

Extraordinary



National Assembly Journal

No. 70

Abuja - 16th July, 2019

Vol. 16

CONTENTS

INDEX TO LEGISLATIVE INSTRUMENTS

<i>Bill No.</i>	<i>Long Title</i>	<i>Page</i>
HB. 392	A Bill for an Act to Amend the Pensions Reform Act, 2014, Laws of the Federation of Nigeria, 2004 to include accrual of interest on investment returns to employees' retirement savings account by Fund Administrators and Custodians and for Related Matters, 2019	C 1073 - 1076
HB. 393	A Bill for an Act to Make regulation for respecting the National Anthem and the National Pledge; to standardize and provide for uniform compliance during recitation of the National Anthem and National Pledge; and for Related Matters	C 1077 - 1081
HB. 396	A Bill for an Act to Provide for the Legal Framework to Establish the Federal Medical Centre Piapung and for Related Matters	C 1083 - 1098
HB. 397	A Bill for an Act to Establish the Federal University of Agriculture Namu, Plateau to make comprehensive provisions for its Due Management and Administration and for Related Matters	C 1099 - 1132
HB. 402	A Bill for an Act to Provide for the Establishment of the Federal College of Nursing and Midwifery Otu-jeremi and for Related Matters	C 1133 - 1145
HB. 443	A Bill for an Act to Establish the Nigeria Research and Innovation Trust Fund charged with the responsibility for managing and disbursing the Research and Innovation Levy towards achieving the commercialisation of Research findings in Nigeria; and for Related Matters, 2019	C 1147 - 1163
HB. 445	A Bill for an Act to Provide a policy framework for the development of Bio-Fuels Energy in Nigeria; Establish the Bio-Fuels Energy Regulatory Commission; Establish the Bio-Fuels Research Agency; and for Related Matters, 2019	C 1165 - 1174
HB. 447	A Bill for an Act to Establish a National Electronic Health Record System for the storage and access of Electronic Health Records in Nigeria and for Related Matters ...	C 1175 - 1194

Printed and Published by the National Assembly Press, Abuja, Nigeria

NASSP 70/167/2019/900

Subscribers who wish to obtain the Journal after 1st January should apply to the Clerk, National Assembly, Abuja for amended Subscriptions.

PENSION REFORM ACT, 2014 (AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Amendment of the Pension Reform Act (2014), Laws of the Federation of Nigeria
2. Amendment of Section 7 (1)
3. Amendment of Section 7 Subsections (1) (c)
4. Amendment of Section 7, Subsection (1) (d) and (e)
5. Amendment of Section 7 Subsections (2) and (3)
6. Amendment of Section 55
7. Citation

A BILL

FOR

AN ACT TO AMEND THE PENSIONS REFORM ACT, 2014, LAWS OF THE
FEDERATION OF NIGERIA, 2004 TO INCLUDE ACCRUAL OF INTEREST ON
INVESTMENT RETURNS TO EMPLOYEES' RETIREMENT SAVINGS ACCOUNT BY
FUND ADMINISTRATORS AND CUSTODIANS AND FOR RELATED MATTERS,
2019

Sponsored by Hon. Johnson Egwakhide Oghuma

[] Commencement

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

- | | |
|---|---|
| <p>1 1. The Contributory Pension Reform Act (2014) in this Bill</p> <p>2 referred to as the "Principal Act", is amended as set out in this Bill.</p> | <p>Amendment of
the Pension Act
(2014)</p> |
| <p>3 2. Section 7 (1) is amended by deleting Subsection (1) of the</p> <p>4 Principal Act and inserting the following Subsection (1) (a), (b) and (c):</p> <p>5 "(1). A holder of a retirement savings account, upon retirement or</p> <p>6 attaining the age of 50 years, whichever is later and upon retirement, shall:</p> <p>7 (a) have access to his amount credited to his retirement savings</p> <p>8 account forthwith;</p> <p>9 (b) make withdrawals of a lump sum from the total amount credited</p> <p>10 to his retirement savings account provided the amount withdrawn does not</p> <p>11 exceed 30 percent of the total amount and the balance amount be spread to</p> <p>12 procure a programmed fund withdrawals or annuity for life in accordance</p> <p>13 with extant guidelines issued by the commission, from time to time;</p> <p>14 (c) have a monthly or quarterly programmed withdrawals</p> <p>15 calculated on the basis of an expected life span;</p> | <p>Amendment of
Section 7 (1)</p> |
| <p>16 3. Subsection (1) (c) is hereby renumbered to read (d) accordingly.</p> <p>17 4. Subsection 7(1) (d) and (e) is hereby renumbered to read</p> <p>18 Section 7 (2) and (a) respectively;</p> | <p>Amendment of
Section 7
subsection (1) (c)</p> <p>Amendment of
Section 7
subsection (1) (d)
and (e)</p> |

Amendment of Section 7 subsection (2) and (3)	1	5. Section 7 Subsections (2) and (3) are hereby renumbered to read
	2	(3) and (4) accordingly;
Amendment of section 55 of the Principal Act	3	6. Section 55 of the Principal Act is amended by substituting
	4	paragraphs(g), (h) and (i) for new paragraphs (g), (h) and (i):
	5	"(g) cause to be paid interest accrued on investments, in pursuant to
	6	paragraph (b) of this section;
	7	(h) be responsible for all calculations in relation to retirement benefits
	8	and interest accrued from investments; and
	9	(i) carry out other functions as may be directed by the Commission
	10	from time to time"
Citation	11	7. This Bill may cited as the Pension Reform Act, 2014
	12	(Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to make compulsory immediate payments to retirees from their retirement savings account and to allow for benefits in terms of profits from the investments of funds from the retirement savings accounts of employees by the Pension Administrator/Custodians.

NATIONAL ANTHEM AND PLEDGE (COMPLIANCE, ETC.) BILL, 2019

ARRANGEMENT OF SECTION

Section:

1. Application
2. Mandatory Conduct during recitation of National Anthem
3. Mandatory conduct during recitation of National Pledge
4. Contempt and Penalty
5. Power to Arrest
6. Trial
7. Penalty
8. Interpretation
9. Short title

A BILL

FOR

AN ACT TO MAKE REGULATION FOR RESPECTING THE NATIONAL ANTHEM
AND THE NATIONAL PLEDGE; TO STANDARDIZE AND PROVIDE FOR
UNIFORM COMPLIANCE DURING RECITATION OF THE NATIONAL ANTHEM
AND NATIONAL PLEDGE; AND FOR RELATED MATTERS

Sponsored by Hon. Jimoh Abdulraheem Olajide

[] Commencement

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

1 **1.-(1)** The provisions of this Act shall apply to all citizens of Application
2 Nigeria.

(2) The provisions of this Act shall not apply to members of the
Armed Forces, Nigeria Police Force or any other law enforcement agency.

5 **2.** Whenever the National Anthem is being recited or played in Mandatory
6 public place, all persons present, as a mark of respect, shall: conduct during
recitation of
National Anthem

7 (a) Stand at attention, place their hands firmly beside them and
8 with their faces slightly facing up while reciting the National Anthem;

(b) The requirements of the subsection 2(a) above shall be complied with from the first note of the National Anthem and so maintain the position until the last note.

12	3. Whenever the National Pledge is being made or played in public	Mandatory
13	place, all persons present, as a mark of respect, shall:	conduct during recitation of National Anthem

14 (a) Stand at attention, place their right-hand palms over the left side
15 of their chests and their faces slightly facing up while making the pledge;

(b) The requirements of the subsection 3(a) above shall be complied with from the first note of the National Pledge and so maintain the position until the last note.

Contempt and Penalty	1	4.-(1) Any person who knowingly neglected, failed or refused to
	2	comply with the provisions in sections 2 and 3 of this Act in any public place
	3	without good and sufficient reason shall be guilty of contempt against this Act.
	4	(2) For the purpose of this Section, all acts or omissions which tend to
	5	show lack of respect and reverence for the National Anthem or the National
	6	pledge is hereby prohibited.
Power to arrest	7	5.-(1) Any Police Officer may, without warrant, may arrest any
	8	person suspected to have committed an offence against this Act.
	9	(2) The Police Officer making the arrest shall ensure that the person
	10	arrested is taken to the nearest Police Station where his statement, name,
	11	address and other particulars are taken.
	12	(3) The suspect shall be released by the Police upon been satisfied that
Trial of suspect	13	the suspect will duly answer any summons to be issued or other proceedings
	14	that may be taken against him.
	15	6. Any person suspected to have contravened any provisions of this
	16	Act or committed contempt against this Act shall be prosecuted in any
	17	competent Court of Law in the State or the Federal Capital Territory, Abuja
	18	within which the contravention or contempt was committed respectively.
Penalty	19	7. Any person who contravenes any provisions of this Act or commits
	20	a contempt against this Act shall be liable on summary conviction to produce a
	21	national flag for any nearby public school or be engaged in any other form of
	22	community service and shall not exceed twenty hours of service.
Interpretation	23	8. In this Act, unless the context otherwise requires:
	24	"National Anthem" means the National Anthem of the Federal Republic of
	25	Nigeria;
	26	"National Pledge" means the National Pledge of Allegiance of the Federal
	27	Republic of Nigeria.
Short title	28	9. This Bill may be cited as the National Anthem and Pledge
	29	(Compliance, Etc.) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to make regulation for respecting the National Anthem and the National Pledge; to standardize and provide for uniform compliance during recitation of the National Anthem and National Pledge.

A BILL

FOR

AN ACT TO PROVIDE FOR THE LEGAL FRAMEWORK TO ESTABLISH THE
FEDERAL MEDICAL CENTRE PIAPUNG AND FOR RELATED MATTERS

Sponsored by Hon. Komsol Alphonsus Longgap

[] 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 of
Federal Medical
Centre Piapung |
| 2 | Piapung (in this Act referred to as “the Federal Medical Centre”) and the | |
| 3 | Medical Centre shall serve as the Medical Centre subject to the provision of | |
| 4 | this Act. | |
| 5 | (2) The Federal Medical Centre: | |
| 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 | Establishment
of the Board of
Management of
the Medical
Centre |
| 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: | Membership of
the Board |
| 13 | (a) a chairman; | |
| 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; | |
| 21 | (i) the National Planning Commission; | |

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

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

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

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

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

11 6. There shall be paid to every member of the Board such Allowances of
12 allowances and expenses as the Revenue Mobilization Allocation and Fiscal 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 the
17 facilities for diagnosis, curative, promotive and rehabilitative services in Board
18 medical treatment;

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

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

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

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

Medical Director
of the Medical
Centre

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

24 (2) The Chief Medical Director shall:

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

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

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

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

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

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

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

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

Appointment of
Directors and
other staff of the
Medical Centre

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

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

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

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

17 (b) a Director of Clinical Services;

18 (c) a Director of Finance;

19 (d) a Director of Maintenance.

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

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

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

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

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

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

Service in the
 Medical Centre
 to be pensionable

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

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

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

Establishment
 fo the Medical
 Advisory
 Committee, etc.

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

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

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

26 (c) be appointed by the Board.

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

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

5 PART IV - FINANCIAL PROVISIONS

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

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

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

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

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

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

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

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

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

(c) pay allowances, expenses and other benefits of members of the Board and committees of the Board:

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

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

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

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

1	19. -(1) The Medical Centre shall not pay income tax on any income	Exemption from tax	
2	derived by the Federal Medical Centre under this Act or accruing to it from		
3	any of its investments.		
4	(2) Accordingly, the provisions of any enactment relating to the		
5	taxation of companies or trust funds shall not apply to the Board of the		
6	Federal Medical Centre.		
7	20. The Medical Centre shall not pay customs duty on or be	Exemption from customs duties, etc	
8	restricted or prohibited from importing any equipment, material, supply and		
9	any other thing required by the Medical Centre for the purposes of this Bill.		
10	PART V - GENERAL		
11	21. -(1) Notwithstanding anything to the contrary contained in any	Discipline of students	
12	other enactment, where it appears to the Board that any student of the		
13	Medical Centre has been guilty of misconduct, the Board may, without		
14	prejudice to any other disciplinary powers conferred on it by regulations,		
15	direct:		
16	(a) that the student shall not, during such period as may be specified		
17	in the direction, participate in such activities of the Medical Centre, or make		
18	use of such facilities of the Medical Centre as may be so specified;		
19	(b) that the activities of the student shall, during such period as may		
20	be specified in the direction, be restricted in such manner as may be so		
21	specified;		
22	(c) that the student be rusticated for such period as may be specified		
23	in the direction; or		
24	(d) that the student be expelled from the Medical Centre.		
25	(2) The fact that an appeal from a direction is brought in pursuance		
26	of subsection (1) of this section shall not affect the operation of the direction		
27	while the appeal is pending.		
28	(3) The Board may delegate its powers under this section to a		
29	disciplinary committee consisting of such members of the Medical Centre		
30	as the Board may nominate.		

Removal and
discipline of
clinical,
administrative
and technical
staff

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Discipline of
junior staff

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

19 (a) consider the case; and

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

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

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

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

1 the Board to reconsider his case.

2 PART VI - MISCELLANEOUS

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

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

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

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

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

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

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

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

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

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

28 "chairman" means the chairman of the Board;

29 "functions" include powers and duties;

30 "Federal Medical Centre "means the Medical Centre Piapung;

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

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

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

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

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

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

Short title

11 **28.** This Bill may be cited as the Federal Medical Centre Piapung
12 (Establishment) Bill, 2019.

13 SCHEDULE

14 [Section 3 (3).]

15 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

16 *Proceedings of the Board*

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

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

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

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

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

6 *Committees*

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

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

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

15 *Miscellaneous*

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

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

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

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

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

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

EXPLANATORY NOTE

This Bill seeks to provide for the Legal Framework to establish the Federal Medical Centre Piapung and to equip, maintain and operate the Medical Centre so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE
NAMU, PLATEAU TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE
MANAGEMENT AND ADMINISTRATION AND FOR RELATED MATTERS

Sponsored by Hon. Komsol Alphonsus Longgap

[] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL

2 UNIVERSITY OF AGRICULTURE IGBOHO, OYO STATE

3 1.-(1) There is establish the Federal University of Agriculture
4 Namu, Plateau (in this Act referred to as “the University”).

Establishment
and Objects of
the Federal
University of
Agriculture
Namu, Plateau

5 (2) The University-

6 (a) shall be a body corporate with perpetual succession and a
7 common seal; and

8 (b) may sue or be sued in its corporate name.

9 2. The objects of the University shall be to-

Objects of the
University

10 (a) encourage the advancement of learning and to hold out to all
11 persons without distinction of race, creed, sex or political conviction the
12 opportunity of acquiring higher education in Agriculture;

13 (b) to develop and offer academic and professional programmes
14 leading to the award of diplomas, first degrees, post-graduate research and
15 higher degrees with emphasis on planning, adaptive, technical,
16 maintenance, developmental and productive skills in the engineering,
17 scientific, and allied professional disciplines relating to Sports resources
18 with the aim of producing socially mature men and women with capability
19 not only to understand, use and adapt existing technologies in the
20 Agriculture, but also to improve on them and develop new ones;

21 (c) to act as agents and catalysts, through post-graduate training,

1 research and innovation for the effective and economic utilization, exploitation
2 and conservation of the country's Agriculture resources;

3 (d) to offer to the general population particularly in the area
4 Agriculture as a form of public service, the results of training and research and
5 to foster the practical applications of these results;

6 (e) to establish appropriate relationships with other national
7 institutions involved in training, research and development of technologies in
8 the Sports sector;

9 (f) to identify the problems and needs of the Agriculture sector in
10 Nigeria and to find solutions to them within the context of overall national
11 development;

12 (g) to provide and promote sound basic scientific training as a
13 foundation for the development of Agriculture in Nigeria, taking into account
14 indigenous cultures and the need to enhance national unity;

15 (h) to encourage and promote scholarship and conduct research in
16 restricted fields of learning and human endeavor;

17 (i) to relate its activities to the technological, social, cultural and
18 economic needs of the people of Nigeria; and

19 (j) to undertake any other activities appropriate for an Agriculture
20 university of the highest standard.

Constitution of
the University
and its Constituents
bodies, etc.

21 **3.-(1)** The University shall consist of-

22 (a) a Chancellor;

23 (b) a Pro-Chancellor and a Council;

24 (c) a Vice Chancellor and a Senate;

25 (d) a Deputy Vice-Chancellor;

26 (e) a body to be called Congregation;

27 (f) a body to be called Convocation;

28 (g) the campuses and colleges of the University;

29 (h) the faculties, schools, institutes and other teaching and research
30 units of the University;

1 (i) the persons holding the offices constituted by the First Schedule
2 to this Act other than those mentioned in paragraphs (a) to (c) of this
3 subsection;

4 (j) all graduates and undergraduates; and

5 (k) all other persons who are members of the University in
6 accordance with provisions made by Statute in that behalf.

7 (2) The First Schedule to this Act shall have effect with respect to
8 the Principal Officers of the University mentioned therein.

9 (3) Provision shall be made by Statute with respect to the
10 constitution of the following bodies, namely-

11 (a) the Council;

12 (b) the Senate;

13 (c) the Congregation; and

14 (d) the Convocation.

