

*Extraordinary*



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ALVAN IKOKU FEDERAL UNIVERSITY OF EDUCATION, OWERRI  
(ESTABLISHMENT) BILL, 2022  
ARRANGEMENT OF CLAUSES

*Clauses*

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ALVAN IKOKU FEDERAL UNIVERSITY OF EDUCATION, OWERRI

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# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE ALVAN IKOKU  
FEDERAL UNIVERSITY OF EDUCATION, OWERRI; AND FOR RELATED  
MATTERS

*Sponsored by Hon. Henry Nwawuba*

[ ] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE  
2 ALVAN IKOKU FEDERAL UNIVERSITY OF EDUCATION, OWERRI

3 1.-(1) There is hereby Alvan Ikoku Federal College of Education,  
4 Owerri upgraded and established as the Alvan Ikoku Federal University of  
5 Education, Owerri.

Establishment  
and Objectives  
of the Alvan Ikoku  
Federal University  
of Education,  
Owerri

6 (2)The University shall be a body corporate with perpetual  
7 succession and a common seal and may sue or be sued in its corporate name.

8 (3) The University shall be a training institution for the  
9 development of teacher Education in the country.

10 (4) The University shall be supervised by the Federal Ministry of  
11 Education through the National Universities Commission (NUC) who shall  
12 be responsible for approving and regulating all academic programmes run in  
13 the University, to ensure quality compliance and provide funds for academic  
14 and research programmes, infrastructures and remunerations of  
15 employees.

16 (5) The objects of the University shall be-

17 (a) to encourage the advancement of learning and to hold out to all  
18 persons without distinction of race, creed, sex or political conviction.

19 (b) to develop and offer academic and professional programmes  
20 leading to the award of certificates, first degrees, post-graduate research,

1 diploma and higher degrees with emphasis on planning, developmental and  
2 adaptive skills in Education, technology, applied science, agriculture,  
3 commerce, arts, social science, humanities, management and allied  
4 professional disciplines;

5 (c) to produce socially mature Educational men and women with  
6 capabilities not to only understand Educational need of Nigeria as a nation, but  
7 also to exploit existing Educational infrastructure and improve on it to develop  
8 new ones;

9 (d) to act as agents and catalysts for effective Educational system,  
10 through post graduate training , research and innovation, for effective  
11 economic utilization and conservation of the country's human resources;

12 (e) to bring quality change in Education by focusing on teacher  
13 Education through teaching and learning innovations;

14 (f) to collaborate with other national and international institutions  
15 involved in training, research and development of Education with a view to  
16 promoting governance, leadership and management skills among Educational  
17 managers;

18 (g) to identify Educational needs of the society with a view to finding  
19 solutions to them within the context of overall national development;

20 (h) to provide and promote sound basic Education training as a  
21 foundation for the development of Nigeria, taking into account indigenous  
22 culture and the need to enhance national unity;

23 (i) to provide higher Education and foster a systematic advancement  
24 of the science and art of teacher Education;

25 (j) to provide for instruction in such branches of teacher Education as  
26 it may deem necessary to make provision for research advancement and  
27 dissemination of knowledge in such manner as it may determine;

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

1 (m) to undertake any other activities that is appropriate for a  
2 University of Education of the highest standard.

3 **2.-** (1) The University shall consist of-

Constitution and  
Principal Officers  
of the University

4 (a) a Chancellor;

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

6 (c) a Vice-Chancellor and a Senate;

7 (d) a body to be called Congregation;

8 (e) a body to be called Convocation;

9 (f) the campuses and colleges of the University;

10 (g) the colleges, institutes and other teaching and research units of  
11 the University;

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

15 (i) all graduates and undergraduates of the University; and

16 (j) all other persons who are members of the University in  
17 accordance with provisions made by statute in that behalf.

18 (2) The First Schedule to this Bill shall have effect with respect to  
19 the principal officers of the University.

