Clinical Services;
16 (d) The Director of Administration;
17 (e) The Director of Finance;
18 (f) The Director of Maintenance;
19 (g) A representative of the president;
20 (h) The Federal Ministry of Health;

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

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

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

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

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

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

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

15 7.-(1) The Board shall:

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

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

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

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

	1	(3) Subject to this Act, the board shall perform such other functions
	2	which in its opinion are calculated to facilitate the carrying out of its functions
	3	under this Act.
Powers of the Board	4	8. The Board shall have power to:
	5	(a) provide the general policies and guidelines relating to major
	6	expansion programmes of the Medical Centre;
	7	(b) provide facilities for the training of medical students of associate
	8	universities;
	9	(c) manage and superintend the affairs of the Medical Centre;
	10	(d) subject to the provisions of this Act, make, alter and revoke rules
	11	and regulations for carrying on the functions of the Medical Centre;
	12	(e) fix terms and conditions of service, including remuneration of the
	13	employees of the Medical Centre subject to the approval of National Salaries
	14	Incomes and Wages Commission;
	15	(f) do such other things which in the opinion of the Board are
	16	necessary to ensure the efficient performance of the functions of the Medical
	17	Centre.
	18	PART III - STAFF OF THE MEDICAL CENTRE
Appointment of Chief Medical Director	19	9.-(1) There shall be for the Medical Centre a Chief Medical Director
	20	who shall be appointed by the president on the recommendation of the Board
	21	and on such terms and conditions as may be specified in his letter of
	22	appointment or as may be determined, from time to time, by the National
	23	Salaries Income and Wages Commission.
	24	(2) The Chief Medical Director shall:
	25	(a) be the chief executive and accounting officer of the Medical
	26	Centre;
	27	(b) be responsible to the Board for the day-to-day administration of
	28	the Medical Centre;
	29	(c) be appointed for a term of four years in the first instance and may

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

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

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

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

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

Composition of
Board

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

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

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

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

17 (b) a Director of Clinical Services;

18 (c) a Director of Finance;

19 (d) a Director of Maintenance.

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

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

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

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

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

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

Service in the
 Medical Centre
 to be pensionable

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

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

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

Establishment
 of the Medical
 Advisory
 Committee, etc.

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

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

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

27 (c) Be appointed by the Board.

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

1 regard to the approved establishment of the Medical Centre.

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

6 PART IV - FINANCIAL PROVISIONS

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

9 (a) All subventions and budgetary allocation from the Government
10 of the Federation;

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

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

16 (d) Foreign aid and assistance from bilateral agencies; and

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

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

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

23 (b) Publicize and promote the activities of the Medical Centre;

24 (c) Pay allowances, expenses and other benefits of members of the
25 Board and Committees of the Board;

26 (d) Pay allowances, expenses and other benefits of members of the
27 Board and Committees of the Board;

28 (e) Pay the salaries, allowances and benefits of employees of the
29 Medical Centre;

30 (f) Pay other overhead allowances, benefits and other

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

1 be borrowed is in foreign currency, the Medical Centre shall not borrow the
2 sum without the prior approval of the President.

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

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

9 **20.** The Medical Centre shall not pay customs duty on or be
10 restricted or prohibited from importing any equipment, material, supply and
11 any other thing required by the Medical Centre for the purpose of this Bill. Exemption from customs duties, etc.

12 PART V - GENERAL

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

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

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

25 (c) That the student be rusticated for such periods as may be
26 specified in the direction; or

27 (d) That the student be expelled from the Medical Centre.

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

Removal and
discipline of
clinical,
administrative
and technical
staff

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

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

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

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

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

17 (a) Give notice of those reasons to the person in question;

18 (b) Afford him an opportunity of making representations in person on
19 the matter to the Board; and

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

22 (i) A committee to investigate the matter and report on it to the Board;
23 and

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

30 (2) The Chief Medical Director may, in a case of misconduct by a

1 member of the staff which in the opinion of the Chief Medical Director is
2 prejudicial to the interest of the Medical Centre, suspend any such member
3 and any such suspension shall forthwith be reported to the Board.