15 4.-(1) For the carrying out of its objects as specified in Section 2 of Powers of the
16 this Act, the University shall have power to- University

17 (a) establish such campuses, colleges, faculties, institutes, schools,
18 extra-mural departments and other teaching and research units within the
19 University as may from time to time seem necessary or desirable, subject to
20 the approval of the National Universities Commission;

21 (b) institute professorships, readerships and associate
22 professorships, lectureships and other posts and offices and to make
23 appointments thereto;

24 (c) institute and award fellowships, scholarships, exhibitions,
25 bursaries, medals, prizes and other titles, distinctions, awards and forms of
26 assistance;

27 (d) provide for the residence, discipline and welfare of members of
28 the University;

29 (e) hold examinations and award degrees, diplomas, certificates
30 and other distinctions to persons who have pursued a course of study the

1 approved by the University and have satisfied such other requirements as the
2 University may lay down;

3 (f) award honorary degrees, fellowships or academic titles;

4 (g) demand and receive from any student or any other person
5 attending the University for the purpose of instruction such fees as the
6 University may from time to time determine, subject to the overall directives of
7 the appropriate authority;

8 (h) subject to section 22 of this Act, to acquire, hold, grant, charge or
9 otherwise deal with or dispose of movable and immovable property wherever
10 situate;

11 (i) accept gifts, legacies and donations, but without obligation to
12 accept the same for a particular purpose unless it approves the terms and
13 conditions attaching thereto;

14 (j) enter into contracts, establish trusts, act as trustee, solely or jointly
15 with any other person, and employ and act through agents;

16 (k) erect, provide, equip and maintain libraries, laboratories, lecture
17 halls, halls of residence, refectories, sports grounds, playing fields and other
18 buildings or things necessary, suitable or convenient for any of the objects of
19 the University;

20 (l) hold public lectures and undertake printing, publishing and book
21 selling;

22 (m) subject to any limitations or conditions imposed by Statute, to
23 invest any moneys appertaining to the University by law of endorsement,
24 whether for general or special purposes, and such other moneys as may not be
25 immediately required for current expenditure, in any investments or securities
26 or in the purchase or improvement of land, with power from time to time to vary
27 any such investments and to deposit any moneys for the time being un-invested
28 with any bank on deposit or current account;

29 (n) borrow, whether on interest or not, and if need be, upon the
30 security of any or all of the property movable or immovable of the University,

1 such moneys as the Council may from time to time in its discretion find
2 necessary or expedient to borrow or to guarantee any loan, advances or
3 credit facilities;

4 (o) make gifts for any charitable purpose;

5 (p) do anything which it is authorized or required by this Act or by
6 any other Statute to do; and

7 (q) do all such acts or things, whether or not incidental to the
8 foregoing powers, as may advance the objects of the University.

9 (2) Subject to the provisions of this Act and of the Statutes made
10 thereunder and without prejudice to Section 9 (2) of this Act, the powers
11 conferred on the University by subsection (1) of this section shall be
12 exercisable on behalf of the University by the Council or by the Senate or in
13 any other manner which may be authorized by this Act.

14 **5.-(1)** The Chancellor shalt in relation to the University, take
15 precedence before all other members of the University, and when he is
16 present shall preside at all meetings of convocation held for conferring
17 degrees.

Functions of the
Chancellor and
Pro-Chancellor

18 (2) The Pro-Chancellor shall, in relation to the University, take
19 precedence before all other members of the University except the
20 Chancellor, and except for the Vice Chancellor when acting as Chairman of
21 Congregation or Convocation, and the Pro-Chancellor shalt when he is
22 present, be the Chairman at all meetings of the Council.

23 **6.-(1)** There shall be a Council for the University consisting of:

Establishment
and Composition
of Council

24 (a) the Pro-Chancellor;

25 (b) the Vice-Chancellor;

26 (c) the Deputy Vice-Chancellor;

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

28 (e) four persons representing a variety of interest and broadly
29 representative of the whole Federation;

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

Functions of the
Council and its
Finance and
General Purpose

1 (g) two persons appointed by the congregation from among its
2 members; and

3 (h) one persons appointed by Convocation from among its members.

4 (2) Persons to be appointed to the Council shall be persons of proven
5 integrity, knowledgeable and familiar with the affairs and tradition of the
6 University.

7 7.-(1) Subject to the provisions of this Act relating to the Visitor, the
8 Council shall be the Governing Body of the University and shall be charged
9 with the general control and superintendence of the policy, finances and
10 property of the University, including its public relations.

11 (2) There shall be a committee of the Council to be known as the
12 Finance and General Purposes Committee, which shall, subject to the
13 directions of the Council, exercise control over the property and expenditure of
14 the Council as the Council may from time to time delegate to it.

15 (3) Provision shall be made by Statute with respect to the constitution
16 of the Finance and General Purposes Committee.

17 (4) The Council shall ensure proper accounts of the University are
18 kept and that the accounts of the University are audited annually by auditors
19 appointed by the Council from the list and in accordance with guidelines
20 supplied by the Auditor-General of the Federation, and that an annual report is
21 published by the University together with certified copies of the said accounts
22 as audited.

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

27 (6) Rules made under subsection (5) of this section by the Finance and
28 General Purposes Committee shall not come into force unless approved by the
29 Council, and where any rule so made by the Committee conflict with any
30 directions given by the Council (whether before or after the coming into force

1 of the rules in question), the direction of the Council shall prevail.

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

7 (8) The Council shall meet as and when necessary for the
8 performance of its functions under this Act, and shall meet at least four times
9 every year.

10 (9) If required in writing by any five members of the Council, the
11 Chairman shall within twenty-eight days after the receipt of such request
12 call a meeting of the Council:

13 PROVIDED that if after 28 days of the receipt or delivering to him
14 of such request, the chairman fails or neglects to call a meeting, the Registrar
15 shall within 14 days thereof, cause a meeting of the Council to be convened
16 for that purpose. The request shall specify the business to be considered at
17 the meeting and no business not so specified shall be transacted at that
18 meeting.

19 **8.-(1)** Subject to section 5 of this Act and subsections (3) and (4) of
20 this section and to the provisions of this Act relating to the Visitor, it shall be
21 the general function of the Senate to organize and control teaching in the
22 University, admission to Postgraduate courses and other admission of
23 students, the discipline of students and to promote research in the
24 University.

Functions of the
Senate

25 (2) Without prejudice to the generality of the provisions of
26 subsection (1) of this section, it shall in particular be the function of the
27 Senate to make provision for the-

28 (a) establishment, organization and control of campuses, colleges,
29 faculties, departments, schools, institutes and other teaching and research
30 units of the University, and the allocation of responsibility for different

1 branches of learning;

2 (b) organization and control of courses of study in the University and
3 of the examinations held in conjunction with those courses, including the
4 appointment of examiners, both internal and external;

5 (c) award of degrees, and such other qualifications as may be
6 prescribed, in connection with examinations conducted by the University;

7 (d) making of recommendations to the Council with respect to the
8 award to any person of an honorary fellowship or honorary degree or the title of
9 professor emeritus;

10 (e) establishment, organization and control of halls of residence and
11 similar institutions in the University;

12 (f) supervision of the welfare of students in the University and the
13 regulation of their conduct;

14 (g) granting of fellowships, scholarships, prizes and similar awards in
15 so far as the awards are within the control of the University; and

16 (h) determination of what description of dress shall be academic dress
17 for the purposes of the University, and regulating the use of academic dress.

18 (3) The Senate shall not establish any new campus, college, faculty,
19 department, school, institute or other teaching and research units of the
20 University, or any hall of residence or similar institution at the University
21 without the approval of the Council.

22 (4) (a) Subject to this Act and the Statutes, the Senate may make
23 regulations for the purpose of exercising any function conferred on it either by
24 the provisions of this section or for the purpose of providing for any matter for
25 which provision by regulation is authorized or required by this Act or by
26 Statute.

27 (b) The Senate shall, by regulation, provide that at least one of the
28 persons appointed as examiners at each final or professional examination held
29 in conjunction with any course of study in the University is not a teacher at the
30 University but is a teacher at the branch of learning to which the course relates

1 in some other university of high repute.

2 (5) Subject to a right of appeal to the Council from a decision of the
3 Senate under this subsection, the Senate may deprive any person of any
4 degree, diploma or other award of the University which has been conferred
5 on him if after due enquiry he is shown to have been guilty of any
6 dishonourable or scandalous conduct in gaining admission into the
7 University or obtaining that award.

8 **9.-(1)** The Vice-Chancellor shall, in relation to the University, take
9 precedence before all other members of the University except the
10 Chancellor and, subject to section 5 of this Act, the Pro-Chancellor and any
11 other person for the time being acting as Chairman of the Council.

Functions of the
Vice-Chancellor

12 (2) Subject to the provisions of this Act, the Vice-Chancellor shall
13 have general function, in addition to any other functions conferred on him
14 by this Act or otherwise, of directing the activities of the University, and
15 shall to the exclusion of any other person or authority be the chief executive
16 and academic officer of the University and ex-officio Chairman of the
17 Senate.

18 PART II - TRANSFER OF PROPERTY

19 **10.-(1)** All property held by or on behalf of the Provisional Council
20 shall, by virtue of this subsection and without further assurance, vest in the
21 University and be held by it for the purpose of the University.

Transfer of
property to the
University

22 (2) The provisions of the Second Schedule to this Act shall have
23 effect with respect to the transfer of property by this section and to matters
24 arising therefrom and with respect to other matters mentioned in that
25 Schedule.

26 PART III - STATUTES OF THE UNIVERSITY

27 **11.-(1)** Subject to this Act, the University may make Statutes for any
28 of the following purposes-

Power of the
University to
make Statues

29 (a) making provision with respect to the composition and
30 constitution of any authority of the University;

1 (b) specifying and regulating the powers and duties of any authority
 2 of the University, and regulating any other matter connected with the
 3 University or any of its authorities;

4 (c) regulating the admission of students where it is done by the
 5 University, and their discipline and welfare;

6 (d) determining whether any particular matter is to be treated as an
 7 academic or non-academic matter for the purposes of this Act and of any
 8 Statute, regulation or other instrument made there-under; and

9 (e) making provision for other matters for which provision by Statute
 10 is authorized or required by this Act.

11 (2) Subject to section 25 (6) of this Act, the Interpretation Act shall
 12 apply in relation to any Statute made under this section as it applies to a
 13 subsidiary instrument within the meaning of section 27 (1) of that Act.

14 (3) The Statute contained in the Third Schedule to this Act shall be
 15 deemed to have come into force on the commencement of this Act and shall be
 16 deemed to have been made under this section by the University.

17 (4) The power to make Statute conferred by this section shall not be
 18 prejudiced or limited in any way by reason of the inclusion or omission of any
 19 matter in or from the Statute contained in the Third Schedule to this Act or any
 20 subsequent Statute.

Mode of exercising
 the power to
 make Statutes

21 **12.-(1)** The power of the University to make Statutes shall be
 22 exercised in accordance with the provisions of this section.

23 (2) A proposed Statute shall not have the force of law until it has been
 24 approved at a meeting of the-

25 (a) Senate, by the votes of not less than two thirds of the members
 26 present and voting; and

27 (b) Council by the votes of not less than two thirds of the members
 28 present and voting.

29 (3) A proposed Statute may originate either in the Senate or Council,
 30 and may be approved as required by subsection (2) of this section by both

1 bodies in no particular order.

2 (4) A Statute which-

3 (a) makes provision for or alters the composition or constitution of
4 the Council, the Senate or any other authority of the University; or

5 (b) provides for the establishment of a new campus or college or for
6 the amendment or revocation of any Statute whereby a campus or college is
7 established;

8 shall not come into operation unless it has been approved by the Visitor.

9 (5) For the purpose of section 2 (2) of the Interpretation Act, a
10 Statute shall be treated as being made on the date on which it is approved by
11 the Council and the Senate in accordance with subsection (3) of this section
12 or in the case of a Statute falling within subsection (4) of this section, on the
13 date on which it is approved by the President.

14 **13.** A Statute may be proved in any court by the production of a
15 copy thereof bearing or having affixed to it a certificate signed by the Vice-
16 Chancellor or the Registrar to the effect that the copy is a true copy of a
17 Statute of that University. Proof of Statute

18 **14.-(1)** In the event of any doubt or dispute arising at any time as to
19 the meaning of any provision of a Statute, the matter may be referred to the
20 Visitor, who shall take such advice and make such decision thereon as he
21 deems fit. Power to decide
the meaning of
Statute

22 (2) The decision of the Visitor on any matter referred to him under
23 this section shall be binding upon the authorities, staff and students of that
24 University and where any question as to the meaning of any provision of a
25 statute has been decided by the Visitor under this section, no question as to
26 the meaning of that provision shall be entertained by any other authority in
27 Nigeria:

28 PROVIDED that nothing in this subsection shall affect the power
29 of a court of competent jurisdiction to determine whether any provision of a
30 statute is wholly or partly void as being ultra vires or as being inconsistent

1 with the Constitution.

2 (3) The foregoing provisions of this section shall apply in relation to
3 any doubt or dispute as to whether any matter is, for the purposes of this Act,
4 academic or a non-academic matter as they apply in relation to any such doubt
5 or dispute as is mentioned in subsection (1) of this section, and accordingly the
6 reference in subsection (2) of this section to any question as to the meaning of
7 any provision of a statute shall include references to any question as to whether
8 any matter is for the said purposes an academic or non-academic matter.

9 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

10 **15.**-(1) The President shall be the Visitor of the University.

11 (2) The Visitor shall as often as the circumstances may require, not
12 being less than once every five years, conduct a visitation of the University or
13 direct that such a visitation be conducted by such persons as the Visitor may
14 deem fit and in respect of any of the affairs of the University.

15 (3) It shall be the duty of the bodies and persons comprising the
16 University to-

17 (a) make available to the Visitor, and to any other persons conducting
18 a visitation in pursuance of this section, such facilities and assistance as he or
19 they may reasonably require for the purpose of the visitation; and

20 (b) give effect to any instructions consistent with the provisions of
21 this Act which may be given by the Visitor in consequence of the visitation.

Removal of
certain Members
of the Council

22 **16.**-(1) If it appears to the Council that a member (other than the Pro-
23 Chancellor or the Vice-Chancellor) should be removed from office on grounds
24 of misconduct or inability to perform the functions of his office, the Council
25 shall make a recommendation to that effect through the Minister to the Sports
26 university of Nigeria Abuja Executive Council and if the Sports University of
27 Nigeria Abuja Executive Council, after making such enquiries (if any) as may
28 be considered necessary, approves the recommendation it may direct the
29 removal of the member from office.

30 (2) It shall be the duty of the Minister to use his best endeavors to copy

1 cause a copy of the instrument embodying a direction under subsection (1)
2 of this section to be served as soon as reasonably practicable on the person to
3 whom it relates.

4 17.-(1) If it appears to the Council that there are reasons for
5 believing that any person employed as a member of the academic,
6 administrative or professional staff of the University, other than the Vice-
7 Chancellor, should be removed from office or on grounds of misconduct or
8 inability to perform the functions of his office Council shall-

Removal and
discipline of
Academic,
Administrative
and Professional
Staff

9 (a) give notice of those reasons to the person in question;
10 (b) afford such person an opportunity of making representation in
11 person on the matter to the Council; and
12 (c) take a decision to terminate or not to terminate the appointment.

13 (2) If the affected staff or any three members of the Council so
14 request within a period of one month from the date of receipt of the notice of
15 the Council's decision, the Council shall make arrangements for-

16 (a) a joint committee of the Council and the Senate to review the
17 matter and to report on it to the Council;

18 (b) the person in question to be afforded an opportunity to appear
19 before and be heard by an investigating committee with respect to the
20 matter;

21 and if the Council after considering the report of the investigating
22 committee, is satisfied that the person in question should be removed, the
23 Council may so remove him by an instrument in writing signed on the
24 directions of the Council.

25 (3) The Vice-Chancellor may, in a case of gross misconduct by a
26 member of staff which in the opinion of the Vice-Chancellor is prejudicial to
27 the interest of the University, suspend such member and any such
28 suspension shall immediately be reported to the Council.

29 (4) Any member of staff may be suspended from duty or his
30 appointment may be terminated by Council for a good cause and for the

1 purposes of this subsection “good cause” means-

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

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

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

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

14 (5) Any person suspended pursuant to subsection (3) of this section
15 shall be on half pay and the Council shall before the expiration of a period of
16 three months from the date of such suspension consider the case against that
17 person and come to a decision as to whether to-

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

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

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

25 (d) take such lesser disciplinary action against such person (including
26 the restoration of such proportion of his emoluments that might have been
27 withheld) as the Council may determine.

28 (6) Where the Council, pursuant to this section, decides to continue a
29 person's suspension or decides to take further disciplinary action against the
30 person, the Council shall, before the expiration of three months from such

1 decision come to a final determination in respect of the case concerning such
2 a person.

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

7 (8) Nothing in the foregoing provisions of this section shall prevent
8 the Council from making regulations for the discipline of staff and workers
9 of the University as may be appropriate.

10 **18.-(1)** If, on the recommendation of the Vice-Chancellor, it
11 appears to the Senate that a person appointed as an examiner for any
12 examination of the University ought to be removed from his office or
13 appointment, then, the Senate may, after affording the examiner an
14 opportunity of making representations in person on the matter, direct the
15 Vice-Chancellor to remove the examiner by an instrument in writing signed
16 by the Registrar.

Removal of
Examiners

17 (2) Subject to the provisions of any regulation made pursuant to
18 section 8 (4) of this Act, the Vice-Chancellor may, on the recommendation
19 of Senate, appoint an appropriate person as examiner in the place of the
20 examiner removed.

21 (3) It shall be the duty of the Registrar on signing an instrument of
22 removal pursuant to this section, to use his best endeavours to cause a copy
23 of the instrument to be served as soon as reasonably practicable on the
24 person to whom it relates.

25 **19.-(1)** Subject to the provisions of this section, where it appears to the
26 Vice-Chancellor that any student is guilty of misconduct, the Vice-
27 Chancellor may, without prejudice to any other disciplinary powers
28 conferred on him by Statute or regulations, direct that the-

Discipline of
Students

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

1 facilities of the University as may be so specified;

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

4 (c) student be rusticated for such period as may be specified in the
5 direction.

6 (2) Where a direction is given under subsection (1) paragraphs (c) or
7 (d) of this section in respect of any student, the student may, within the
8 prescribed period and in the prescribed manner, appeal against the direction to
9 the Senate.

10 (3) Where an appeal is brought pursuant to subsection (2) of this
11 section, the Senate shall, after causing such inquiry to be made in the matter as
12 the Senate considers just, either confirm or set aside the direction or modify it
13 in such manner as the Senate thinks fit.