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

23 **3.-** (1) For the carrying out of its objects as specified in section 1 of  
24 this Bill, Federal; University of Education, Owerri shall have power:

Powers of Alvan  
Ikoku Federal  
University of  
Education, Owerri  
and its exercise

25 (a) to offer courses of instruction, training and research in  
26 Education and allied areas for the production of quality and skilled teachers  
27 required to teach at lower, middle and higher levels of Education in Nigeria  
28 in particular and the world at large;

29 (b) to establish such colleges, campuses, institutes, schools,  
30 departments and other teaching and research units within the University as

1 may from time to time be deemed necessary or desirable subject to the approval  
2 of National Universities Commission;

3 (c) to institute professorships, readerships or associate  
4 professorships, lectureships, and other posts and offices and to make  
5 appointments thereto;

6 (d) to institute and award fellowships, scholarships, exhibitions,  
7 bursaries, medals, prizes and other titles, distinctions, awards and forms of  
8 assistance;

9 (e) to provide for the discipline and welfare of members of the  
10 University;

11 (f) to hold examinations and grant degrees, diplomas, certificates and  
12 other distinctions to persons who have pursued a course of study approved by  
13 the University and have satisfied such other requirements as the University  
14 may lay down;

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

16 (h) to demand and receive from any student or any other person  
17 attending the University for the purposes of instruction, such fees as the  
18 University may from time to time determine subject to the overall directives of  
19 the Minister;

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

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

26 (k) to enter into contracts, establish trusts, act as trustee, solely or  
27 jointly with any other person, and employ and act through agents;

28 (l) to erect, provide, equip and maintain libraries, laboratories,  
29 workshops, lecture halls, halls of residence, refectories, sports grounds,  
30 playing fields and other buildings or things necessary, suitable or convenient



- 1 for any of the objects of the University;
- 2 (m) to hold public lectures and to undertake printing, publishing
- 3 and book selling;
- 4 (n) subject to any limitations or conditions imposed by statute, to
- 5 invest any moneys appertaining to the University by way of endowment it,
- 6 not being immediately required for current expenditure in any investments
- 7 or securities or in the purchase or improvement of land, with power from
- 8 time to time, to vary any such investments to deposit any moneys for the
- 9 time being not invested with any bank on deposit or current account;
- 10 (o) to borrow, whether on interest or not and if need be upon the
- 11 security of any or all of the property, movable or immovable, of the
- 12 University, such moneys as the Council may from time to time in its
- 13 discretion find it necessary or expedient to borrow of to guarantee any loan,
- 14 advances or credit facilities;
- 15 (p) to make gifts for any charitable purpose;
- 16 (q) to do anything which it is authorized or required by this Bill or
- 17 by statute to do; and
- 18 (r) to do all such acts or things, whether or not incidental to the
- 19 foregoing powers, as may advance the objects of the University.
- 20 (2) Subject to the provisions of this Bill and of the statutes and
- 21 without prejudice to section 7(2) of this Bill, the powers conferred on the
- 22 University by subsection (1) of this section shall be exercisable on behalf of
- 23 the University by the Council or by the Senate or in many other manner
- 24 which may be authorized by the statute.
- 25 (3) The power of the University to establish further campuses and
- 26 colleges within the University shall be exercisable by statute and not
- 27 otherwise.
- 28 4.-(1)The Chancellor shall, in relation to the University, take
- 29 precedence before all other members of the University, and when he is

Functions of the  
Chancellor and  
Pro-Chancellor

Composition,  
Tenure and  
Powers of the  
Council of the  
University

1 present, shall preside at all meetings of Convocation held for conferring  
2 degrees.

3 (2) The Pro-Chancellor shall, in relation to the University, take  
4 precedence before all other members of the University, except the Chancellor  
5 and except the Vice-Chancellor when acting as chairman of Congregation or  
6 Convocation and the Pro-Chancellor shall, when he is present, be the chairman  
7 at all meetings of the Council.

8 **5.-(1)**The Council of the University shall consist of-

9 (a) the Pro-Chancellor who shall be appointed by the President on the  
10 recommendation of the Honourable Minister of Education;

11 (b) the Vice-Chancellor;

12 (c) the Deputy Vice-Chancellor(s);

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

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

16 (i) the Teacher's Registration Council;

17 (ii) Tertiary Education Trust Fund; and

18 (iii) two other persons, one of whom shall be a representative of the  
19 University host community.

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

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

22 (h) one person appointed by Convocation from among its members;

23 (i) two persons representing the community appointed by the  
24 President.

25 (2) Persons to be appointed to the Council shall be of proven integrity,  
26 knowledgeable and familiar with the affairs and tradition of the University.

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

1 (4) The powers of the Council shall be exercised, as in this Bill and  
2 to that extent establishment circulars that are inconsistent with this Bill shall  
3 not apply to the University.