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

7 (a) A conviction for any offence which the Board considers to be
8 such as to render the person concerned unfit for the discharge of the
9 functions of his office;

10 (b) Any physical or mental incapacity which the Board, after
11 obtaining medical advice, considers to be such as to render the person
12 concerned unfit to continue to hold his office;

13 (c) Conduct of a scandalous or other disgraceful nature which the
14 Board considers to be such as to render the person concerned unfit to
15 continue to hold his office; or

16 (d) Conduct which the Board considers to be such as to constitute a
17 failure or inability of the person concerned to discharge the functions of his
18 office or to comply with the terms and conditions of his service.

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

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

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

27 (c) Whether to terminate the appointment of the person concerned,
28 in which case he shall not be entitled to the proportion of his emoluments
29 withheld during the period of suspension; or

30 (d) Whether to take such lesser disciplinary action against the

1 person (including the restoration of his emoluments that might have been
2 withheld), as the Board may determine, and in any case where the Board,
3 pursuant to this section, decides to continue a person's suspension or decides to
4 take further disciplinary action against a person, the Board shall before the
5 expiration of a period of three months from such decision come to a final
6 determination in respect of the case concerning any such person.

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

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

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

Discipline of
junior staff

19 **23.**-(1) If any junior staff is accused of misconduct or inefficiency, the
20 Chief Medical Director may suspend him for not more than a period of 3
21 months and shall direct a committee to:

22 (a) Consider the case; and

23 (b) Make recommendations as to the appropriate action to be taken by
24 the Chief Medical Director.

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

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

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

5 PART VI - MISCELLANEOUS

6 **24.**-(1) The Board may, with the approval of the President, make Regulations
7 regulations:

8 (a) As to the access of members of the public either generally or of a
9 particular class, to premises under the control of the Board and as to the
10 orderly conduct of members of the public on those premises; and

11 (b) for safeguarding any property belonging or controlled by the
12 Board from damage by members of the public.

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

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

22 **26.**-(1) On the commencement of this Act, any person employed by Transition and
23 or serving in, the Medical Centre shall be deemed to have been employed or savings provision
24 serving in the Medical Centre established under this Act.

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

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

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

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

1 "chairman" means the chairman of the Board;
2 "functions" include powers and duties;
3 "Federal Medical Centre" means the Medical Centre Ilesha-Baruba;
4 "junior staff" means staff of such grade as may be determined, from time to
5 time, by the Board;
6 "medical student" means a student whose course of instruction is:
7 (a) Designed (either alone or in conjunction with other courses) to
8 enable him to qualify as a medical practitioner; or
9 (b) Designed for the further training of medical practitioners;
10 "Minister" means the Minister charged with responsibility for matters relating
11 to health and
12 "Ministry" shall construed accordingly;
13 "student" means a person enrolled at an institution controlled by the Board for
14 the purpose of pursuing a course of instruction at the institution.

Short title

15 **28.** This Bill may be cited as the Federal Medical Centre Ilesha-
16 Baruba (Establishment) Bill, 2019.

17 SCHEDULE

18 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

19 *Proceedings of the Board*

20 1.-(1) Subject to this Act and section 27 of the Interpretation Act, the
21 Board may make standing orders regulating its proceedings or those of any of
22 its committees.

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

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

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

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

9 *Committees*

10 3.-(1) The Board may appoint one or more committees to carry out,
11 on behalf of the Board, such functions as the Board may determine.

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

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

18 *Miscellaneous*

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

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

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

- 1 5. The validity of any proceedings of the Board or of a committee
2 shall not be adversely affected by:
3 (a) a vacancy in the membership of the Board or committee;
4 (b) a defect in the appointment of a member of the Board or
5 committee; or
6 (c) reason that a person not entitled to do so took part in the
7 proceedings of the Board or committee.

EXPLANATORY NOTE

This Bill seeks to provide for the Legal Framework to establish the Federal Medical Centre Ilesha-Baruba in Baruten Local Government Area of Kwara State.