14 (4) The fact that an appeal from a direction is brought pursuant to
15 subsection (2) of this section shall not affect the operation of the direction while
16 the appeal is pending.

17 (5) The Vice-Chancellor may delegate his powers under this section
18 to a disciplinary board consisting of such members of the University as he may
19 nominate.

20 (6) Nothing in this section shall be construed as preventing the
21 restriction or termination of a student's activities at the University for conduct
22 which in the opinion of Senate is prejudicial to the interest of the University or
23 to its corporate objective or image.

24 (7) A direction under subsection (1) (a) of this section may be
25 combined with a direction under subsection (1) (b) of this section.

26 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

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

27 **20.-(1)** No person shall be required to satisfy requirements as to any of
28 the following matters, that is to say, race (including ethnic grouping) sex, place
29 of birth, family origin, religious or political persuasion, as a condition for
30 becoming or continuing to be a-

- 1 (a) student in the University;
2 (b) Holder of any degree, appointment or employment in the
3 University; or
4 (c) member of anybody established by virtue of this Act.

5 (2) No person shall be subjected to any disadvantage or accorded
6 any advantage in relation to the University by reference to any of the matters
7 referred to in subsection (1) of this section.

8 (3) Nothing in subsection (1) of this section shall be construed as
9 preventing the University from imposing any disability or restriction on any
10 of the persons specified in subsection (1) of this section where such persons
11 wilfully refuse or fail on grounds of religious belief to undertake any duty
12 generally and uniformly imposed on all such persons or any group of them
13 which duty, having regard to its nature and the special circumstances, is in
14 the opinion of the University reasonably justifiable in the national interest.

15 **21.**-(1) For the purpose of the Land Use Act (which provides for the
16 compulsory acquisition of land for public purposes) any purpose of the
17 University shall be the same as that of the Federation.

Transfer of land
to the University

18 (2) Where an estate or interest in land is acquired by the
19 Government pursuant to this section, the Government may, by a certificate
20 under the hand and seal of the Sports University of Nigeria Abuja or any
21 other person authorized in that behalf transfer it to the University.

22 **22.** Without prejudice to the provisions of the Land Use Act, the
23 University shall not dispose of or charge any land or an interest in any land
24 (including any land transferred to the University by this Act) except with the
25 prior written consent, either general or special, of the Visitor:

Restriction on
disposal of land
by University

26 PROVIDED that such consent shall not be required in the case of
27 any lease or tenancy at a rack-rent for a term not exceeding twenty-one years
28 of any lease or tenancy to a member of the University for residential
29 purpose.

Quorum and
procedure of
bodies established
by this Act

1 **23.** Except as may be otherwise provided by Statute or by Regulation,
2 the quorum and procedure of any body of persons established by this Act shall
3 be such as may be determined by that body.

Appointment of
Committees, etc.

4 **24.-(1)** Anybody of persons established by this Act shall, without
5 prejudice to the generality of the powers of that body, have power to appoint
6 committees, which need not consist exclusively of members of that body and
7 authorize a committee established by it to-

8 (a) exercise on its behalf, such of its functions as it may determine;
9 and

10 (b) co-opt members and direct whether or not co-opted members shall
11 be entitled to vote in that committee.

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

17 (3) Except as may be otherwise provided by Statute or Regulations,
18 the quorum and procedure of a committee established or meeting held pursuant
19 to this section shall be such as may be determined by the body or bodies which
20 have decided to establish the committee or hold the meeting.

21 (4) The Pro-Chancellor and the Vice-Chancellor shall be members of
22 every committee of which the members are wholly or partly appointed by the
23 Council, (other than a committee appointed to inquire into the conduct of the
24 officer in question) and the Vice-Chancellor shall be a member of every
25 committee of which the members are wholly or partly appointed by the Senate.

26 (5) Nothing in the foregoing provisions of this section shall be
27 construed as enabling-

28 (a) statutes to be made otherwise than in accordance with section 11 of
29 this Act; or

30 (b) the Senate to empower any other body to make Regulations or to

1 award degrees or other qualifications.

2 **25.**-(1) The seal of the University shall be such as may be
3 determined by the Council and approved by the Chancellor and the affixing
4 of the seal shall-

Miscellaneous
Administrative
provisions

5 (a) in the case of certificates issued by the University, be
6 authenticated by the Vice-Chancellor and the Registrar; and

7 (b) in the case of any other document, be authenticated by any
8 member of Council, the Vice-Chancellor and the Registrar or any other
9 person authorized by Statute.

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

13 (3) Any contract or instrument which, if made or executed by a
14 person not being a body corporate, would not be required to be under seal,
15 may be made or executed on behalf of the University by any person
16 generally or specially authorized to do so by the Council without seal.

17 (4) The validity of the proceedings of anybody established
18 pursuant to this Act shall not be affected by-

19 (5) Any member of any such body who has a personal interest in
20 any matter proposed to be considered by that body shall disclose his interest
21 to the body and shall not vote on any question relating to that matter.

22 (6) Nothing in section 12 of the Interpretation Act (which provides
23 for the application, in relation to subordinate legislation, of certain
24 incidental provisions) shall apply to Statutes or Regulations made pursuant
25 to this Act.

26 (7) The power conferred by this Act on anybody to make Statute or
27 Regulations shall include power to revoke or vary any-

28 (a) Statute (including the Statute contained in the Third Schedule to
29 this Act; or

30 (b) regulation by a subsequent Statute or Regulation as the case

1 may be;

2 PROVIDED that the Statutes and Regulations may have different
3 provisions in relation to different circumstances.

4 (8) No stamp or other duty shall be payable in respect of any transfer
5 of property to the University by virtue of sections 10, 21 and the Second
6 Schedule to this Act.

7 (9) Any notice or other instrument authorized to be served by virtue of
8 this Act may, without prejudice to any other mode of service, be served by post.

Interpretation

9 **26.-(1)** In this Act-

10 “appropriate authority” means any person, body or authority authorized by law
11 to act in a specific or general capacity in relation to a subject matter;

12 “campus” means any campus which may be established by the University;

13 “college” means any college which may be established by the University;

14 “graduate” means a person on whom a degree (other than an honorary degree)
15 has been conferred by the University;

16 “gross misconduct” means any act of misconduct and improper behavior that
17 may be designated as gross misconduct by any Statute or Regulation made,
18 pursuant to this Act.

19 “Minister” means the Minister charged with responsibility for education;

20 “misconduct” means any conduct which is prejudicial to the good name of the
21 University and or discipline and the proper administration of the business of
22 the University;

23 “notice” means notice in writing;

24 “officer” does not include the Visitor;

25 “prescribed” means prescribed by Statute or Regulation made under this Act;

26 “professor” means a person designated as a professor of the University in
27 accordance with provisions made in that behalf by Statute or by Regulations;

28 “property” includes rights, liabilities and obligations;

29 “the provisional Council” means the provisional Council appointed for the
30 University by the President with effect from September 2016;

- 1 “regulations” means regulations made by the Senate or Council;
- 2 “Senate” means the Senate of the University established by the Act;
- 3 “Statute” means a Statute made by the University under section 11 of this
- 4 Act and in accordance with the provisions of section 12 of this Act;
- 5 “the Statutes” means all such Statutes as are in force from time to time;
- 6 “teacher” means a person holding a full time appointment as a member of
- 7 the teaching or research staff of the University;
- 8 “President” means the President of the Federal Republic of Nigeria;
- 9 “Constitution” means the Constitution of the Federal Republic of Nigeria;
- 10 “undergraduate” means a person in *statupupilari* in the University, other
- 11 than-
- 12 (a) a graduate; and
- 13 (b) a person of such description as may be prescribed for the
- 14 purposes of this definition.
- 15 “the University” the Federal University of Agriculture Namu, Plateau State
- 16 incorporated and constituted by this Act; and
- 17 “the Act” means the Federal University of Agriculture Namu, Plateau State
- 18 Act.
- 19 (2) Where in any provision of this Act, it is laid down that proposals
- 20 are to be submitted or a recommendation is to be made by one authority to
- 21 another through one or more intermediate authorities, it shall be the duty of
- 22 every such intermediate authority to forward any proposals or
- 23 recommendations received by it pursuant to that provision to the appropriate
- 24 authority; but any such intermediate authority may, if it thinks fit, forward
- 25 therewith its own comments thereon.
- 26 **27.** This Bill may be cited as the Federal University of Agriculture Short Title
- 27 Namu, Plateau (Establishment, etc.) Bill, 2019.

1 SCHEDULES

2 FIRST SCHEDULE

3 *Section 3 (2)*

4 PRINCIPAL OFFICERS OF THE UNIVERSITY

5 *The Chancellor*

6 1. he Chancellor shall be appointed by and hold office at the pleasure
7 of the President.

8 *The Pro-Chancellor*

9 2.-(1) The Pro-Chancellor shall be appointed or removed from office
10 by the President.

11 (2) Subject to the provisions of this Act, the Pro-Chancellor shall hold
12 office for a period of four years from the date of his appointment.

13 *The Vice-Chancellor*

14 3. The procedure for the appointment and removal of the Vice-
15 Chancellor shall be in accordance with the provision of the University
16 (Miscellaneous Provisions) Act 1993 as amended.

17 *Deputy Vice-Chancellor*

18 4.-(1) There shall be for the University, two Deputy Vice-Chancellors
19 or such number of Deputy Vice Chancellors as the Council may, from time to
20 time, deem necessary for the proper administration of the University.

21 (2) The procedure for the appointment and removal of the Deputy
22 Vice Chancellor shall be in accordance with the provisions of the Universities
23 (Miscellaneous Provisions) Act 1993 as amended.

24 (3) A Deputy Vice-Chancellor shall-

25 (a) assist the Vice-Chancellor in the performance of his functions;

26 (b) act in place of the Vice-Chancellor when the post of the Vice-
27 Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or
28 unable to perform his functions as Vice-Chancellor; and

29 (c) perform such other functions as the Vice-Chancellor or the
30 Council may, from time to time, assign to him.

Office of the Registrar, Bursar and University Librarian

5.-(1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.

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

(3) The Registrar shall hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

6.-(1) There shall be for the University, the following Principal Officers in addition to the Registrar, that is-

(a) the Bursar; and

(b) the University Librarian.

(2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

(3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.

(4) The Bursar and the University Librarian-

(a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

Other Officers of the University.

7. There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works

1 Department. He shall be responsible for all works, services and maintenance of
2 University facilities.

3 8. There shall be for the University, a Director of Health Services,
4 who shall be responsible to the Vice Chancellor for the administration of the
5 Health Centre. He shall be the Chief Medical Officer of the University and
6 shall coordinate all matters relating to the health of all staff and students.

7 *Resignation and re-appointment.*

8 9.-(1) Any officer mentioned in the foregoing provisions of this
9 schedule may resign his office in-

10 (a) the case of the Chancellor or Pro-Chancellor, by notice to the
11 Visitor;

12 (b) the case of the Vice-Chancellor by notice to the Council which
13 shall immediately notify the Minister; and

14 (2) A person who has ceased to hold an office so mentioned otherwise
15 than by removal for misconduct shall be eligible for re-appointment to that
16 office.

17 SECOND SCHEDULE

18 *Section 10 (2)*

19 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

20 *Transfer of Property to the University*

21 1. Without prejudice to the generality of Section 10 (1) of this Act-

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

26 (b) all outstanding debts and liabilities of the provisional Council
27 shall become debts and liabilities of the University established by this Act.

28 2.-(1) All agreements, contracts, deeds and other instruments to
29 which the provisional Council was a party shall, so far as possible and subject
30 to any necessary modifications, have effect as if the University established by

1 this Act had been a party to it in place of the provisional Council.

2 (2) Documents not falling within sub-paragraph (I) above,
3 including enactments, which refer whether specially or generally to the
4 provisional Council shall be construed in accordance with that
5 subparagraph so far as applicable.

6 (3) Any legal proceedings or application to any authority pending
7 by or against the provisional Council may be continued by or against the
8 University established by this Act.

9 *Registration of Transfers*

10 3.-(1) If the law in force at the place where any property transferred
11 by this Act is situated provides for the registration of transfers of property of
12 the kind in question (whether by reference to an instrument of transfer or
13 otherwise), the law shall, so far as it provides for alterations of a register (but
14 not for avoidance of transfers, the payment of fees of any other matter)
15 apply, with the necessary modifications to the transfer of the property in
16 question.

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

21 4.-(1) The first meeting of the Council shall be convened by the
22 Pro-Chancellor on such date and in such manner as he may determine.

23 (2) The persons who were members of the provisional Council
24 shall be deemed to constitute the Council until the date when the Council set
25 up under the Third Schedule to this Act must have been duly constituted.

26 (3) The first meetings of the Senate as constituted by this Act shall
27 be convened by the Vice-Chancellor on such date and in such manner as he
28 may determine.

29 (4) The persons who were members of the Senate immediately
30 before the coming into force of this Act shall be deemed to constitute the

1 Senate of the University until the date when the Senate as set up under the Third
2 Schedule of this Act must have been duly constituted.

3 (5) Subject to any regulations which may be made by the Senate after
4 the date on which this Act is made, the faculties, faculty boards and students of
5 the University immediately before the coming into force of this Act shall on
6 that day become faculties, faculty boards and students of the University as
7 established by this Act.

8 (6) Persons who were deans or associate deans of faculties or
9 members of faculty boards shall continue to be deans or associate deans or
10 become members of the corresponding faculty boards, until new appointment
11 are made in pursuance of the Statutes under this Act.

12 5. Any person who was a member of the staff of the University as
13 established or was otherwise employed by the provisional Council shall be
14 employed at the University on such designation, status and functions which
15 correspond as nearly as possible to those which pertained to him as a member
16 of that staff or as such an employee.

17 6. Questions as to the scope of the responsibilities of the aforesaid
18 officers shall be determined by the Vice-Chancellor.

19 THIRD SCHEDULE

20 *Section 11 (3)*

21 FEDERAL UNIVERSITY OF AGRICULTURE NAMU, PLATEAU

22 STATUTE NO. 1

23 *Articles:*

- 24 1. The Council.
25 2. Finance and General Purpose Committee
26 3. The Senate
27 4. The Congregation
28 5. Convocation
29 6. Organization of Faculties and the Branches thereof
30 7. Faculty Board

- 1 8. The Dean of the Faculty.
- 2 9. Selection of Certain Principal and other key officers
- 3 10. Creation of Academic Post
- 4 11. Appointment of Academic Staff
- 5 12. Appointment of Administrative and professional Staff

6 *The Council*

7 (1) Any member of Council holding office pursuant to section 6 (e)
8 (f) (g) or (h) of this Act may, by notice to the Council resign his office.

9 (2) A member of Council holding office pursuant to section 6 (e)
10 (f) (g) or (h) of this Act shall, unless he previously vacates it, vacate that
11 office on the expiration of a period of four years starting from 1st August in
12 the year in which he was appointed.

13 (3) Where a member of Council holding office pursuant to section
14 6 (e) (f) (g) or (h) of this Act vacates office before the expiration of his
15 tenure, the body that appointed him may appoint a successor to hold office
16 for the residue of his unexpired term.

17 (4) A person ceasing to hold office as a member of Council
18 otherwise than by removal for misconduct shall be eligible for
19 reappointment for only one further period of four years.

20 (5) The quorum of the Council shall be five, at least one of whom
21 shall be a member pursuant to Section 6 (d) and (e) of this Act.

22 (6) If the Pro-Chancellor is not present at a meeting of the Council,
23 the members present at the meeting may appoint one of them to be the
24 Chairman at that meeting, and subject to section 5 of this Act and the
25 provisions of this paragraph the Council may regulate its own procedure.

26 (7) Where the Council desires to obtain advice with respect to any
27 particular matter, it may co-opt not more than two persons for that purpose;
28 and the persons co-opted may take part in the deliberations of the Council at
29 any meeting but shall not be entitled to vote.

30 (8) The Council constituted by this Act shall have a four year

1 tenure from the date of its inauguration, provided that where a Council is found
2 to be incompetent and corrupt, it shall be dissolved by the visitor and a new
3 Council shall be immediately constituted for the effective functioning of the
4 University.

5 (9) The powers of the Council shall be exercised in accordance with
6 the laws and Statutes of the University, and to that extent, establishment
7 circulars that are inconsistent with the laws and Statutes of the University shall
8 not apply to the University.

9 *The Finance and General Purpose Committee*

10 2.-(1) The Finance and General Purpose Committee of the Council
11 shall consist of-

12 (a) the Pro-Chancellor, who shall be the Chairman of the committee at
13 any meeting at which he is present;

14 (b) the Vice-Chancellor and a Deputy Vice-Chancellor;

15 (c) six other members of the Council appointed by the Council two of
16 whom shall be selected from among the four members of the Council
17 appointed by the Senate and one of whom shall be selected from among
18 members of the Council appointed by the congregation; and

19 (d) the Permanent Secretary, Federal Ministry of Education or, in his
20 absence, such member of his Ministry as he may designate to represent him.

21 (2) The quorum of the Committee shall be six.

22 (3) Subject to any directions given by the Council, the committee may
23 regulate its own procedure.

24 *The Senate*

25 3.-(1) There shall be a Senate for the University consisting of:

26 (a) the Vice-Chancellor;

27 (b) the Deputy Vice-Chancellor;

28 (c) all Professors of the University;

29 (d) all Deans, Provosts and Directors of Academic units of the
30 University;

1 (e) all Heads of Academic Departments, Units and Research
2 Institutes of the University;
3 (f) the University Librarian; and
4 (g) academic members of the congregation who are not Professors
5 as specified in the Laws of the University.

6 (2) The Vice-Chancellor shall be the chairman at all meetings of the
7 Senate when he is present and in his absence, one of the Deputy Vice-
8 Chancellors appointed by him shall be the chairman at the meeting.