4 (5) The Council shall be free in the discharge of its functions and  
5 exercise of its responsibilities for the good management, growth and  
6 development of the University.

7 (6) The Council in the discharge of its functions shall ensure that  
8 disbursement of funds of the University complies with the approved  
9 budgetary ratio for-

10 (a) personnel cost;

11 (b) overhead cost;

12 (c) research and development;

13 (d) library developments; and

14 (e) the balance in expenditure between academic vis-à-vis non-  
15 academic activities.

16 6.-(1) Subject to the provisions of this Bill relating to the Visitor, the  
17 Council shall be the governing body of the University and shall be charged  
18 with the general control and superintendence of the policy, finances and  
19 property of the University.

Functions of the  
Council and its  
Finance and  
General Purpose  
Committee

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

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

27 (4) The Council shall ensure that proper accounts of the University  
28 are kept and that the accounts of the University are audited annually by an  
29 independent firm of auditors approved by the Council and that an annual  
30 report is published by the University together with certified copies of the

1 said accounts as audited.

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

6 (6) Rules made under sub-section (5) of this section by the Finance  
7 and General Purposes Committee shall not come into force unless approved by  
8 the Council; and in so far and to the extent that any rules so made by that  
9 Committee conflict with any direction given by the Council, whether before or  
10 after the coming into force of the rules in question, the directions of the Council  
11 shall prevail.

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

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

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

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

Functions of the  
Senate of the  
University

25 7.-(1) Subject to section 6 of this Bill and subsections (3) and (4) of  
26 this section and the provisions of this Bill relating to the Visitor, it shall be the  
27 general function of the Senate to organize and control the teaching by the  
28 University, the admission of student where no other enactment provides to the  
29 contrary and the discipline of students; and to promote research at the  
30 University.

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

4                   (a) the establishment, organization and control of campuses,  
5                   colleges, schools, institutes and other teaching and research units of the  
6                   University and the allocation of responsibility for different branches of  
7                   learning;

8                   (b) the organization and control of courses of study at the  
9                   University and of the examinations held in conjunction with those courses,  
10                  including the appointment of examiners, both internal and external;

11                  (c) the award of degrees, and such other qualifications as may be  
12                  prescribed in connection with examinations held as aforesaid;

13                  (d) the making of recommendations to the Council with respect to  
14                  the award to any person of an honorary fellowship or honorary degree or the  
15                  title of professor emeritus;

16                  (e) the establishment, organization and control of halls of residence  
17                  and similar institutions at the University;

18                  (f) the supervision of the welfare of students at the University and  
19                  the regulation of their conduct;

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

22                  (h) determining what descriptions of dress shall be academic dress  
23                  for the purposes of the University, and regulating the use of academic  
24                  dress.

25                  (3) The Senate shall not establish any new campus, college, school,  
26                  department, institute or other teaching and research units of the University,  
27                  or any hall of residence or similar institution at the University without the  
28                  approval of the Council.

29                  (4) Subject to this Bill and the statutes, the Senate may make  
30                  regulations for the purpose of exercising any function conferred on it either

1 by the foregoing provisions of this section or otherwise or for the purpose of  
2 making provision for any matter for which provision by regulations is  
3 authorized or required by this Bill or by statute.

4 (5) Regulations shall provide that at least one of the persons appointed  
5 as the examiners at each final or professional examination held in conjunction  
6 with any course of study at the University is not a teacher at the University but  
7 is a teacher of the branch of learning to which the course relates at some other  
8 University of high repute or a person engaged in practicing the profession in a  
9 reputable organization or institution.

10 (6) Subject to right of appeal to the Council from a decision of the  
11 Senate under this sub-section, the Senate may deprive any person of any  
12 degree, diploma or other award of the University which has been conferred  
13 upon him if after due enquiry he is found to have been guilty of dishonourable  
14 or scandalous conduct in gaining admission into the University or obtaining  
15 that award.

Functions of the  
Vice Chancellor

16 8.-(1) The Vice-Chancellor shall, in relation to the University, take  
17 precedence before all other members of the University except the Chancellor  
18 and subject to section 4 of this Bill except the Pro-Chancellor and any other  
19 person for the time being acting as Chairman of the Council.

20 (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor  
21 shall have the general function, in addition to any other functions conferred on  
22 him by this Bill or otherwise of directing the activities of the University and  
23 shall be the Chief Executive and Accounting Officer of the University and ex-  
24 officio Chairman of the Senate.