A BILL

FOR

AN ACT TO AMEND THE DISPLAY AND USE OF THE NATIONAL FLAG,
CERTAIN FLAGS AND THE NATIONAL COAT OF ARMS ACT OF 1960 AND
FOR RELATED MATTERS, 2019

Sponsored by Hon. Samuel Onuigbo

[] Commencement

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

- | | |
|--|--|
| <p>1 1. The display and the use of the National Flag, Certain Flags and</p> <p>2 the National Coat of Arms of 1960 Act in this Bill referred to as the principal</p> <p>3 Act is amended as set out in this Bill.</p> | <p>Amendment of
the National Flag,
etc Act</p> |
| <p>4 2. Section 3 Subsection 2 of the principal Act is amended by</p> <p>5 inserting a new subsection (c) which shall read thus "It shall be a disrespect</p> <p>6 for the National Flag for any person to construct/produce the National Flag</p> <p>7 contrary to the one conceived by Pa Michael Taiwo Akinkunmi in 1959 with</p> <p>8 a green and white colour, without any embellishment of any sort including</p> <p>9 the Coat of Arms on it. A violation of this subsection is an offence".</p> | <p>Amendment of
Section 3
subsection 2</p> |
| <p>10 3. Section 3 subsection 2 of the principal Act is further amended by</p> <p>11 inserting a new Subsection 2 (d) which shall read thus "Henceforth the</p> <p>12 National Orientation Agency shall-be solely responsible for the</p> <p>13 construction/production of both the National Flag and the National Coat of</p> <p>14 Arms. A violation of this subsection is an offence".</p> | |
| <p>15 4. Section 10 of the principal Act, under offences in the principal</p> <p>16 Act is amended by deleting the sum "One Hundred Naira" and substituting it</p> <p>17 with the figures "One Hundred Thousand Naira for individual offenders and</p> <p>18 Five Million Naira for Corporate offenders" under offences in this Bill.</p> | <p>Amendment of
Section 10</p> |

1 **5.** This Bill may be cited as the display and the use of the National
2 Flag, Certain Flags and other National Coat of Arms Act (Amendment) Bill,
3 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to ensure full respect and recognition for the National Flag and other National symbols, that the National Flag in particular is not deconstructed contrary to the original one conceived by Pa Akinkunmi in 1959. And that the amount fined individuals and corporate offenders are increased to a level to act as deterrent to offenders.

A BILL

FOR

AN ACT TO AMEND THE FEDERAL UNIVERSITIES OF AGRICULTURE ACT, CAP F22, LAWS OF THE FEDERATION OF NIGERIA, 2004, TO MAKE PROVISION FOR A CHANGE OF NAME OF THE FEDERAL UNIVERSITY OF AGRICULTURE, UMUDIKE TO MICHAEL OKPARA UNIVERSITY OF AGRICULTURE, UMUDIKE AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Samuel Ifeanyi Onuigbo

[] Commencement

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

- | | | |
|---|--|------------------|
| 1 | 1. The Federal University of Agriculture Act, Cap, F22, Laws of | Amendment of |
| 2 | The Federation of Nigeria, 2004 (in this Bill called “The Principal Act”) is | Cap F22, LFN, |
| 3 | amended as set out in this Bill. | 2004 |
| 4 | 2. Section 2 of the Principal Act is amended in subsection (l) | Amendment of |
| 5 | Paragraph (c) by substituting the name "Federal University of Agriculture | Section 2 of the |
| 6 | Umudike" with the name "MICHAEL OKPARA UNIVERSITY OF | Principal Act |
| 7 | AGRICULTURE UMUDIKE". | |
| 8 | 3. This Bill may be cited as the Federal Universities of Agriculture | Citation |
| 9 | Act (Amendment) Bill, 2019. | |

EXPLANATORY MEMORANDUM

This Bill seek to amend the Federal Universities of Agriculture Act, Cap, F22, Laws of the Federation of Nigeria, 2004 to make provision for a change of name of the Federal University of Agriculture, Umudike to “MICHAEL OKPARA UNIVERSITY OF AGRICULTURE; UMUDIKE”.