9 (3) The quorum of the Senate shall be one-quarter (or the nearest
10 whole number less than one quarter), and subject to paragraph (2) above the
11 Senate may regulate its own procedure.

12 (4) If so requested in writing by any ten members of the Senate, the
13 Vice-Chancellor, or in his absence a person duly appointed by him, shall
14 convene a meeting of the Senate to be held not later than the tenth day
15 following that on which the request was received.

16 *Congregation*

17 4.-(1) Congregation shall consist of-

18 (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
19 (b) the full time members of the academic staff;
20 (c) the Registrar;
21 (d) the Bursar; and
22 (e) every member of the administrative and technical staff who
23 holds a degree of any University recognized for the purpose of this Statute
24 by the Vice-Chancellor, not being an honorary degree.

25 (2) Subject to section 5 of this Act, the Vice-Chancellor shall be the
26 Chairman at all meetings of congregation when he is present, and in his
27 absence one of the Deputy Vice Chancellors appointed by him shall be the
28 chairman at the meeting.

29 (3) The quorum of congregation shall be one-third (or the nearest
30 whole number to one-third) of the total number of members of congregation

1 or fifty, whichever is less.

2 (4) A certificate signed by the Vice-Chancellor specifying-

3 (a) the total number of members of Congregation for the purposes of
4 any particular meeting or meetings of Congregation; or

5 (b) the names of the persons who are members of Congregation
6 during a particular period;

7 shall be conclusive evidence of that number or as the case may be of the names
8 of those persons.

9 (5) Subject to the provisions of this schedule, congregation may
10 regulate its own procedure.

11 (6) Congregation shall be entitled to express by resolution or
12 otherwise its opinion on all matters affecting the interest and welfare of the
13 University and shall have such other functions in addition to the function of
14 electing a member of the Council, as may be provided by Statute or
15 Regulations.

16 *Convocation*

17 5.-(1) Convocation shall consist of-

18 (a) the Officers of the University mentioned in Schedule 1 to this Act;

19 (b) all teachers within the meaning of this Act; and

20 (c) all other persons whose names are registered in accordance with
21 paragraph (2) below.

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

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

26 (b) applies for the registration of his name in the prescribed manner
27 and pays the prescribed fee.

28 (3) Regulations shall provide for the establishment and maintenance
29 of a register for the purpose of this paragraph and, subject to paragraph (3)
30 below, may provide for the payment from time to time of further fees by

1 persons whose names are on the register and for the removal from the
2 register of the name of any person who fails to pay those fees.

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

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

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

17 (7) The quorum of convocation shall be fifty or one-third (or the
18 whole number nearest to one-third) of the total number of members of
19 convocation whichever is less.

20 (8) Subject to section 5 of this Act, the Chancellor shall be
21 chairman at all meetings of convocation when he is present, and in his
22 absence the Vice Chancellor shall be the chairman at the meeting.

23 (9) Convocation shall have such functions, in addition to the
24 function of appointing a member of the Council, as may be provided by
25 statute.

26 *Organisation of Faculties and Branches thereof*

27 6. Each Faculty shall be divided into such number of branches as
28 may be prescribed.

29 7.-(1) There shall Be established in respect of each Faculty, a
30 Faculty Board, which, subject to the provisions of this Act, and subject to the

1 directions of the Vice-Chancellor, shall-

2 (a) regulate the teaching and study of, and the conduct of
3 examinations connected with the subjects assigned to the faculty;

4 (b) deal with other matters assigned to it by Statute, by the Vice-
5 Chancellor or by the Senate; and

6 (c) advise the Vice-Chancellor or Senate on any matter referred to it
7 by the Vice-Chancellor or Senate.

8 (2) Each Faculty Board shall consist of-

9 (a) the Vice-Chancellor;

10 (b) the persons severally in charge of the branches of the faculty;

11 (c) such number of the teachers assigned to the faculty and having the
12 prescribed qualifications as the Board may determine; and

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

15 (3) The quorum of the Board shall be eight members or one-quarter of
16 the members of the Board for the time being whichever is greater.

17 (4) Subject to the provisions of this statute and to any provision made
18 by regulations in that behalf, the Board may regulate its own procedure.

19 *The Dean of the Faculty*

20 8.-(1) The Dean of a faculty shall be a professor elected by the Faculty
21 Board and such Dean shall hold office for a term of two years. He will be
22 eligible for re-election for another term of two years after which he may not be
23 elected again until two years have elapsed.

24 (2) If there is no professor in a faculty, the Vice-Chancellor shall
25 appoint an Acting Dean who shall not be below the rank of Senior Lecturer for
26 the faculty, who will act for a period of one year in the first instance, renewable
27 for another one year only.

28 (3) In the absence of the Vice-Chancellor, the Dean shall be the
29 chairman at all meetings of the Faculty Board when he is present and he shall be
30 a member of all committees and other boards appointed by the faculty.

1 (4) The Dean of a faculty shall exercise general superintendence
2 over the academic and administrative affairs of the faculty and it shall be the
3 function of the Dean to present to the convocation for the conferment of
4 Degrees, persons who have qualified for the Degrees of the University at
5 examinations held in the branches of learning for which responsibility is
6 allocated to that faculty.

7 (5) There shall be a committee to be known as the Committee of
8 Deans which shall consist of all the Deans of the several faculties and that
9 committee shall advise the Vice-Chancellor on all academic matters and on
10 particular matters referred to the Committee by the Senate.

11 (6) The Dean of a faculty may be removed from office for a good
12 cause by the Faculty Board after a vote would have been taken at a meeting
13 of the Board, and in the event of a vacancy occurring following the removal
14 of the Dean, an Acting Dean may be appointed by the Vice-Chancellor
15 provided that at the next faculty board meeting an election shall be held for a
16 new Dean.

17 (7) In this article, “good cause” has the same meaning as in section
18 17 (4) of this Act.

19 *Selection of Certain Principal and other key Officers*

20 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,
21 the University Librarian, Director of Works or Director of Health Services, a
22 Selection Board shall be constituted by the Council and shall consist of-

- 23 (i) the Pro-Chancellor;
24 (ii) the Vice-chancellor;
25 (iii) two members appointed by the Council, not being members of
26 Senate; and
27 (iv) two members appointed by the Senate not being members of
28 Council.

29 (2) The Selection Board, after making such inquiries as it thinks fit,
30 shall recommend a candidate to the Council for appointment to the vacant

1 office, and after considering the recommendation of the Board the Council may
2 make an appointment to that office.

3 (3) A person appointed to the office of Director of Works or Director
4 of Health Services shall hold office for such period and on such terms and
5 conditions as may be specified in his letter of appointment.

6 *Creation of Academic Post*

7 10. Recommendation for the creation of posts other than those
8 mentioned in paragraph 9 of this Schedule shall be made by the Senate to the
9 Council through the Finance and General Purposes Committee.

10 *Appointment of Academic Staff*

11 11. Subject to this Act and the Statutes derived from it, the filling of
12 vacancies in academic posts (including newly created ones) shall be as
13 prescribed from time to time by Statutes.

14 *Appointment of Administrative and Technical Staff*

15 12.-(1) The administrative and professional staff of the University,
16 other than those mentioned in paragraph 9 of this schedule shall be appointed
17 by the Council or on its behalf by the Vice-Chancellor or the Registrar in
18 accordance with any delegation of powers made by the Council in that behalf.

19 (2) In the case of administrative or professional staff that has close and
20 important contacts with the academic staff, there shall be Senate participation
21 in the process of selection.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Agriculture Namu, Plateau to make comprehensive provisions for its Due Management and Administration.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE
OF NURSING AND MIDWIFERY OTU-JEREMI AND FOR RELATED MATTERS

Sponsored by Hon. Francis Ejirogbene Waive

[] Commencement

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

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

2 1.-(1) There is hereby established for the Federal a College to be Establishment
3 known as the Federal College of Nursing and Midwifery Otu-jeremi

4 (2) The College shall:

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

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

9 2. The object of College shall be: Object

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

13 (b) To provide avenues for continuing education in nursing,
14 midwifery and other specialties of Nursing; and

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

17 3.-(1) The College shall be a teaching and examining body and Powers of the
18 shall subject to the provisions of this Bill and the regulations of the College College
19 have powers to:

20 (a) Provide rules and conditions under which persons may be

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

1 (m) Carry out any special or general directive consistent with
2 Government policy as the secretary of health may give in writing.

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

8 (3) Subject to the provisions of this Bill and of any other statute.
9 The Power conferred on the College by subsection (1) of this section shall be
10 exercise on behalf of the College by the council and the committees
11 established for the College or by such officers and other staff of the College
12 as may be authorize in that behalf and may also be exercised through schools
13 established under this Act.

14 4.-(1) The provost shall have custody of the common seal of the
15 College and shall be responsible for affixing same to documents.

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

19 PART II - GOVERNMENT COUNCIL OF THE COLLEGE

20 5.-(1) There shall be establish for the College a Government
21 Council to be known as the Governing council of the Federal College of
22 Nursing and midwifery Otu-jeremi

Governing
Council of the
College

23 (2) The council shall consist of:

24 (a) A chairman who shall be appointed on part time basis by the
25 Commissioner on the recommendation of the secretary of health;

26 (b) A representation of the secretary of health;

27 (c) The provost of the College;

28 (d) A representation of the Delta State chapter of National
29 association of Nigeria Nurses and midwives;

30 (e) Two member to represent the interest of the public to be

1 appointed by the minister on the recommendation of the secretary of health;
 2 (f) A representative of Delta State treasury;
 3 (g) A representative of Delta State Legal service Secretariat;
 4 (h) A representative of Delta State Education secretariat;
 5 (i) The director, finance and Administration in the secretariat;
 6 G) The director of Nursing in Delta State Hospitals Management
 7 Board; and
 8 (k) The director, Nursing service of the secretariat who shall also
 9 Serve as the secretary.

Tenure of
Members

10 6.-(1) Members of the council other than ex-officio members shall
 11 hold office for a period of four years from the date of their appointment and
 12 shall be eligible for reappointment for one further term of four years and no
 13 more.

14 (2) Any member of the council other than an ex officio member may
 15 by notice to the council resign his appointment.

16 (3) Any vacancy occurring in the membership of the council shall be
 17 filled by the appointed of a successor who shall represent the same interest as
 18 his predecessor for the remainder of the term of the predecessor.

Functions of
the Council

19 7.-(1) Subject to the provisions of this Act, the council shall:

20 (a) Be the governing authority of the College;

21 (b) Be charged with general control and superintendence of the
 22 policies, finances and properties of the College;

23 (c) Make regulations for the day to day management of the College;

24 and

25 (d) Do any other thing necessary or incidental to attainment of objects
 26 of the College.

27 FUNCTIONS OF THE ACADEMIC COMMITTEE

28 (2) Without prejudice to the provisions of subsection (1) of this
 29 section, the council shall:

30 (a) Ensure that the courses and instructions provided by the College

1 conform to the required standard laid down from time to time by the Nursing
2 And Midwifery council of Nigeria;

3 (b) Regulate the teaching of course offered by the College, and also
4 regulate the conduct of examination with respect to the College;

5 (c) Approve contracts for procurement of equipment, furniture and
6 other properties required for the purpose of the College;

7 (d) Approve contracts for maintenance of the premises and other
8 properties of the College;

9 (e) Formulate policies and initiate programmes in all field of learning
10 conducted by the College;

11 (f) Assess from time to time the course offered by the College; and

12 (g) Perform such other function as may be necessary.

13 (3) The council may delegate any of its functions, other than the
14 Power to make regulates, to the chairman or any other person, Board or
15 Committee it deems it fit in that behalf, but no decision of such person or
16 Committee shall take effect unless ratified by council.

17 8. The Director, nursing service of the secretariat shall be the
18 Secretary to the council, and for any particular meeting that he may be
19 absent, he shall send a representative to act in that behalf.

Secretary of
the Council

20 9.-(1) The Secretary of Health may give to the council directions as
21 to the discharge of its function in relation to matters appearing to the
22 Secretary of Health to affect public interest and the council shall give effect
23 to such directive.

24 (2) The council shall afford the secretary of health facilities for
25 obtaining information with respect to the property of the College and the
26 functions of the council and he shall be furnished with returns, accounts and
27 facilities for verification of the information in such manner and at such times
28 as he may require.

1 PART III - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

2 10.-(1) There shall be within the College a school of Nursing and a
3 School of Midwifery and such other schools as the secretariat may with the
4 approval of the Nursing and Midwifery council of Nigeria establish.

5 (2) Each school shall provide instruction for courses, conduct
6 research and carry out such functions as may be prescribed by the council with
7 the approval of the secretary of Health.

8 (3) The constitution of and other matters relating to each schools may
9 be prescribed by the council with the approval of the secretary of health

10 11. In furtherance of the provisions of section 3 (1) (c) of this Act, the
11 council shall with the approval of the secretary of Health establish for each
12 school such department as the Nursing and Midwifery council of Nigeria May
13 from time to time prescribe.

14 12. Subject to the provision to this Act, the council may with the
15 approval of the secretary of Health establish units for special purposes within
16 the College; and the name, constitution and functions of any such units may be
17 prescribe by director of the council.

18 PART IV - PRINCIPAL OFFICER AND STAFF OF THE COLLEGE

19 13. There shall be for the College a provost and other principal
20 officers, the designations, qualifications, functions, appointments and removal
21 of whom shall be as spelt out in section 15 to 22 of this Act.

Principal Officer
of the College

22 14.-(1) The Principal Officers of the College shall include:

23 (b) The Deans of the schools in the College;

24 (c) The Deputy Deans (Academics and Administration) of the schools
25 in the College;

26 (d) The Registrar;

27 (e) The College Librarian; and

28 (f) The Bursar.

29 (2) The principal officers of the College other than Deans and Deputy
30 Deans of schools in the College shall be appointed by the council subject the

1 approval of the minister through the secretary of Health.

2 (3) The Deans and the Deputy Deans of schools in shall be
3 appointed by the council.

4 **15.-(1)** The Provost shall be appointed from amongst the academic
5 staff of the College and shall be the Chief Executive and Administrator of
6 the College and also be responsible to the council for maintaining and
7 promoting efficiency and discipline in the College.

Appointment
of Provost

8 (2) The Provost shall hold a degree in Nursing and shall be a
9 registered Education in Nursing, Midwifery or other specialty areas of
10 Nursing with not less than fifteen years of teaching experience.

11 **16.-(1)** The Deans of schools in the College shall be responsible to
12 the provost for the administration of the schools.

Deans

13 (2) The Deans of schools in the College shall hold degree in
14 Nursing and shall be registered Educators in the Nursing specialty related to
15 their respective schools and with not less than ten years of teaching
16 experience.

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

Deputy Deans

20 (2) The Deputy Deans of schools in the College shall hold degree in
21 Nursing and shall be Registered Educator in the Nursing specialty related to
22 their respective schools with less than seven years teaching experience.

23 **18.-(1)** The Registrar of the College shall be the head of
24 administration of the College shall be responsible to the provost.

The Registrar
of the College

25 (2) The Registrar shall be an experienced graduate of humanities
26 with not less than fifteen years' experience in public Administration

27 (3) The person holding the office of the Registrar of the College
28 shall by virtue of that office be the secretary to the Academic Board and the
29 finance and General purpose Committee.

The Bursar	1	19. -(1) The Bursar shall be the Chief Financial officer of the College
	2	and shall be responsible to the provost for the day to day administration of the
	3	financial affairs of the College.
	4	(2) The Bursar shall be a qualified Accountant with not less than Ten
	5	years post qualification experience.
The Librarian	6	20. -(1) the Librarian shall be responsible to the provost for the Co-
	7	ordination of Library services in College.
	8	(2) The Librarian shall have a degree in library sciences with not less
	9	than ten years post qualification experience as a Librarian.
	10	21. The Council may appoint such other persons to be staff of the
Removal from Office	11	College as it may deems fit on .such terms and conditions as may specified in
	12	their instructions of appointment.
	13	22. -(1) The Principal officers and other senior staff of the College
	14	may be removed from office by the Commissioner for misconduct,
	15	incompetence or any other justifiable reason on the recommendation of the
Finance and General Purpose	16	council.
	17	(2) The council shall have power to remove any junior staff of the
	18	College for justifiable reasons.
	19	PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES
	20	23. There shall be a committee of the council to known as the Finance
Composition of the Committee	21	and general purpose committee.
	22	24. -(1) The finance and general purpose committee shall consist of:
	23	(a) The chairman of the Governing council who shall be the chairman;
	24	(b) The respective of the secretary of health;
	25	(c) The provost of the College;
	26	(d) The director of finance and administration in the secretariat;
	27	(e) The director of nursing services in the secretariat;
	28	(f) One member of the Academic Committee to be appointed by the
	29	Council; and
	30	(2) The Registrar shall be secretary of the committee.

1 **25.** The finance and general purpose committee shall:

2 (a) Exercise control over property, revenue and expenditure of the

3 College;

4 (b) Award contracts for the execution of project of the College; and

5 (c) Perform such other functions as the council may delegate to it.

6 **26.**-(1) Any body of persons established by this Act shall, without
7 Prejudice to the generality of the powers of that body, have power to
8 Constitute committees, which need not consist exclusively of members of
9 that body, and to authorize a committee established by it:

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

12 (b) To co-opt members, and may direct whether or not co-opted
13 members if any, shall be entitled to vote in that committee

14 (2) Any two or more such bodies may arrange for the holding of
15 Joint meetings of those bodies or for the appointment of committees
16 consisting of members of those bodies for the purpose of considering any
17 matter within the competence of those bodies or any of them and either of
18 dealing with it or of reporting on it to those bodies or any of them.

19 (3) The quorum and procedure of a committee established or meeting
20 held in pursuance of this section shall be such as may be determined by the
21 body or bodies which have decided to establish the committee or hold the
22 meeting.

23 PART VI - ACADEMIC BOARD

24 **27.** There shall be for each school of the College an Academic
25 Board which shall be responsible for the academic work of the school.