25 (3) The Vice Chancellor shall be the Chairman of the University  
26 Tenders' Board, which is saddled with the responsibility of approving the  
27 conduct of public procurement of goods, works and services within the  
28 approved threshold from time to time.

29 (4) It shall be the responsibility of the Vice Chancellor to establish and  
30 appoint members of the Tenders' Board in line with the extant Public

1 Procurement Rules and Regulations.

2 PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE

3 UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES

4 9.-(1) There shall be a general fund of the University which shall General fund of  
5 consist of the following: the University

6 (a) grants-in-aid;

7 (b) fees;

8 (c) income derived from investments;

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

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

13 (f) any other amounts, charges or dues recoverable by the  
14 University;

15 (g) revenue, from time to time, accruing to the University by way  
16 of subvention;

17 (h) interests on investments;

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

20 (j) Regular TETFUND interventions;

21 (2) The general fund shall be applied for the purposes of the  
22 University.

23 10.-(1) All property held by or on behalf of the Provisional Council Transfer of  
24 of the University shall, by virtue of this sub-section and without further Property  
25 assurance, vest in the University and be held by it for the purpose of the  
26 University.

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

	1	PART III - STATUTES OF THE UNIVERSITY
Power of the University to make Statutes	2	<b>11.</b> -(1) Subject to this Bill, the University may make statutes for any
	3	of the following purposes, that is to say-
	4	(a) Making provision with respect to the composition and constitution
	5	of any authority of the University;
	6	(b) Specifying and regulating the powers and duties of any authority
	7	of the University, and regulating any other matter connected with the
	8	University or any of its authorities;
	9	(c) Regulating the admission of students (where no other enactment
	10	provides to the contrary), and their discipline and welfare;
	11	(d) Determining whether any particular matter is to be treated as an
	12	academic or non-academic matter for the purposes of this Bill and of any
	13	statute, regulation or other instrument made thereunder; or
	14	(e) Making provision for any other matter for which provision by
	15	statute is authorized or required by this Bill.
	16	(2) Subject to section 25(6) of this Bill, the Interpretation Act shall
	17	apply in relation to any statute made under this section as it applies to a
	18	subsidiary instrument within the meaning of section 28(1) of that Act.
	19	(3) The statute contained in the Third Schedule to this Bill shall be
	20	deemed to have come into force on the commencement of this Bill and shall be
	21	deemed to have been made under this section by the University.
	22	(4) The power to make statutes conferred by this section shall not be
	23	prejudiced or limited in any way by reason of the inclusion or omission of any
	24	matter in or from the statute contained in the Third Schedule to this Bill or any
	25	subsequent statute.
Third Schedule: Mode of exercising power to make statutes	26	<b>12.</b> -(1) The power of the University to make statutes shall be
	27	exercised in accordance with the provisions of this section and not otherwise.
	28	(2) A proposed statute shall not become law unless it has been
	29	approved:
	30	(a) at a meeting of the Senate, by the votes of not less than two thirds



1 of the members present and voting; and

2 (b) at a meeting of the Council, by the votes of not less than two  
3 thirds of the members present and voting.

4 (3) A proposed statute may originate either in the Senate or in the  
5 Council, and may be approved as required by subsection (2) of this section  
6 by either one of those bodies or the other.

7 (4) A statute which:

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

10 (b) provides for the establishment of a new campus or college or for  
11 the amendment or revocation of any statute.

12 (5) For the purpose of section 2(2) of the Interpretation Act, a  
13 statute shall be treated as being made on the date on which it is duly  
14 approved by the Council after having been duly approved by the Senate, or  
15 on the date on which it is duly approved by the Senate after having been duly  
16 approved by the Council, as the case may be or, in the case of a statute falling  
17 within subsection (4) of this section, on the date on which it is approved by  
18 the President.

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

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

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

25 (7) The decision of the Visitor on any matter referred to him under  
26 sub-section (6) of this section shall be binding upon the authorities, staff and  
27 students of the University and where any question as to the meaning of any  
28 provision of a statute has been decided by the Visitor under that sub-section,  
29 no question as to the meaning of that provision shall be entertained by any  
30 court of law in Nigeria.