26 **28.** The Academic Board of each school of the College shall be
27 composed of:

28 (a) The provost of the College, as chairman;

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

30 (c) The Deputy of Dean of the school;

- 1 (d) All Heads of Department of the schools;
2 (e) One Academic staff not below the rank of senior Lecturer to be
3 selected from each of the Department of the school;
4 (f) A representative of the Director, Nursing Service in the Secretariat;
5 (g) The school Librarian; and
6 (i) The Registrar who shall be the secretary of the Board.

7 **29.** Subject to the overall control and direction of the council, the
8 Academic Board of each school of the College shall perform the following
9 Function:

10 (1) Regulating and organizing the process of admission, conduct of
11 Examinations, award of Certificates and all formalities relating to the
12 Registration and licensing of graduates.

13 (2) Making recommendation to the council on appointment of
14 Academic staff of the school and on the organization of department, Libraries
15 and other units of learn and research in the school.

16 (3) Making guideline for the purpose of exercising any of the
17 Functions conferred on it under the provisions of this section.

18 (4) Preparing curriculum for the school in line with guidelines from
19 the Nursing and Midwifery council of Nigeria and or other regulatory bodies.

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

22 PART VII- SUPPLEMENTARY PROVISIONS

23 **30.** The supplementary provision contained in the schedule shall have
24 effect in relation to the proceeding of the various bodies appointed under the
25 provision of this Act.

26 **31.** In the absence of the council and until it is constituted for the
27 College, the functions and powers of the council under this Act may be
28 Exercise by the secretary of health in consultation with the director of Nursing
29 Services in the Secretariat.

1 PART VIII - PROPERTY AND FINANCE

2 **32.** The Minister of the FCT may, by order transfer any property Transfer of
3 whether movable or immovable to the College and from the date of such Property
4 order, any property so transferred shall vest in the College and shall be used
5 for the Purpose of the College.

6 **33.** The council may, subject to the provision of this Act: Property of the
7 College

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

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

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

13 **34.**-(1) the council shall have power to approve expenditure of over Expenditure of
14 N100,000.00 but not exceeding N1,000,000.00 per unit transaction for the the College
15 procurement of the goods, works and services and shall refer procurements
16 exceeding the amount to the secretary of Health.

17 (2) The provost shall approve procurement of works, goods and
18 Services not exceeding N100,000.00

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

21 (a) Subsection (1), by the secretary of Health; and

22 (b) Subsection (2), by the council.

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

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

26 (b) Fees charges by and payable in respect of student;

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

28 (d) Receipts for publications or services;

29 (e) Interest on investments;

(f) Donations and Legacies.

Annual Estimate	1	36. Before the end of each financial year or at such other time as may
	2	be required by the council the director, finance and Administration or the
	3	provost shall present for council estimate of revenue and expenditure for the
	4	ensuring financial year and the accepted estimates shall be presented to the
	5	secretary Health and Human service secretary who shall cause same to be
	6	placed before the Commissioner for approval.
Statement of Account	7	37.-(1) the College shall prepare in respect of each financial year a
	8	Statement of account in such form as may be approved by the secretary of
	9	Health and the said annual statement of account shall be a fair and accurate
	10	statement of the financial position of the College for the financial year to which
	11	it relates.
Account Audit	12	(2) The said annual statement of accounts shall be audited by the
	13	auditor-General of the State or by such competent auditor appointed by him.
	14	(3) The said audited statement of accounts, after verification by the
	15	Council shall together with the auditor's report is forwarded to the secretary of
	16	Health who shall cause the same to be placed before the minister.
Interpretation	17	38. In this Act unless the context otherwise requires:
	18	"Academic Board" means the Academic Board established under this Act;
	19	"Chairman" means the Chairman of the Governing council of the College or
	20	where the context requires Chairman of the respective committees established
	21	under this Act;
	22	"College" means the Federal College of Nursing and Midwifery Out-jeremi;
	23	"Council" means the governing council established under section 4(1) of this
	24	Act for the College;
	25	"Executive Committee" means the Delta State Executive Committee;
	26	"Commissioner" means the minister of the Delta State Commissioner;
	27	"Junior staff" is a reference to staff on CONHESS 01-05 or salary Grade levels
	28	01-06;
	29	"Members" means members of the council and includes the chairman of the
	30	Council:

- 1 "Provost" means the provost of the College;
2 "Regulations" means any regulation formulated for the College by the
3 council;
4 "Secretariat" means Health and human Services Secretariat of Delta State;
5 "Secretary" means the Secretary to the council of the College and other-wise
6 means the Secretary of any Committees established under this Act;
7 "Secretary of Health" means the Secretary of Health and Human Services or
8 such other official as may be from time to time designation as head of the
9 body responsible for Health service under Delta State;
10 "Senior staff" is a reference to staff on CONHESS 06-16 or salary Grade
11 Levels 07-17.
12 **39.** This Bill may be cited as the Federal College of Nursing and Citation
13 Midwifery Otu-jeremi Bill, 2019.

EXPLANATORY NOTE

This Bill seeks to provide for the establishment of the Federal College of Nursing and Midwifery Otu-jeremi, Ughelli South LGA of Delta State, and to provide training and research in general Nursing, Midwifery and other specialties of Nursing.

A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIA RESEARCH AND INNOVATION TRUST FUND CHARGED WITH THE RESPONSIBILITY FOR IMPOSING, MANAGING AND DISBURSING THE RESEARCH AND INNOVATION LEVY TOWARDS ACHIEVING THE COMMERCIALISATION OF RESEARCH FINDINGS IN NIGERIA; AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Beni Lar

[] Commencement

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

- 1 **1.** The Objective of this Bill are to: Objectives
- 2 (a) Establish a Research and Innovation Tax dedicated to the
- 3 commercialization of research findings in Nigeria;
- 4 (b) Establish the Nigeria Research and Innovation trust Fund
- 5 which shall be responsible for imposing, managing and disbursing the
- 6 Research and Innovation Tax;
- 7 (c) Establish the Nigeria Research and Innovation Trust Fund
- 8 Board of Trustees which shall be responsible for the management of the
- 9 Nigeria Research and Innovation Trust Fund in accordance with the
- 10 provisions of this Bill; and
- 11 (d) Promote the commercialization of research undertaking in
- 12 Nigeria and a knowledge-base economy for sustained national
- 13 competitiveness.
- 14 **2.** The provisions of this Bill shall apply to the funding and Application
- 15 management of research commercialization endeavours in Nigeria.
- 16 **3.-(1)** As from the commencement of this Bill, there shall be Imposition of the
- 17 charged and payable an annual research and innovation tax which shall be Research and
- 18 assessed, collected and administered in accordance with assessed, collected Innovation Tax

1 and administered in accordance with the provisions of this Bill.

2 (2) The tax at the rate of 1 percent shall be charged on the assessable
3 profit of a company registered in Nigeria (in this Bill referred to as "a
4 company).

5 (3) The assessable profit of a company shall be ascertained in the
6 manner specified in the Companies Income Tax Act or the Petroleum Profits
7 Tax Act (in this Act referred to as "the Act") as the case may be.

8 (4) Without prejudice to the provisions of subsection (3) of this
9 section, section 60 of the petroleum profit tax Act shall not apply to the
10 assessment, collection and payment of the research and innovation tax and all
11 companies chargeable to the tax imposed under this Act.

Assessment
and collection
of Levy

12 4.-(1) The Federal Inland Revenue Service (in this Act referred to as
13 lithe Service") shall assess and collect from a company the tax impose by this
14 Bill and accordingly:

15 (a) shall, when assessing a company, for Companies income tax or
16 petroleum profit tax for an accounting period of the company, also proceed to
17 assess the company for the tax due under this Bill; and

18 (b) the provision of the Bill relating to the collection of Companies
19 income tax or petroleum profit tax shall, subject to this Bill, apply to the tax due
20 under this Bill.

21 (2) The tax imposed by this Bill shall be due and payable within 60
22 days after the service has served notice of the assessment on a company.

23 (3) The service may, for the purpose of assessment and collecting the
24 tax imposed by this Bill, devise such forms as it may deem necessary.

Establishment
of the Nigeria
Research and
Innovation
Trust Fund

25 5.-(1) There is established the Nigeria Research and Innovation Trust
26 Fund (in this Bill referred to as the Fund) charged with the responsibility of
27 promoting and funding academic research-industry partnerships and
28 commercializing products of research undertakings in Nigeria which shall be
29 managed by the Board of Trustees established under section 6 of this Bill.

30 (2) The Fund:

1 (a) shall be a body corporate with perpetual succession and a
2 common seal; and

3 (b) may sue and be sued in its corporate name.

4 (3) The service shall pay the tax collected under this Bill into the
5 Fund and shall, when doing so, submit to the Fund, in such form as the Board
6 of Trustees shall approve, a return showing:

7 (a) the name of the company making the payment;

8 (b) the amount collected;

9 (c) the assessable profit of the company for the accounting period;

10 and

11 (d) such other information as may be required by the Fund for the
12 proper administration of the tax.

13 (4) The Fund shall, before disbursement of the amount in the Fund
14 set aside in each year, an amount not exceeding 10 percent of the total
15 monies accruing to the Fund in the preceding year which shall be applied:

16 (a) for the cost of administration and management of the Fund;

17 (b) for the maintenance of any property acquired by or vested in the
18 Fund and generally to pay for service rendered to the Fund;

19 (c) for project monitoring;

20 (d) to meet all the needs of the Fund necessary for the due
21 administration and implementation of the purpose of this Bill.

22 **6.-(1)** There is established for the Fund, a Board of Trustees (in this
23 Bill referred to as "the Board of Trustees")

Establishment
of the Board of
Trustees

24 (2) The Board of Trustees shall consist of:

25 (a) a non-executive chairman who shall:

26 (i) be a person recommended by the Organised Private Sector of
27 Nigeria to the Minister with a good knowledge in finance and administrative
28 matters;

29 (ii) have qualities and experience as are required to perform the
30 functions of that office under this Bill.

1 (b) A representative each of the following Federal Ministries who
2 shall not be below the rank of a Director:

3 (i) Education;

4 (ii) Trade and Investment;

5 (iii) Science and Technology;

6 (iv) Finance; and

7 (v) Agriculture.

8 (c) 6 representatives from the public research institutions and
9 universities in Nigeria;

10 (d) 3 representatives from private research institutions and
11 universities in Nigeria;

12 (e) 6 representatives representing the organized private sector;

13 (f) A representative of the National Competitiveness Council of
14 Nigeria;

15 (g) The Executive Secretary, who shall be the secretary to the Board
16 of Trustees.

17 (3) The membership of the Board of Trustees shall reflect the six geo-
18 political zones of the Federation.

19 (4) The members of the Board of Trustees shall:

20 (a) be persons with considerable experience to represent the business,
21 financial and education sectors;

22 (b) be appointed by the President on the recommendation of the
23 Minister;

24 (c) other than the ex-officio members, each hold office for a term of 4
25 years in the first instance and may be eligible for re-appointment for further
26 term of 4 years and no more;

27 (d) be paid such remuneration and allowances as the President may,
28 from time to time, determine.

29 (5) The Board of Trustees shall meet for conduct of its ordinary
30 meetings 4 times in a calendar year.

1 (6) Notwithstanding subsection (4) of this section, the Board of
2 Trustees may meet to conduct such other business as exigency demands.

3 (7) The supplementary provisions contained in the Schedule to this
4 Bill shall have effect with respect to the proceedings of the Board of
5 Trustees.

6 7.-(1) A member of the Board of Trustees shall cease to hold office
7 if he/she: Cessation of
Membership

8 (a) becomes of unsound mind;

9 (b) becomes bankrupt or makes a compromise with creditors;

10 (c) is convicted of a felony or any offence involving dishonesty, or
11 of financial misappropriation;

12 (d) is guilty of serious misconduct in relation to his duties; or

13 (e) dies.

14 (2) A member of the Board of Trustees may be removed from office
15 by the president if he is satisfied that it is not in the interest of the Fund or
16 public that the member should continue in that office.

17 (3) A member of the Board of Trustees, other than an ex-officio,
18 may resign his appointment by a notice in writing under his hand, addressed
19 to the president.

20 (4) Where a vacancy occurs in the membership of the Board of
21 Trustees, it shall be filled by the appointment of a successor to hold office for
22 the remainder of the term office of his predecessor, so that the successor
23 shall represent the same interest and shall be appointed by the president.

24 8. The Board of Trustees shall:

Functions of the
Board of Trustees

25 (a) monitor and ensure collection of the research and innovation
26 tax by the Service and ensure transfer of same to the Fund;

27 (b) manage and disburse the tax imposed by this Bill;

28 (c) liaise with the appropriate ministries or bodies responsible for
29 collection or safe keeping of the tax;

30 (d) develop and issue from time to time, the parameters for funding

1 research industry collaborative projects and other projects of the Fund which
2 shall include economic viability and local industry input;

3 (e) receive requests and approve admissible projects after due
4 consideration;

5 (f) ensure disbursement of fund to various research institutions in
6 Nigeria in line with the purposes of this Bill;

7 (g) monitor and evaluate execution of the projects;

8 (h) Invest funds in appropriate and safe securities;

9 (i) update the Federal Government on its activities and progress
10 through annual and audited reports;

11 (j) review progress and suggest improvement within the provisions of
12 this Bill;

13 (k) do such other things as are necessary or incidental to the objects of
14 the Fund under this Bill or as may be assigned by the Federal Government;

15 (l) ensure the Fund consistently earns revenue from the licensing of
16 the innovation developed from its funding activities; generally regulate the
17 administration, application and disbursement of monies from the Fund under
18 this Bill.

Management
and Administration
of Fund

19 **9.-(1)** The Board of Trustees shall administer the tax imposed by this
20 Bill and disburse the amount in the Fund to research projects in both public and
21 private organization, specifically for the purpose of funding:

22 (i) research efforts with commercial feasibility;

23 (ii) early stage innovations;

24 (iii) a national knowledge transfer office offering free or subsidized
25 patent processing services;

26 (iv) public-private research collaborations;

27 (v) research database;

28 (vi) research-industry business summits;

29 (vii) innovation prizes.

30 (viii) industry focused transnational doctoral training centres

1 established in Nigerian universities in partnership with world-class research
2 institutions;

3 (ix) any other need which, in the opinion of the Board of Trustees,
4 is critical and essential for the development of a knowledge-based economy
5 in Nigeria.

6 (2) The Board of Trustees shall administer, manage and disburse
7 the tax imposed by this Bill on the basis of:

8 (a) local industry participation as a pre-condition for funding;

9 (b) funding of all public and private tertiary educational and
10 research institutions;

11 (c) merit-based interventions and with consideration for balance
12 among the 6 geo-political zones of the Federation;

13 (d) equality among the states of the Federation in the case of
14 regular intervention;

15 (e) adequate consideration for capacity to earn royalties for the
16 Fund in the event of business profitability;

17 (f) the consideration that income earned from such royalties should
18 be pegged to the invested amount or slightly above;

19 (g) focus on partnership with research organizations with
20 considerations to ensure that such organizations can revenue from the
21 exploitation of research findings.

22 (4) The Board of Trustees shall have power to give due
23 consideration to the peculiarities of each geo-political zone in the
24 disbursement and management of the tax imposed by this Bill between the
25 various recipients.

26 **10.-(1)** There shall be for the Fund an Executive Secretary who
27 shall:

28 (a) be appointed by the president on the recommendation of the
29 Minister from the pool of nominees of the Organised Private Sector'

30 (b) be the Chief Executive and Accounting officer of the Fund;

Appointment of
the Executive
Secretary and
other staff of the
Fund

1 (c) be a person with relevant management background with good
2 knowledge and cognate academic and financial management experience;

3 (d) have qualifications and experience as are appropriate for a person
4 required to perform the functions of that office under this Bill; and

5 (e) hold office for a period of 4 years in the first instance and may be
6 eligible for re-appointment for another term of 4 years only and on such terms
7 and conditions as to emoluments, and conditions of service as may be specified
8 in his letter of appointment.

9 (2) The Executive Secretary shall, subject to the general direction of
10 the Board of Trustees, be responsible for:

11 (a) the day-to-day administration of the Fund;

12 (b) keeping the books and proper records of the proceedings of the
13 Board of Trustees;

14 (c) the administration of the secretariat of the Board of Trustees; and

15 (d) the general direction and control of all other employees of the
16 Fund.

17 (3) The Board of Trustees shall have power to:

18 (a) employ either directly or on transfer or secondment from any
19 private organization, civil or public service in the Federation such number of
20 employees as may, in the opinion of the Board, be required to assist the Board
21 of Trustees and the Executive Secretary in the discharge of their functions
22 under this Bill; and

23 (b) pay to persons so employed such remuneration (including
24 allowances) as the Board of Trustees may, with the approval of the National
25 Salaries, Income and Wages Commission, determine.

Removal of the
Executive
Secretary

26 **11.-(1)** The Executive Secretary may be suspended or removed from
27 office by the Senate if he:

28 (a) has demonstrated inability to effectively perform the duties of his
29 office;

30 (b) is guilty of serious misconduct in relation to his duties as

1 Executive Secretary;

2 (c) in the case of person possessed of professional qualifications, is
3 disqualified or suspended from practicing his profession by order of a
4 competent authority.

5 (2) Where the Executive Secretary is unable to perform the
6 functions of his office due to temporary incapacity which is likely to be
7 prolonged, the President may, on the recommendation of the Minister,
8 appoint a substitute to act as the Executive Secretary.

9 **12.-(1)** Service in the Fund shall be approved service for purposes Pension
10 of pension.

11 (2) Employees of the Fund shall be entitled to pension, gratuity and
12 other retirement benefits as are enjoyed by persons holding equivalent
13 grades in the Civil Service of the Federation.

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

17 (4) For the purposes of the application of the provisions of the
18 pension Reform Act, any power exercisable by a Minister or other authority
19 of the Government of the Federation, other than the power to make give
20 directives under section 24 thereof, is vested in and shall be exercisable by
21 the Board of Trustees.

22 **13.-(1)** The Fund shall not later than three months to the end of a Statement of
23 financial year, prepare and present to the Minister for approval a statement estimated Income
24 of estimated income and expenditure for the following financial year. and Expenditure

25 **14.-(1)** The Fund shall keep proper books and other records of Proper Books
26 account in respect of all receipts and expenditure in accordance with and Records of
27 acceptable principles of accounting. Accounts

28 (2) The accounts of the Fund shall be audited by Auditors to be
29 appointed annually by the Fund among the list of auditors and in accordance
30 with the guidelines prepared by the Auditor-General of the Federation.

	1	(3) Auditors appointed pursuant to subsection (2) of this section shall
	2	have access to all accounts and other records relating to such accounts which
	3	are kept by the Fund or its agents and shall have the power to require from any
	4	member of the Board of Trustees or employee or agent of the Fund such
	5	information and explanation as in the auditor's opinion are necessary for the
	6	purpose of the audit.
	7	(4) Any member of the Board of Trustees, employee or agent of the
	8	Fund who fails without reasonable cause to comply with a request or
	9	instruction of an auditor pursuant to subsection (4) of this section commits an
	10	offence and liable on conviction to a fine not less than N250,000.
Audits and Accounts	11	15.-(1) The Fund shall, within three months after the end of each
	12	financial year, furnish the National Assembly with:
	13	(a) a copy of the audited accounts of the Fund prepared by a reputable
	14	external auditing firm;
	15	(b) a copy of the general report and full report of the external auditor;
	16	and
	17	(c) an annual report detailing:
	18	(i) the state of affairs of the Fund for the financial year;
	19	(ii) opportunities and constraints impacting upon the Board's
	20	performance and the actions proposed for addressing them.
Exemptions/ Discretions	21	16.-(1) The provisions of any enactment relating to the taxation of
	22	companies or trust funds shall not apply to the Fund.
Offence	23	17.-(1) A person who contravenes or fails to comply with provisions
	24	of this Bill is guilty of an offence under this Bill.
	25	(2) Subject to the provisions of subsection (3) of this section:
	26	(a) If a tax due under section 3 of this Bill is not paid within the time
	27	specified in that section, the Service shall serve on the company, a demand note
	28	for the unpaid tax plus a sum which is equal to 5 percent of the tax; and
	29	(b) If a sum demand under paragraph (a) of this subsection is not paid

1 within 2 months of the demand, the company is guilty of an offence under
2 this Bill; and

3 (3) Notwithstanding any other provision in this Bill, it shall be the
4 duty and responsibility of every company liable to pay research and
5 innovation tax to ensure that its annual returns are filed with the service for
6 the purpose of assessment of the research and innovation tax.

7 (4) Where an offence under this Bill is committed by a body
8 corporate or firm or other association of individuals:

9 (a) every director, manager, secretary or other similar officer of the
10 body corporate;

11 (b) every partner or officer of the firm;

12 (c) every person concerned in the management of the affairs of the
13 association; or

14 (d) every person who has purporting to act in the capacity is
15 severally guilty of the offence and liable to be proceeded against and
16 punished for the offence in like manner as if he had himself committed he
17 offence, unless he proves that the act or omission constituting the offence
18 took place without his knowledge, consent or connivance.

19 **18.-(1)** Except as otherwise provided in this Bill, a person guilty of Penalty
20 an offence under this Bill shall, on conviction, be liable:

21 (a) For a first offence, to imprisonment for a term of 6 months or to
22 a fine up to N1,000,000.00 or both; and

23 (b) For a second and subsequent offence to imprisonment for a
24 term of 12 months or to a fine of up to N2,000,000.00 or both.

25 (2) The institution of proceedings or imposition of a penalty under
26 this Bill shall not relieve a company from liability to pay to the Service a tax
27 which is or may become due under this Bill.

28 (3) Notwithstanding subsection (1) (a) and (b) of this section,
29 where any company or corporate body liable to file a research and
30 innovation tax under this Bill fails in any year to file such return, the service

	1	is of the opinion that such a company or corporate body is liable to pay research
	2	and innovation tax, may, according to the best of its jurisdiction determine the
	3	amount of assessable profit of such company and make an assessment of
	4	research and innovation tax in accordance with the provisions of this Bill.
Jurisdiction	5	19. The Federal High Court shall have jurisdiction to try offender
	6	under this Bill.
Limitation of suits against the Fund	7	20. -(1) Subject to the provisions of this Bill, the provisions of the
	8	Public Officers Protection Act shall apply in relation to any suit instituted
	9	against any officer or employee of the Fund.
	10	(2) Notwithstanding anything contained in any other law or
	11	enactment, no suit against any member of the Board of Trustees, the Executive
	12	Secretary or any other officer or employee of the Fund for any act done in
	13	pursuance or execution of the Act or any other law or enactment, or of any
	14	public duty or authority or in respect of any alleged neglect or default in the
	15	execution of this Bill or such law or enactment, duty or authority, shall lie or be
	16	instituted in any court unless:
	17	(a) It is commenced within 3 months next after the act, neglect or
	18	default complained of; or
	19	(b) In the case of a continuation of damage or injury, within 6 months
	20	next after the ceasing thereof.
	21	(3) No suit shall be commenced against a member of the Board of
	22	Trustees, the Trustees, the Executive Secretary, officer or employee of the
	23	Fund before the expiration of a period of one month after written notice of
	24	intention to commence the suit- shall have been served upon the Fund by the
	25	intending plaintiff or his agent.
	26	(4) The notice referred to in subsection (3) of this section shall clearly
	27	and explicitly state the cause of action, the particulars of the claim, the name
	28	and place of abode of the intending plaintiff and the relief which he claims.
Service of Documents	29	21. A notice, summons or other document required or authorized to
	30	be served upon the Fund under the provisions of this Bill or any other law or

1 enactment may be served by delivering it to the Executive Secretary or by
 2 sending it by registered post and addressed to the Executive Secretary at the
 3 principal office of the Fund.

4 **22.**-(1) In any action or suit against the Fund, no execution or
 5 attachment of process in the nature thereof shall be issued against the Fund.

Restriction on
execution against
property of the
Fund

6 (2) Any sum of money which may, by the judgment of any court, be
 7 awarded against the Fund shall, subject to any direction given by the court
 8 where notice of appeal of the said judgment has been given, be paid from the
 9 general reserve fund of the Fund.

10 **23.** A member of the Board of Trustees, the Executive Secretary,
 11 any officer or employee of the Fund shall be indemnified out of the assets of
 12 the Fund against any proceeding, whether civil or criminal, in which
 13 judgment is given in his favour, or in which he is acquitted, if any such
 14 proceeding is brought against him in his capacity as a member of the Board
 15 of Trustees, the Executive Secretary, officer or employee of the Fund.

Indemnity of
Officers

16 **24.** The Minister may, on the recommendation of the Board of
 17 Trustees and subject to the approval of the president, make regulations
 18 generally for the purposes of this Bill and the due administration thereof.

Power of the
Minister to give
directives

19 **25.** The Board shall on or before 31st December in each year,
 20 prepare and submit to the Federal Executive Council through the Minister, a
 21 report of its activities during the preceding financial year and shall include
 22 Management accounts of the Institute in respect of that financial year for the
 23 Auditor's comments on the account.

Annual Report
and other reports

24 **26.** By virtue of this Bill, all properties (movable and immovable)
 25 held by or on behalf of the Institute hereafter in this section referred to as
 26 "the Institute) shall, as from the commencement of this Bill, vest in the
 27 Nigerian Institute of Leather and Science Technology (NILEST).

Transfer of
Right

28 **27.** All causes of action by or against the Institute shall be handled
 29 or prosecuted by the Institute Legal Officers or counsel from the Ministry or
 30 the Attorney General of the Federation office or an external legal

Court Matters

	1	practitioner to be recommended by the Institute Legal Adviser.
Pre-action Notice	2	28. Pre-action notice of thirty days shall be served on Institute before
	3	suing the Institute in any court of law.
Recourse to Court	4	29. No Staff of the Institute shall sue the Institute without first and
	5	foremost ventilating his/her grievance before Governing Board of the Institute.
Interpretation	6	30. In this Bill:
	7	"Act" means the Companies Income tax and the petroleum profit tax;
	8	"Board of Trustees" means the Board of Trustees established under section 6 of
	9	this Bill;
	10	"Company" means a company registered in Nigeria;
	11	"Fund" means the Nigeria Research and Innovation Trust Fund established
	12	under section 5 of this Bill;
	13	"Minister" means the Minister charged with responsibility for matters relating
	14	to Science and Technology in Nigeria;
	15	"The Service" means the Federal Inland Revenue established under the Federal
	16	Inland Revenue (Established) Act, 2007;
	17	"Educational Institution "means a public or private university;
	18	"Research Institution" means a public or private research institution;
	19	"Senate" means the Senate of the Federal Republic of Nigeria.
	20	(2) Where no provision is made in this Bill for a matter relating to the
	21	assessment and collection of the tax imposed by this Bill, the provision of the
	22	Bill relating to the assessment and collection of Companies income tax or
	23	petroleum profit tax, as the case may be, shall apply mutatis mutandis to that
	24	matter.
Citation	25	31. This Bill may be cited as the Nigeria Research and Innovation
	26	Trust Fund (Establishment, Etc.) Bill, 2019.

1

SCHEDULE I

2

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

3

Tenure of Office of Members

4

1.-(1) A member of the Board shall hold office for a period of two years beginning with the date on which he was appointed and shall be eligible for re-appointment for a further term of two years and thereafter, he shall no longer be eligible for re-appointment or as may be determined by the President and Commander in Chief of the Armed Forces.

9

(2) Members of the Board holding office as specified in paragraph 1 (1) above, shall be paid remuneration or allowance in accordance with rates specified from time to time by the Head of Service of the Federation.

12

(3) A member of the Board holding office as specified in paragraph

13

(1) above may by notice in writing to the Minister, resign his office.

14

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

18

(2) The Board may act notwithstanding any vacancy in its membership or the absence of any member or that person not entitled to do so take part in its proceeding.

21

SECOND SCHEDULE

22

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD OF TRUSTEES

23

1.-(1) Subject to this Bill and section 27 of the Interpretation Act, the Board of Trustees may make standing orders regulating its proceedings or those of any of its committee.

26

(2) The quorum of the Board of Trustees shall be 8 members and the quorum of any committee of the Board of Trustees shall be determined by the Board of Trustees.

29

2.-(1) The Board of Trustees shall meet not less than 4 times in each year and subject thereto, the Board of Trustees shall meet whenever it is

30

1 summoned by the Chairman, and if the Chairman is required to do so by notice
2 given to him by not less than 5 other members, he shall summon a meeting of
3 the Board of Trustees to be held within 14 days from the date on which the
4 notice is given.

5 (2) At any meeting of the Board of Trustees, the Chairman shall
6 preside but if he is absent, the members present at the meeting shall appoint one
7 of them to preside at that meeting.

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

13 3.-(1) The Board of Trustees may appoint one or more committees to
14 carry out, on behalf of Board of Trustees, such of its functions as the Board of
15 Trustees may determine.

16 (2) A committee appointed under this paragraph shall consist of such
17 member of persons (not necessarily members of the Board of Trustees) as may
18 be determined by the Board of Trustees; and a person other than a member of
19 the Board of Trustees shall hold office on the committee in accordance with the
20 terms of his appointment.

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

23 4.-(1) The fixing of the seal of the Fund shall be authenticated by the
24 signature of the Chairman and any other person authorized generally or
25 specially to act for purpose by the Board of Trustees.

26 (2) Any contract or instrument which, if made or executed by a person
27 not being a body corporate, would not be required to be under seal may be made
28 or executed on behalf of the Fund by the Executive Secretary or any person
29 generally or specially authorized to act for that purpose by the Board of
30 Trustees.

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

4 5. The validity of any proceeding of the Board of Trustees or of a
5 committee thereof shall not adversely affected by any vacancy in the
6 membership of the Board of Trustees or committee, or by any defect in the
7 appointment of a member of the Board of Trustees or a committee, or by
8 reason that a person not entitled to do so took part in the proceedings of the
9 Board of Trustees or Committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Research and Innovation Trust Fund charged with the responsibility for imposing, managing and disbursing the Research and Innovation Tax towards achieving the commercialization of research findings in Nigeria.

A BILL

FOR

AN ACT TO PROVIDE A POLICY FRAMEWORK FOR THE DEVELOPMENT OF
BIO-FUELS ENERGY IN NIGERIA; ESTABLISH THE BIO-FUELS ENERGY
REGULATORY COMMISSION; ESTABLISH THE BIO-FUELS RESEARCH
AGENCY; AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Beni Lar

[] Commencement

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

1	1.-(1) There is hereby established a Body to be known as Bio-fuels	Establishment of a policy framework for the development of Bio-Fuels Energy in Nigeria
2	Energy Regulatory Commission (in this Bill referred to as "the Bio-Fuels	
3	Energy Regulatory Commission").	

(2) the commission shall be a body corporate with perpetual succession and common seal and may:

6 (a) sue and be sued in its corporate name;

7 (b) Hold and acquire property whether moveable or immovable.

8 PART 1 - GENERAL PROVISIONS

9 **2.-(1)** The Primary Objective of this Bill is to firmly establish a Objectives
10 thriving fuel ethanol industry utilizing agricultural products as a means of
11 improving the quality of automotive fossil-based fuels in Nigeria and all
12 matters related thereto and without detracting from the generality of the
13 foregoing specifically to:

(a) Promote job creation, rural ad agricultural development and technology acquisition and transfer;

(b) Provide a framework which is capable of attracting foreign investment in the bio- fuels industry;

(c) Streamline the roles of the various tiers of government in order to ensure an orderly development of the bio-fuels industry in Nigeria; and

Policy
Environment

1 (d) Involve the oil and gas industry in a more purposeful development
2 of other sectors of the nation's economy.

3 (2). This Bill applies to the refining of petroleum products in whole or
4 in part within the territory of Nigeria.

5 PART II - POLICY ENVIRONMENT

6 3.-(1) The blending of bio-fuels as a component of fossil-based fuels
7 in the country as required for all automotive is hereby guaranteed.

8 (b) The proportion of bio- fuels in the blend pursuant to subsection (1)
9 of this section shall be determined by the Commission from time to time.

10 (2) (a) as from the commencement of this Bill, no person shall carry
11 on business of bio-fuel manufacturing fuel and ethanol and/or bio-diesel unless
12 he is duly registered and licenced by the Minister;

13 (b) the licence granted by the Minister under Sub-Section (1) of this
14 section shall include the permit for the company to add a capability of co-
15 generate electric power.

16 (3) For the purposes of this Bill, investment in the bio-fuel industry
17 shall be treated as an agro-allied activity and shall benefit from the incentives
18 put in place to foster the development of the agro-allied industry, in addition to
19 other incentives under this Bill.

20 PART III - ESTABLISHMENT ETC. OF THE ENERGY DEVELOPMENT FUND

21 AND THE BOARD

Establishment
etc. of the Energy
Development
Fund and the
Board

22 4.-(1) There is hereby established for the commission, a Governing
23 Board (in this Bill referred to as "the Board").

24 (2) the Board shall consist of the:

25 (a) Minister who shall be the chairman;

26 (b) representative of the:

27 (i) Federal Ministry of Agriculture,

28 (ii) Federal Ministry of Commerce,

29 (iii) Federal Ministry of Industry,

30 (iv) Federal Ministry of Finance,

- 1 (v) Federal Ministry Environment
2 (vi) Federal Ministry of Science and Technology;
3 (c) a representative of the Bankers' committee
4 (d) a representative of Manufacturers Association of Nigeria;
5 (e) a representative of a Federal University of Agriculture
6 nominated by the National Universities Commission;
7 (f) the Director-General.

8 (3) The provisions of the Schedule to this Bill shall have effect with
9 respect to the proceedings of the Board and other matters contained therein:

10 (1) The Director-General shall be appointed by the President on the
11 recommendation of the Minister and subject to the confirmation of the
12 Senate.

13 (2) The Director-General shall be a person with reasonable
14 experience in the bio-fuels energy sector and a holder of a first degree.

15 (4) (1) the Director-General shall hold office for a term of 5 years in
16 the first instance and may be reappointed for a further term of 4 years and no
17 more.

18 (2) The members of the Board other than ex-officio members shall
19 be paid such allowances as the commission may, from time to time,
20 determine.

21 (3) A member of the Board ceases to hold office if he so ceases to
22 hold such relevant office necessary to be on the Board and the next
23 succeeding holder of such office shall continue as a member of the Board.

24 PART IV - FUNCTIONS OF THE COMMISSION

25 5.-(1) The Commission shall be responsible for implementing the
26 strategies for growth of the bio- fuels industry in Nigeria, and specifically
27 the commission shall:

Functions of the
Commission

- 28 (a) Register all bio-fuels plants/projects in Nigeria;
29 (b) Issue licence to bio-fuel operators for the production of fuel
30 ethanol and/ or bio-diesel in Nigeria;

1 (c) Formulate and recommend fiscal, financial and other incentive
2 policies for the bio-fuel industry, as well as protection measures if and when
3 required;

4 (d) Periodically, review and assess the economic, technical,
5 environmental and social impact of the use of bio- fuels, and shall determine
6 changes in policies required when necessary;

7 (e) Monitor the supply and utilization of bio- fuels and bio- fuels
8 blends and recommend appropriate measures to the Minister in case of
9 shortage in the supply of bio- fuels or feedstock;

10 (f) Review and adjust the minimum mandated bio-fuel blends as it
11 deems appropriate;

12 (g) Determine and put in place industry stabilization mechanisms;

13 (h) Designate and oversee the activities of the investment banks
14 appointed to manage the Bio- fuel industry Equity Fund;

15 (i) Establish and support the Bio-fuels Research Agency;

16 (j) Monitor intra-industry commerce, in particular relationships
17 between out-growers and bio-fuel producers;

18 (k) Present quarterly reports and briefings on the status of the bio- fuel
19 industry to the National Assembly;

20 (l) Disseminate and share information with investors and other
21 interested members of the public;

22 (m) Liaise with the Energy Commission of Nigeria in the
23 formulation, revision and implementation of the National Energy policy;

24 (n) Liaise with the National Sugar Development Council as may be
25 required; and

26 (o) Liaise with government ministries, agencies, parastatals, research
27 institutes or other bodies for the purposes of development of bio-fuel
28 feedstock.