	1	(8) Nothing in sub-section (7) of this section shall affect any power of
	2	a court of competent jurisdiction to determine whether any provision of a
	3	statute is wholly or partly void as being ultra vires or as being inconsistent with
	4	the Constitution of the Federal Republic of Nigeria, 1999.
Proof of Statute	5	<b>13.</b> A statute may be proved in any court by the production of a copy
	6	thereof bearing or having affixed to it a certificate purporting to be signed by
	7	the Vice-Chancellor or the Secretary to the Council to the effect that the copy is
	8	a true copy of a statute of the University.
	9	PART IV - SUPERVISION AND DISCIPLINE
The Visitor	10	<b>14.</b> -(1) The President shall be the Visitor of the University.
	11	(2) The Visitor shall cause a visitation to the University when
	12	necessary, at least every five years, or direct that such a visitation be conducted
	13	by such person or persons as the Visitor may deem fit and in respect of any of
	14	the affairs of the University.
	15	(3) It shall be the duty of the bodies and persons comprising the
	16	University to make available to the Visitor and to any other person conducting a
	17	visitation in pursuance of this section, such facilities and assistance as he or
	18	they may reasonably require for the purposes of a visitation.
	19	(4) The Visitor shall make the report of such visitations and white
	20	paper thereon available to the Council which shall implement same.
Removal of certain Members of Council	21	<b>15.</b> -(1) If it appears to the Council that a member of the Council (other
	22	than the Pro-Chancellor or the Vice-Chancellor) should be removed from
	23	office on the ground of misconduct or inability to perform the functions of his
	24	office or employment, the Council shall make a recommendation to that effect
	25	through the Minister to the President, and the President, after making such
	26	enquiries (if any) as he may consider appropriate approves the
	27	recommendation, he may direct the removal of the person in question from
	28	office.
	29	(2) It shall be the duty of the Minister to use his best endeavours to
	30	cause a copy of the instrument embodying a direction under subsection (1) of

1 this section to be served as soon as reasonably practicable on the person to  
2 whom it relates.

3 **16.-(1)** If it appears to the Council that there are reasons for  
4 believing that any person employed as a member of the academic,  
5 administrative or professional staff of the University, other than the Vice-  
6 Chancellor, should be removed from his office or employment on the  
7 ground of misconduct or of professional inability to perform the functions of  
8 his office or employment, the 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 him an opportunity of making representations in person  
11 on the matter by the Council; and

12 (c) for the person in question to be afforded an opportunity of  
13 appearing before and being heard by the investigating committee with  
14 respect to the matter, and if the Council, after considering the report of the  
15 investigating committee, is satisfied that the person in question should be  
16 removed as aforesaid, the Council may so remove him by an instrument in  
17 writing signed on the directions of the Council.

18 (2) The Vice-Chancellor may, in a case of misconduct by a member  
19 of the staff which in the opinion of the Vice-Chancellor is prejudicial to the  
20 interest of the University, suspend such member and any such suspension  
21 shall forthwith be reported to the Council.

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

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

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

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

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

7 (e) conduct which the Council considers to be generally of such  
8 nature as to render the continued appointment or service of the person  
9 concerned prejudicial or detrimental to the interest of the University.

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

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

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

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

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

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

29 (6) It shall be the duty of the person by whom an instrument of  
30 removal is signed in pursuance of subsection (1) of this section to use his best

1 endeavours to cause a copy of the instrument to be served as soon as  
2 reasonably practicable on the person to whom it relates.

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

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

6 (b) prevent the Council from making regulations for the discipline  
7 of other categories of workers of the University as may be prescribed.

8 17.-(1) If, on the recommendation of the Senate, it appears to the  
9 Vice-Chancellor that a person appointed as an examiner for any  
10 examination of the University ought to be removed from his office or  
11 appointment, then, except in such cases as may be prescribed by the Vice-  
12 Chancellor may, after affording the examiner an opportunity of making  
13 representations in person on the matter to the Vice-Chancellor, remove the  
14 examiner from the appointment by an instrument in writing signed by the  
15 Vice-Chancellor.

Removal of  
examiners

16 (2) Subject to the provisions of regulations made in pursuance of  
17 section 7(5) of this Bill, the Vice-Chancellor may, on the recommendation of  
18 the Senate, appoint an appropriate person as examiner in the place of the  
19 examiner removed in pursuance of subsection (1) of this section.