29 (2) The Commission shall have the power to establish such

1 departments as are necessary for the effective discharge of its mandate under
2 this Bill.

3 PART V - STAFF OF THE FUND

4 6.-(1) there shall be, for the commission, a Director-General shall Staff of the Fund
5 be the Chief-Executive of the Commission.

6 (2) the Director-General shall, subject to the general control of the
7 commission, be:

8 (a) responsible for keeping proper records of the proceedings of the
9 commission; and

10 (b) the head of the secretariat and be responsible for:

11 (i) the day-to-day administration, and

12 (ii) Direction and control of all other employees, of the
13 commission.

14 (3) The Commission shall appoint such officers and other
15 employees as it may from time to time, deem necessary for the purpose of
16 the Commission.

17 (4) the Terms and Conditions of Service (including remunerations,
18 allowances, benefits and pensions) of officers and employees of the
19 Commission shall be as may be determined by the Commission.

20 (5) The Commission may, subject to the provisions of this Bill, and
21 with the approval of the Minister make regulations generally relating to the
22 conditions of service of the staff of the Fund and without prejudice to the
23 generality of the foregoing, such regulations may provide for:

24 (a) Appointment, promotion and discipline (including dismissal)
25 of staff;

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

30 (6) staff regulations made under Sub-Section (1) of this section

1 shall not have effect until approval by the Minister and when so approved the
2 Board shall cause them to be brought to the notice of all affected persons in
3 such manner as it may, from time to time, determine.

4 (10) It is hereby declared that service in the commission shall be
5 approved service for the purpose of the Pension Act and, accordingly,
6 employees of the commission shall be entitled to pensions, gratuity or other
7 retirement benefits as are prescribed under the Pension Act.

8 PART VI - FINANCIAL PROVISIONS

Financial
Provisions

9 7.-(1) The commission shall establish and maintain a fund, which
10 shall be applied towards the discharge of its functions under this Bill.

11 (2) There shall be paid and credited to the fund established pursuant to
12 subsection (1) of this section, such sums as may be provided by the Federal
13 Government for the commission.

14 (3) The Commission may accept gifts of land, money or other
15 testamentary dispositions, endowments and contributions on such terms -and
16 conditions, if any, as may be specified by the person or organization making the
17 gift.

18 (4) The commission shall not accept any gift if the conditions attached
19 by the person or organization making the gift are inconsistent with the
20 functions of the commission.

21 (5) The commission shall be entitled to charge, retain and utilize for
22 its purposes, fees collected for the services rendered by the Commission under
23 this Bill.

24 (6) The Commission may, with the consent or in accordance with any
25 specific authority given by the Minister, borrow by way of loan or overdraft
26 such specified amount of money as may be required by the Commission for
27 meeting its obligations and discharging its functions under this Bill.

28 (7) The commission may, subject to the provisions of this Bill and the
29 conditions of any trust created in respect of any property, invest all or any of its
30 funds.

1 (8) the commission may invest any of its funds in securities
2 prescribed by the Trustees Investment Act or in such other securities as may
3 from time to time, be approved by the Minister.

4 (9) Subject to the provisions of the Land Use Act, and any special
5 or general direction, which the Minister may give in that behalf, the
6 commission may acquire any land required for its purpose under this Bill.

7 (10) The commission may, from time to time, apply the proceed of
8 the fund established in pursuance of section 16 of this Bill to:

9 (a) Meet the cost of administration of the commission;

10 (b) Reimburse members of the commission or any committee set
11 up by the commission for expenses authorized or approved by the
12 commission in accordance with such rates as may be approved by the
13 Commission in accordance with such rates as may be approved in that behalf
14 by the Minister;

15 (c) The payment of salaries, fees or other remuneration or
16 allowances, pensions and gratuities payable to the employees of the
17 commission;

18 (d) The maintenance of any property acquired or vested In the
19 commission; and

20 (e) All or any of the functions of the commission under this Bill or
21 any matter connected with those functions.

22 (11) (a) the Commission shall cause to be prepared not later than
23 30th September in each year an estimate of the expenditure and income of
24 the Commission during the next succeeding year and when prepared, they
25 shall be submitted through the Minister to the President for approval;

26 (b) the Commission shall cause to be kept, proper accounts of the
27 Commission and proper records in relation thereto and when certified by the
28 Commission, the accounts shall be audited by the auditors appointed by the
29 commission from the list and in accordance with the guidelines supplied by
30 the Auditor-General for the Federation.

1 (12) The commission shall not later than three months before the end
2 of each year, submit to the relevant committees of both chambers of the
3 National Assembly a report on the activities and the administration of the
4 commission during the immediate preceding year and shall include such
5 reports, audited accounts of the commission and the auditors report on those
6 accounts.

7 PART VII - BODIES RESEARCH AGENCY

Bodies Research
Agency

8 8.-(1) There is hereby established a body to be known as the Bio-
9 Fuels Research Agency (in this Bill referred to as "the Agency").

10 (2) the Agency shall:

11 (a) function as a directorate under the commission

12 (b) be headed by a Director appointed by the commission.

13 (3) The Agency shall:

14 (a) Coordinate bio-fuel crop production optimization programme;

15 (b) Collaborate with the research and development efforts to:

16 (i) International Institute of Tropical Agriculture,

17 (ii) National Cereal Research Institute,

18 (iii) National Root Crops Research Institute,

19 (iv) National Institute for Oil Palm Research,

20 (v) Forestry Research Institute of Nigeria,

21 (vi) Nigerian Stored Product Research Institute,

22 (vii) Institute for Agricultural Research and Extension Services,

23 (viii) Agricultural Research Council of Nigeria,

24 (ix) National Biotechnology Development Agency,

25 (x) Sheda Science and Technology Complex,

26 (xi) National Centre for Agricultural Mechanization,

27 (xii) National Agricultural Seeds Council,

28 (xiii) Nigerian Automotive Council,

29 (xiv) Raw Materials Research and Development Council,

30 (xv) Federal Institute of Industrial Research, and

1 (xvi) Other relevant agencies

2 (c) Collaborate with the Federal Ministry of:

3 (i) Agriculture, and

4 (ii) Science and Technology,

5 (c) to provide direction for research in crop production, industry,
6 technology and process pertaining to the production of bio-fuels;

7 (d) Coordinate the allocation of funds set aside for bio-fuel
8 research for mandated national research organizations.

9 **9.-(1)** There is hereby established a fund to be known as the Bio-
10 fuels Fund into which shall be paid all monies contributed by:

Bio-Fuels Research
and Development
Fund

11 (a) Bio-fuels companies being 0.25 percent of their revenue;

12 (b) The Federal Government which shall not be less than 50
13 percent of the total monies contributed by bio-fuels companies pursuant to
14 paragraph(a) of this section; and

15 (c) The petroleum Technology Development Fund pursuant to
16 section 26 of this Bill.

17 (2) the fund established pursuant to subsection (1) of this section
18 shall be:

19 (a) domiciled with the Central Bank.

20 **10.** In this Bill:

Interpretation

21 "Commission" means Bio-Fuels Energy Regulatory Commission;

22 "Bio-fuel" means a fuel derived immediately from living matter or other
23 digested organic materials;

24 "Minister" means the Honourable Minister for Science and Technology.

25 **11.** This Bill may be cited as the Bio-Fuels Energy Regulatory
26 Commission (Establishment) Bill, 2019.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Bio-Fuels Energy Regulatory Commission to provide a policy framework for the development of Bio-Fuels Energy in Nigeria; establish the Bio-Fuels Energy Regulatory Commission; establish the Bio-Fuels Research Agency.

NATIONAL ELECTRONIC HEALTH RECORD BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT OF THE NATIONAL ELECTRONIC HEALTH
RECORD SYSTEM AND OBJECTIVES OF THE SYSTEM

1. Establishment of the National Electronic Health Record System
2. Objectives of the Health Record System

PART II - ESTABLISHMENT OF THE NATIONAL ELECTRONIC HEALTH
RECORD SYSTEM OPERATING BOARD

3. Establishment and Membership of the National Electronic Health
Record System Operating Board
4. Powers of the Board
5. Tenure of office of Members of the Board
6. Cessation of Membership
7. Allowances of Members of Board
8. Functions of the Health Record System Operating Board

PART III - THE NATIONAL HEALTH REPOSITORY SERVICE

9. National Health Repository Service
10. Appointment of the National Health Repository Operator

PART IV - THE HEALTH RECORD SYSTEM REGISTER AND
REGISTRATION WITH THE HEALTH RECORD SYSTEM

11. The Health Record System Register
12. Registration in the Health Record System
13. Protection of Privacy
14. Offences and Penalty

PART V - STAFF OF THE NATIONAL ELECTRONIC HEALTH RECORD
SYSTEM OPERATING BOARD

15. Appointment and tenure of office of the Health Record System
Operator
16. Duties of the System Operator

17. Other Staff of the Board

18. Pension

PART VI - FINANCIAL PROVISIONS

19. Fund of the National Electronic Health Record System Board

20. Expenditure of the National Electronic Health Record System Board

21. Power to accept gifts

22. Annual estimates and expenditure

23. Annual report

24. Power to borrow

25. Exemption from tax

26. Exemption from customs duties, etc.

PART VII - MISCELLANEOUS PROVISIONS

27. Regulations

28. Power to give Directives

29. Pre action notice

30. Limitation of suits against the National Electronic Health Record
System Board

31. Service of documents

32. Restriction of execution against property of the Commission

33. Indemnity of Officers

34. Interpretation

35. Citation

Schedule

A BILL

FOR

AN ACT TO ESTABLISH A NATIONAL ELECTRONIC HEALTH RECORD
SYSTEM FOR THE STORAGE AND ACCESS OF ELECTRONIC HEALTH
RECORDS IN NIGERIA AND FOR RELATED MATTERS

Sponsored Hon. Rotimi Agunsoye Kosofe

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL ELECTRONIC HEALTH

2 RECORD SYSTEM AND OBJECTIVES OF THE SYSTEM

3 1.-(1) There is established the National Electronic Health Record
4 System (in this Bill Referred to as the "Health Record System").

Establishment
of the National
Electronic Health
Record System

5 (2) The Health Record System shall be operated and managed by
6 the Ministry in charge of health and supervised by the Minister.

7 2. The objectives of this Bill is for the establishment, operation and
8 management of a Voluntary National Electronic Health Record System in
9 Nigeria, to:

Objectives of the
Health Record
System

10 (a) provide access to health information of recipients of healthcare
11 services for the purposes of providing healthcare to the recipient.;

12 (b) improve the availability and quality of health information;

13 (c) curtail fragmentation of health information by ensuring proper
14 collation of health records and information;

15 (d) reduce the occurrence of adverse medical events and the
16 duplication of treatment; and

17 (e) improve the coordination and quality of healthcare provided to
18 healthcare recipients by different health care providers.

Establishment
and Membership
of the National
Health Record
System Operating
Board

1 PART II - ESTABLISHMENT OF THE NATIONAL ELECTRONIC HEALTH

2 RECORD SYSTEM OPERATING BOARD

3 3.-(1) There is established for the management of the Health Record
4 System, the National Electronic Health Record System Operating Board (in
5 this Bill Referred to as the "Board") which shall be headed by a Health Record
6 System Operator.

7 (2) The Board:

8 (a) shall be a body Corporate with perpetual succession and a
9 common seal and may sue and be sued in its corporate name; and

10 (b) may acquire, hold, mortgage, purchase and deal with property,
11 whether movable or immovable.

12 (3) The Board shall consist of:

13 (a) the Health Record System Operator, who shall be the Chairman
14 and the Chief Executive Officer of the Board;

15 (b) the National Repository Operator;

16 (c) two(2) experts in the field of health data management with not less
17 than ten(10) years cognate experience;

18 (d) one representative not below the rank of a Director from the
19 Ministries responsible for matters relating to:

20 (i) Health,

21 (ii) Finance,

22 (iii) Budget and National Planning; and

23 (e) One (1) representative not below the rank of a Director from:

24 (i) National Information Technology Development Agency
25 (NITDA),

26 (ii) Consumer Protection Council.

27 (4) The members of the Board shall be appointed by the President on
28 the recommendation of the Minister in charge of matters relating to health,
29 subject to confirmation by the Senate.

30 (5) A member of the Board shall:

1 (a) be a person of unquestionable character and proven integrity;

2 and

3 (b) as much as possible reflect equitable representation from the
4 six geopolitical zones in Nigeria.

5 (6) The Board shall meet for the conduct of its ordinary meetings at
6 least 4 times in a calendar year.

7 (7) Notwithstanding the provision of sub clause (6) of this clause,
8 the Board may meet to conduct such other business as exigency demands.

9 (8) The supplementary provision set out in the schedule to this Bill
10 shall have effect with respect to the proceedings of the Board and other
11 related matters. Schedule 2

12 **4.** The Board shall have powers to:

Powers of the
Board

13 (a) manage and superintend the functions of the Board;

14 (b) coordinate all Health Record System programmes, policies,
15 and projects of the Federation;

16 (c) periodically monitor the implementation and strategies of the
17 Health Record System;

18 (d) employ international for the management of Health Record
19 System;

20 (e) conduct overall monitoring, evaluation and review of the
21 Health Record System;

22 (f) coordinate the activities of the Board;

23 (g) determine the annual work-plans, goals, and objectives for the
24 progressive realization of the Health Record System;

25 (h) approve guidelines and criteria for the implementation of the
26 objectives of the Health Record System;

27 (i) ensure the collection of accurate data and documentation of
28 health records in the National Repository and the Health Record System;

29 (j) formulate general policies for the regulation and development
30 of the Board;

1 (k) subject to the provisions of this Bill, make, alter, and revoke rules
2 and regulations for carrying out the functions of the Board;

3 (l) borrow or dispose of any property subject to the approval of the
4 Board;

5 (m) appoint either on transfer, secondment or leave of absence from
6 any public service of the federation or private sector, such number of
7 employees as may, in the opinion of the Board be required to assist the Board in
8 the discharge of any of its functions under this Bill;

9 (n) subject to the provisions of this Bill, by general or special order in
10 writing, delegate to any member or officer of the Board or any other person
11 subject to such conditions, if any, as may be specified in the order, such of its
12 powers and functions under this Bill as it may deem necessary;

13 (o) do such other thing which in the opinion of the Board are
14 necessary and expedient to ensure the efficient discharge of the functions of the
15 Board.

Tenure of office
of Members of
the Board

16 **5.-(1)** A member of the Board shall hold office for a term of four years
17 renewable for another term of four years and no more.

18 (2) No person shall be appointed as a member of the Board if the
19 person:

20 (a) is an undischarged bankrupt;

21 (b) fails to comply or is not capable of fully complying with a
22 judgment or order, including an order for costs, given against him or her by a
23 court of law in a civil case;

24 (c) in the preceding 10 years has been convicted of an offence of
25 which fraud, violence, dishonesty, extortion or intimidation is an element; or

26 (d) is not permanently resident in the Federal Republic of Nigeria.

Cessation of
Membership

27 **6.-(1)** The Chairman or a member of the Board shall vacate the office
28 if the person:

29 (a) becomes subject to a disqualification contemplated in clause 5(2)
30 of this bill;

1 (b) becomes of unsound mind;
2 (c) is convicted of a felony or any offence involving dishonesty;
3 (d) is guilty of serious misconduct in relation to his duties, and is
4 absent without the leave of the secretary for more than two consecutive
5 meetings of the Board.

6 (2) The Chairman or a member of the Board may be removed from
7 office by the President, on the recommendation of the Minister, subject to
8 the approval of the National Assembly, if the President satisfied that it is not
9 in the interest of the Board or Public that the member should continue in that
10 office.

11 (3) The Chairman or a member of the Board, may resign their
12 appointment by a notice in writing under their hand, addressed to the
13 President.

14 (4) Where a vacancy occurs in the membership of the Board, it
15 shall be filled by the appointment of a successor to hold office for the
16 remainder of the term of office of the predecessor, so that the successor shall
17 represent the same interest and shall be appointed by the President.

18 7. There shall be paid to every member of the Board such
19 remuneration and allowances as the President may from time to time
20 determine.

Allowances of
Members of Board

21 8. The Board shall:

22 (a) establish and maintain an index service, for the purposes of the
23 Health Record system, that:

Functions of the
Health Record
System Operating
Board

24 (i) allows information in different repositories to be connected to a
25 registered healthcare recipients' Health Record Account,

26 (ii) facilitates the retrieval of such information when required, and
27 ensures that registered health care recipients, and participants in the Health
28 Record system who are authorized to collect, use and disclose information,
29 are able to do so readily;

30 (b) establish and maintain mechanisms including access control

- 1 mechanisms to:
- 2 (i) enable each registered healthcare recipient to set controls on the
- 3 health care provider organizations and nominated representatives who may
- 4 obtain access to the healthcare recipient's Health Record Account;
- 5 (ii) set the default access controls that apply where a registered
- 6 healthcare recipient has not set any;
- 7 (iii) specify circumstances for automatic suspension or cancellation
- 8 of a Health Record Account;
- 9 (c) establish and maintain a reporting service for assessment of the
- 10 performance of the system against performance indicators;
- 11 (d) establish and maintain a System Operator Register;
- 12 (e) register healthcare recipients and participants in the Health
- 13 Record system, and manage and monitor the system of registration;
- 14 (f) establish and maintain an audit service that records activity in
- 15 respect of information in relation to the Health Record system;
- 16 (g) establish and maintain mechanisms that enable registered
- 17 healthcare recipients to obtain electronic access to a summary of the flows of
- 18 information in relation to their Health Record Account; and obtain a complete
- 19 record of the flows of information on application;
- 20 (h) operate a National Repositories Service that stores key records
- 21 that form part of a registered healthcare recipient's Health Record Account;
- 22 (i) establish a mechanism for handling complaints about the operation
- 23 of the Health Record Accounts and system;
- 24 (j) advise the Minister on matters relating to the Health Record
- 25 system;
- 26 (k) educate Health Record system participants and the public about
- 27 the Health Record system;
- 28 (l) be in charge of the general direction and control of all other
- 29 employees of the System;
- 30 (m) perform such other functions as are incidental to or to the

1 performance of any of the functions and objectives of this Bill.

2 PART III - THE NATIONAL REPOSITORY SERVICE HEALTH

3 9-(1) There shall be established a National Health Repository
4 Service, where health information of registered healthcare recipient's
5 Health Record Account shall be kept and retained for 30 years after the death
6 of the healthcare recipient, or 130 years after the date of birth of the
7 healthcare recipient, if the date of death of the healthcare recipient is
8 unknown.

National Health
Respiratory Service

9 10. There shall be appointed by the President on the
10 recommendation of the Minister, the National Health Repository Operator.

Appointment of
the National Health
Respiratory Operator

11 (2) The National Health Repository Operator shall be responsible
12 for the management and operation of the National Health Repository
13 Service.

14 PART IV - THE HEALTH RECORD SYSTEM REGISTER AND REGISTRATION

15 WITH THE HEALTH RECORD SYSTEM

16 11.-(1) There is established a National Electronic Health Record
17 System Register (in this Bill to known as "the Register), to be maintained by
18 the System Operator.

The Health Record
System Register

19 (2) Subject to the provisions of this Bill, the System Operator shall
20 make rules with respect to the form, contents, parts and procedures for
21 keeping and making of entries in the register.

22 12.-(1) A healthcare recipient may register with the Health Record
23 system and be given a Health Record Account.

Registration in
the Health Record
System

24 (2) The application must:

25 (a) be in the approved form;

26 (b) include, or be accompanied by, the information and documents
27 required; and

28 (c) be submitted at a place, or by a means, specified in the form.

29 (3) The System Operator may register a healthcare recipient or a
30 Healthcare provider upon application, in the Health Record System, if:

1 (a) an application has been made in the specified manner; and
2 (b) the applicant is eligible for registration under this Bill; and
3 (c) the System Operator is satisfied, having regard to the provisions of
4 this Bill and any other related provisions, that the identity of the applicant has
5 been appropriately verified.

6 (4) Upon registration, a healthcare recipient may provide an access
7 control for the Account.

8 (5) The System Operator shall, with the approval of the Minister,
9 make other provisions relating to the registration, cancellation, suspension,
10 variation and opt-out model for the Health Record system.

Protection of
Privacy

11 **13.**-(1) There shall be set default access controls with regards to the
12 collection, usage and disclosure of Health information from a healthcare
13 recipient's Health Record Account.

14 (2) Health information shall be collected, used and disclosed from a
15 healthcare recipient's health Record Account subject to access controls set by
16 the recipient.

17 (3) Where no access controls are set by a health care recipient, the
18 default access controls shall be applicable.

19 (4) The System Operator shall, with the approval of the Minister,
20 make other provisions relating to the collection, use, authorization,
21 prohibitions and disclosure of health information in a healthcare recipient's
22 Health Record Account.

Offences and
Penalty

23 **14.**-(1) Where a person collects, uses or discloses information from
24 a healthcare recipient's Health Record Account without authorization, the
25 person shall be liable upon conviction to a term of imprisonment not exceeding
26 two (2) years or a fine of not more than N1,000,000 (one million Naira) or both.

27 (2) Where a person contravenes any provision of this Bill, the person
28 shall upon conviction be liable to a term of imprisonment not exceeding two (2)
29 years or a fine of not more than N1,000,000 (one million Naira) or both.

30 (3) Where a corporation contravenes the provisions of this Bill, it

1 shall be liable upon conviction a fine of not more than N10,000,000 (Ten
2 million Naira).

3 PART V - STAFF OF ELECTRONIC HEALTH OPERATING BOARD THE
4 NATIONAL RECORD SYSTEM

5 **15.** There shall be appointed a Health Record System Operator (in
6 this Bill referred to as "the System Operator") who shall:

Appointment and
tenure of office
of the Health
Record System
Operator

7 (a) be appointed by the President on the recommendation of the
8 Minister subject to confirmation by the Senate;

9 (b) be the Chairman, Chief Executive and Accounting Officer of
10 the Board;

11 (c) be responsible for the day-to-day administration of the Health
12 Record System and the Board;

13 (d) be a person with cognate experience in the field of health data
14 management for period of not less than 15 years;

15 (e) have considerable administrative experience;

16 (f) be a fit and proper person and be of proven integrity and ability,
17 and

18 (g) have qualifications and experience as are appropriate for a
19 person required to perform the functions of that office under this Bill.

20 (2) Nothing in this Bill shall preclude the Minister from appointing
21 persons from outside the public service of the Federation or of the State
22 whenever it deems it necessary so to do.

23 (3) The terms and conditions of service (including remuneration,
24 allowances, benefits and pensions) of the employees of the National
25 Electronic Health Record System Board shall be as determined by the
26 Minister.

27 **16.** The System Operator shall, subject to the general direction of
28 the Board, be responsible for:

Duties of the
System Operator

29 (a) the day to day administration of the Board;

0

	1	(b) keeping the books and proper records of the proceedings of the
	2	Board;
	3	(c) the administration of the secretariat of the Board, and
	4	(d) the general direction and control of all other employees of the
	5	Board.
Other staff of the Board	6	17. -(1) The Board shall appoint such number of employees as may in
	7	the opinion of the Board be expedient and necessary for the proper and efficient
	8	performance of the functions of the Board.
	9	(2) Nothing in this Bill shall preclude the Minister from appointing
	10	persons from outside the public service of the Federation or of the State
	11	whenever it deems it necessary so to do.
	12	(3) The terms and conditions of service (including remuneration,
	13	allowances, benefits and pensions) of the employees of the Board shall be as
	14	determined by the Board.
Pension	15	18. -(1) Service in the Health Record System to be pensionable under
	16	the subsisting Pensions Act.
	17	(2) Employees of the Health Record System shall be entitled to
	18	pension, gratuity and other retirement benefits as are enjoyed by persons
	19	holding equivalent grades in the Civil Service of the Federation.
	20	(3) Notwithstanding in sub clause (1) or (2) of this clause, nothing in
	21	this Bill shall prevent the appointment of a person to any office on terms which
	22	preclude the grant of pension and gratuity in respect of that office.
	23	(4) For the purposes of the application of the provisions of the Pension
	24	Reform Act, any power exercisable by a Minister or other authority of the
	25	Government of the Federation, other than the power to make regulations under
	26	section 23 thereof, is vested in and shall be exercisable by the Board.
	27	PART VI - FINANCIAL PROVISIONS
Fund of the National Electronic Health Record System Board	28	19. -(1) There shall be established and maintained by the Board, a
	29	Fund into which shall be paid and credited:
	30	(a) all allocations from the Federal Government;

1 (b) such monies as may, from time to time, be lent, deposited or
2 granted to the Health Record System by the Government of the Federation
3 or of a State;

4 (c) all Grants received from both local and international
5 organizations for the purpose of the Health Record System;

6 (d) fees, penalties, charges, administrative costs of proceedings,
7 and other moneys payable to the Health Record System in pursuance of this
8 Bill;

9 (e) all monies received by the Health Record System as gifts,
10 endowments, loans, contributions, testamentary deposition or donations;
11 and

12 (f) all other monies and assets which may accrue to the Fund from
13 time to time.

14 (2) The Fund shall be managed in accordance with rules made by
15 the Minister and without prejudice to the generality of the power to make
16 rules under this sub clause, the rules shall in particular contain provisions:

17 (a) specifying the manner in which the assets of the Fund are to be
18 held and regulating the making payments into and out of the Fund; and

19 (b) requiring the keeping of proper accounts and records for the
20 purposes of the Fund in such form as may be specified in the rules.

21 **20.** The Board shall apply the proceeds of the Fund established
22 pursuant to clause 15 of this Bill to:

23 (a) cost of administration of the Board;

24 (b) publicizing and promoting the activities of the Board;

25 (c) payment of salaries, allowances and benefits of employees of
26 the Board;

27 (d) cost of maintenance of any property acquired or vested in the
28 Board;

29 (e) capital expenditure approved by the Health Record System;

30 (f) the payment for all contracts, including mobilization,

Expenditure of
the National
Electronic Health
Record System
Board

	1	fluctuations, variations, legal fees and cost on contract administration, and
	2	(g) to undertaking such other expenses and activities as are connected
	3	with all or any of the functions of the Board under this Bill.
Powers to accept gifts	4	21. -(1) The Board may accept gifts of land, money or other property
	5	on such terms and conditions considered lawful.
	6	(2) The Board shall not accept any gift if the conditions attached by
	7	the person or organization making the gift are inconsistent with the functions of
	8	the Board under this Bill.
Annual estimates and expenditures	9	22. -(1) The System Operator shall, not later than 30th September of
	10	each year, submit to the Minister, an estimate of the expenditure and income for
	11	the next succeeding year.
	12	(2) The System Operator shall cause to be kept proper accounts of the
	13	in Board in respect of each year and proper records in relation thereto and shall
	14	cause the accounts to be audited not later than 6 months after the end of each
	15	year by auditors appointed from the list in accordance with the guidelines
	16	supplied by the Auditor-General of the Federation.
Annual report	17	23. -(1) The System Operator shall prepare and submit to the Minister,
	18	not later than 30th June in each year, a report in such form as the Minister may
	19	direct on the activities of the Board during the immediately preceding year, and
	20	shall include in the report a copy of the audited accounts of the Board for that
	21	year and auditor's report thereon.
	22	(2) The Minister shall, upon receipt of the report referred to in sub
	23	clause (1) of this clause, cause a copy of the report and the audited accounts of
	24	the Board and the auditor's report thereon to be submitted to each House of the
	25	National Assembly.
Power to borrow	26	24. The Board may, with the approval of the Minister, borrow, on such
	27	terms and conditions as the Board may require in the exercise of its functions
	28	under this Bill.
Exemption from tax	29	25. -(1) The Boar shall not pay income tax on any income derived by

1 the Health Record System under this Bill or accruing to it from any of its
2 investments.

3 (2) Accordingly, the provisions of any enactment relating to the
4 taxation of companies or trust funds shall not apply to the Health Record
5 System.

6 **26.** The Board shall not pay customs duty on or be restricted or Exemption from
customs duties etc.
7 prohibited from importing any equipment, material, supply and any other thing
8 required by the Board for the purposes of this Bill.

9 **PART VII - MISCELLANEOUS PROVISIONS**

10 **27.** The Minister may make regulations as may be necessary or Regulations
11 expedient for giving full effect to the provisions of this Bill and for its
12 administration thereof.

13 **28.** The Minister may give to the Board directions of a general Power to give
direction
14 character or relating generally to particular matters with regard to the exercise
15 of their functions under this Bill, and it shall be their duty to comply with the
16 directions; but no direction shall be given which is inconsistent with the duties
17 of the Board under this Bill.

18 **29.-(1)** A person aggrieved by any action or decision of the Board Pre-action notice
19 under this Bill may bring an action in the Federal High Court provided that the
20 aggrieved person shall give the Health Record System 21 days' notice in
21 writing of his intention to bring an action against such action or decision.

22 (2) The intending Plaintiff shall serve on the Board, a formal written
23 notice which shall clearly and explicitly state:

24 (a) the cause of action;

25 (b) the particulars of the claim;

26 (c) the name and place of abode of the intending plaintiff; and

27 (d) the relief which the Plaintiff intends to claim.

28 (3) The notice of intention to initiate an action against the Board
29 referred to in sub clauses (1) and (2) of this clause may be addressed to and
30 delivered to the office of the Chairman of the Board.

Limitation of suits against the National Electronic Health Record System Board	1	30. -(1) Subject to the provisions of this Bill, the provisions of the
	2	Public Officers Protection Act shall apply in relation to any suit against any
	3	member or Officer or employee of the Board.
	4	(2) Notwithstanding anything contained in any other law or
	5	enactment, no suit shall lie against any member of the Board, the chairman or
	6	any other officer or employee of the Board for any act done in pursuance or
	7	execution of this Bill or any other law or enactment, or any alleged neglect or
	8	default in the execution of this Bill or such law or enactment, duty or authority,
	9	shall lie or be against the Board in any court unless:
	10	(a) it is commenced within three months after the act, neglect or
Service of documents	11	default complained of; or
	12	(b) in the case of a continuation of damage or injury, within six
	13	months next after the leasing thereof.
	14	31. A notice, summons or other document required or authorized to
Restriction of execution against property of the Board	15	be served upon the Board under the provisions of this Bill or any other law or
	16	enactment may be served by delivering it to the Chairman of the Board/System
	17	Operator.
	18	32. In any action or suit against the Board, no execution or attachment
Indemnity of Officers	19	of process shall be made against the Board, unless not less than three months'
	20	notice of the intention to execute or attach has been given to the Board.
	21	33. A member of the Board, any officer or employee of the Board,
	22	shall be indemnified out of the assets of the Board against any proceeding,
Interpretation	23	whether civil or criminal, in which judgment is given in their favor, or in which
	24	the person is acquitted, if any such proceeding is brought against the person in
	25	their capacity as a member of the Board, officer or employee of the Board.
	26	34. In this Bill, unless the context otherwise requires:
	27	"authorized representative" means a person who the System Operator is
	28	satisfied has parental responsibility for a healthcare recipient below 18 years;
	29	"contracted service provider of a healthcare provider organization" means an
	30	entity that provides:

1 (a) information technology services relating to the Health Record
2 system;

3 (b) health information management services relating to the Health
4 Record system; to the healthcare provider organization under a contract;
5 "genetic relative of an individual (the first individual)" means another
6 individual who is related to the first individual by blood, including a sibling,
7 a parent or a descendant of the first individual;

8 "healthcare provider" means:

9 (a) an individual healthcare provider; or

10 (b) a healthcare provider organization;

11 "healthcare provider organization" means an entity that has conducted,
12 conducts, or will conduct, or provides healthcare services (including
13 healthcare provided free of charge). "health care recipient" means an
14 individual who has received, receives, or may receive, healthcare services;

15 "health Record Account of a healthcare recipient" means the record of
16 information that is created and maintained by the System Operator in
17 relation to the healthcare recipient, and information that can be obtained by
18 means of that record, including:

19 (a) information included in the entry in the Register that relates to
20 the health care recipient;

21 (b) health information connected in the Health Record Account
22 system to the healthcare recipient (including information included in a
23 record accessible through the index service);

24 (c) other information connected in the Health Record system to the
25 healthcare recipient, such as information relating to auditing access to the
26 record;

27 (d) back-up records of such information;

28 "health record system" means a system:

29 (a) for the collection, use and disclosure of information from many
30 sources using telecommunications services and by other means, and the

1 holding of that information, in accordance with the healthcare recipient's
2 wishes or in circumstances specified in this Act; and

3 (b) the assembly of that information using telecommunications
4 services and by other means so far as it is relevant to a particular healthcare
5 recipient, so that it can be made available, in accordance with the health care
6 recipient's wishes or in circumstances specified in this Act, to facilitate the
7 provision of healthcare to the healthcare recipient or for purposes specified in
8 this Act; and

9 (b) that involves the performance of functions under this Act by the
10 System Operator;

11 "Minister" means the Minister charged with responsibility for matters relating
12 to Health;

13 "nominated representative of a healthcare recipient" is a person in an
14 agreement with the healthcare recipient that the individual is the healthcare
15 recipient's nominated representative for the purposes of this Act, and the health
16 care recipient has notified the System Operator that the individual is his or her
17 nominated representative; and

18 "use of health information included in a healthcare recipient's Health Record
19 Account" includes accessing the information, viewing the information,
20 modifying the information, and deleting the information.

Citation

21 **35.** This Bill may be cited as National Electronic Health Record Bill,
22 2019.

23 SECOND SCHEDULE

24 *Clause 3 (8)*

25 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

26 *Proceeding of the Board*

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

30 (2) The quorum of the Board shall be 5 members and the quorum of

1 any committee of the Board shall be determined by the Board.

2 2.-(1) The Board shall meet not less than 4 times in each year and
3 subject thereto, the Board shall meet whenever it is summoned by the
4 Chairman, and if the Chairman is required to do so by notice given to him
5 by not less than 3 other members, he shall summon a meeting of the Board
6 to be held within 14 days from the date on which the notice is
7 given.

8 (2) At any meeting of the Board, the Chairman shall preside but
9 if he is absent, the members present at the meeting shall appoint one of
10 them to preside at that meeting.

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

16 *Committees*

17 3.-(1) The Board may constitute one or more Committees to
18 carry out, on behalf of the Board, such of its functions or the functions of
19 the Board as the Board may determine.

20 (2) A committee constituted under this paragraph shall consist of
21 such number of persons (not necessarily members of the Board) as may
22 be determined by the Board; and a person other than a member of the
23 Board shall hold office on the committee in accordance with the terms of
24 his appointment.

25 (3) Subject to the provisions of this Bill and the decision of the
26 Board, a committee constituted under this Bill may regulate its own
27 proceedings and business.

28 (4) A decision of a committee of the Board shall be of no effect
29 until it is confirmed by the Board.

1 *Miscellaneous*

2 4.-(1) The fixing of the seal of the Fund shall be authenticated by the
3 signature of the Chairman and any other person authorized generally or
4 specially to act for that purpose by the Board.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Electronic Health Record System for the storage and access of electronic medical health records in Nigeria.