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

24 18.-(1) The Students shall be:

25 (a) represented in the University's Students Welfare Board and  
26 other committees that deal with the affairs of students;

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

28 (c) Participate in the process of assessing academic staff in respect  
29 of teaching; and

30 (d) Be encouraged to be more self-assured as part of the national

Participation and  
Discipline of  
Students

1 development process.

2 (2) Subject to the provisions of this section, where it appears to the  
3 Vice-Chancellor that any student of the University has been guilty of  
4 misconduct, the Vice-Chancellor may, without prejudice to any other  
5 disciplinary powers conferred on him by statute or regulations, direct:

6 (a) that the student shall not, during such period as may be specified in  
7 the directions, participate in such activities of the University, or make use of  
8 such facilities of the University, as may be so specified,

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

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

13 (d) that the student be expelled from the University.

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

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

23 (a) The Vice-Chancellor may delegate his powers under this section to  
24 a disciplinary board consisting of such members of the University as he may  
25 nominate;

26 (b) Nothing in this section shall be construed as preventing the  
27 restriction or termination of students' activities at the University otherwise than  
28 on the ground of misconduct;

29 (c) A direction under subsection (2)(a) of this section may be  
30 combined with a direction under subsection (2)(b) of this section;

## PART V - MISCELLANEOUS AND GENERAL

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

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

(2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

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

Restriction on disposal of land by University

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

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

Quorum and procedure of bodies established by this Act

**22.**-(1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint

Appointment of committee, etc.

1 committees, which need not consist exclusively of members of that body, and  
2 to authorize a committee established by it:

- 3 (a) to exercise, on its behalf, such of its functions as it may determine;  
4 (b) to co-opt members, and

5 (2) Any two or more such bodies may arrange for the holding of joint  
6 meetings of those bodies, or for the appointment of committees consisting of  
7 members of those bodies, for the purpose of considering any matter within the  
8 competence of those bodies or any of them, and either of dealing with it or of  
9 reporting on it to those bodies or any of them.

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

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

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

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

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

Retiring age of  
academic staff

26 **23.**-(1) Notwithstanding anything to the contrary in the Pension Act,  
27 the compulsory retiring age of the following categories of staff shall be as  
28 follows:

29 (a) Academic staff of the University in the non-Professorial cadre  
30 shall be 65 years;



1 (b) Academic staff of the University in the Professorial Cadre shall  
2 be 70 years;

3 (c) Non-academic staff of the University shall be 65 years.

4 (2) A law or rule requiring a person to retire from the public service  
5 after serving for 35 years shall not apply to an academic staff of the  
6 University.

7 **24.** An academic staff of the University who retires as a Professor  
8 in the University shall be entitled to pension at a rate equivalent to his annual  
9 salary provided that the Professor has served continuously in the University  
10 up to the retirement age.

Special Provisions  
relating to Pension  
of Professors

11 **25.-(1)** The seal of the University shall be such as may be  
12 determined by the Council and approved by the Chancellor, and the affixing  
13 of the seal shall be authenticated by any member of the Council and by the  
14 Vice-Chancellor, Secretary to the Council or any other person authorized by  
15 statute.

Miscellaneous  
Administrative  
Provisions

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

19 (3) Any contract or instrument which if made or executed by a  
20 person not being a body corporate would not be required to be under seal,  
21 may be made or executed on behalf of the University by any person  
22 generally or specially authorized to do so by the Council.

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

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

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

4 (7) The power conferred by this Bill on anybody to make statutes or  
5 regulations shall include power to revoke or vary any statute (including the  
6 statute contained in the Third Schedule of this Bill) or any regulation by a  
7 subsequent statute or as the case may be, by a subsequent regulation and  
8 statutes and regulations may make different provisions in relation to different  
9 circumstances.

10 (8) No stamp or other duty shall be payable in respect of any transfer  
11 of property to the University by virtue of section 8 or section 18 of this Bill or  
12 the Second Schedule to this Bill.

13 (9) Any notice or other instrument authorized to be served by virtue of  
14 this Bill may, without prejudice to any other mode of service, be served by  
15 post.

Restriction of  
suits and  
execution

16 **26.-(1) Pre-Action Notice:**

17 (a) No legal proceeding shall be instituted and/or commenced against  
18 the University or any of its agents in the course of their official duties unless a 3  
19 months' Pre-Action Notice of such intention is served on the University by an  
20 aggrieved party;

21 (b) The Notice shall state the reason and the cause of action intended  
22 to be taken against the University, the particulars of the claim, the name and  
23 place of abode of the intending plaintiff and the relief which he claims;

24 (c) For the avoidance of doubt, it is hereby declared that no suit shall  
25 be commenced against an officer or servant of the University, in any case where  
26 the University is vicariously liable for any alleged act, neglect or default of the  
27 officer or servant in the performance or intended performances of his duties,  
28 unless three months at least has elapsed after written notice of intention to  
29 commence the same shall have been served on the University by the intending  
30 plaintiff or his agent;

1 (d) In any suit against this University, no execution or attachment  
2 or process in the nature thereof shall be issued against the University, but any  
3 sums of money which may be judgment of the court be awarded against the  
4 University shall, subject to any direction given by the court where notice of  
5 appeal has been given by the University in respect of the said judgment, be  
6 paid by the University from its general fund.

7 (2) Service of Notices:

8 Service upon the University of any notice, order or other document may be  
9 effected by delivering the same or by sending it by registered post addressed  
10 to the Registrar and Secretary of the Council.

11 **27.-(1)** In this Bill, unless the context otherwise requires:

Interpretation

12 "Campus" means any campus which may be established by the University;

13 "College" means the College established pursuant to section 2 (1) (b) of this  
14 Bill for the University;

15 "Council" means the Governing Council of the University established by  
16 section 5 of this Bill;

17 "Functions" includes powers and duties;

18 "Graduate" means a person on whom a degree, other than an honorary  
19 degree, has been conferred by the University and any other person as may be  
20 designated as a graduate by the Council, acting in accordance with the  
21 recommendation of the Senate; (Erroneously omitted);

22 "Minister" means the Hon. Minister of Education;

23 "Notice" means notice in writing;

24 "Officer" does not include the Visitor;

25 "Prescribed" means prescribed by statute or regulations;

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 "Provisional Council" means the provisional council appointed for the  
30 University;

1 "Regulations" means regulations made by the Senate or the Council;  
2 "Senate" means the Senate of the University established pursuant to section  
3 2(1)(e) of this Bill;  
4 "School" means a unit of closely related academic programmes;  
5 "Statute" means a statute made by each University under section 10 of this Bill  
6 and in accordance with the provisions of section 11 of this Bill, and  
7 "the statutes" means all such statutes as are in force from time to time;  
8 "Teacher" means a person holding a full-time appointment as a member of the  
9 teaching or research staff of the University;  
10 "Undergraduate" means a person registered as a student undergoing a course of  
11 study for a first degree of the University or such other course in the University  
12 as may be approved by the Senate as qualifying a student undergoing it for the  
13 status of an under-graduate;  
14 "University" means Alvan Ikoku Federal University of Education, Owerri  
15 established and incorporated by section I of this Bill.

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

Short Title

23 **28.** This Bill may be cited as the Alvan Ikoku Federal University of  
24 Education, Owerri Bill, 2022.

## 1 SCHEDULES

## 2 FIRST SCHEDULE

3 *[Section 2(2)]*

## 4 PRINCIPAL OFFICERS OF THE UNIVERSITY

5 *The Chancellor*6 1. The Chancellor shall be appointed by and hold office at the  
7 pleasure of the President.8 *The Pro-Chancellor*9 2.-(1) The Pro-Chancellor who shall be the Chairman of Council  
10 shall be appointed or removed from office by Mr. President upon  
11 recommendation by the Minister of Education.12 (2) Subject to the provisions of this Bill, the Pro-Chancellor shall  
13 hold office for a period of four years beginning with the date of his  
14 appointment.15 *The Vice-Chancellor*16 3.-(1) There shall be a Vice-Chancellor of the University who shall  
17 be appointed by the Council in accordance with the provisions of this  
18 paragraph.19 (2) Where a vacancy occurs in the post of a Vice-Chancellor, the  
20 Council shall:21 (a) advertise the vacancy in a reputable journal or a widely read  
22 newspaper in Nigeria, specifying:

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

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

27 (b) constitute a Search Team consisting of:

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

30 (ii) two members of the Senate who are not members of the

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

6 (3) A Joint Council and Senate Selection Board consisting of:

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

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

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

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

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

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

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

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

29 (ii) two members of the Senate,

30 Provided that where the ground for removal is infirmity of the body or mind,

1 the Council shall seek appropriate medical opinion.

2 (8) The committee shall conduct investigation into the allegations  
3 made against the Vice-Chancellor and shall report its findings to the  
4 Council.

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

9 (10) There shall be no sole administrator in the University.

10 (11) In any case of a vacancy in the office of the Vice-Chancellor,  
11 the Council shall appoint an acting Vice-Chancellor on recommendation of  
12 the Senate.

13 (12) An acting Vice Chancellor in all circumstances shall not be in  
14 office for more than 6 months.

15 *Deputy Vice-Chancellor*

16 4.-(1) There shall be for the University such number of Deputy  
17 Vice-Chancellors as Council may from time to time deem necessary for the  
18 proper administration of the University.

19 (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor,  
20 the Vice-Chancellor shall forward to the Senate a list of two candidates for  
21 each post of Deputy Vice-Chancellor that is vacant.

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

25 (4) A Deputy Vice-Chancellor shall:

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

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

30 (c) perform such other functions as the Vice-Chancellor or the

1 Council may, from time to time, assign to him.

2 (5) A Deputy Vice-Chancellor:

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

6 (b) may be reappointed for one further period of two years and no  
7 more;

8 (c) may be removed from office for good cause by the Council acting  
9 on the recommendations of the Vice-Chancellor and Senate; and

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

13 *Office of the Registrar*

14 5.-(1) There shall be for the University, a Registrar, who shall be the  
15 chief administrative officer of the University and shall be responsible to the  
16 Vice-Chancellor for the day-to-day administrative work of the University  
17 except as regards matters for which the Bursar is responsible in accordance  
18 with paragraph 6(2) of this Schedule.

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

22 *Other Principal Officers of the University*

23 6.-(1) There shall be for the University the following principal  
24 officers, in addition to the Registrar, that is:

25 (a) the Bursar; and

26 (b) the University Librarian,

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

29 (2) The Bursar shall be the Chief Financial Officer of the University  
30 and be responsible to the Vice-Chancellor for the day-to-day administration



1 and control of the financial affairs of the University.

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

7 (4) Any question as to the scope of the responsibilities of the  
8 aforesaid officers shall be determined by the Vice-Chancellor.

9 *Selection Board for other Principal Officers*

10 7.-(1) There shall be, for the University, a Selection Board for the  
11 appointment of principal officers, other than the Vice-Chancellor or Deputy  
12 Vice-Chancellor, which shall consist of:-

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

14 (b) the Vice-Chancellor;

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

16 and

17 (d) two members of the Senate.

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

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

25 (4) Notwithstanding subsection (3) of this section, the Council  
26 may, upon satisfactory performance, extend the tenure of the Registrar,  
27 Bursar or Librarian for a further period of one year only and thereafter such  
28 principal officer shall relinquish his post and be assigned to other duties in  
29 the University.

## 1 *Resignation and Re-appointment*

2                   8.-(1) Any officer mentioned in the foregoing provisions of this  
3   Schedule may resign his office:

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

6 (b) in any other case, by notice to the Council and the Council shall, in  
7 the case of the Vice-Chancellor, immediately notify the Visitor.

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

11 SECOND SCHEDULE

12 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

13 *Transfer of Property to University*

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

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

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

21           2.-(1) All agreements, contracts, deeds and other instruments to  
22   which the Provisional Council was a party shall, so far as possible and subject  
23   to any necessary modifications, have effect as if the University had been a party  
24   thereto in place of the Provisional Council.

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

29 (3) Any legal proceedings or application to any authority pending by

1 or against the Provisional Council may be continued by or against the  
2 University.

3 *Registration of transfers*

4 3.-(1) If the law in force at the place where any property transferred  
5 by this Bill is situate provides for the registration of transfers of property of  
6 the kind in question (whether by reference to an instrument of transfer or  
7 otherwise), the law shall, so far as it provides for alterations of a register (but  
8 not for avoidance of transfers, the payment of fees or any other matter)  
9 apply, with necessary modifications, to the property aforesaid.

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

14 *Transfer of Functions, etc.*

15 4.-(1) The first meeting of the Council shall be convened by the  
16 Pro-Chancellor on such date and in such manner as he may determine.

17 (2) The persons who were members of the Provisional Council  
18 shall be deemed to constitute the Council until the date when the Council as  
19 set up under the Third Schedule to this Bill shall have been duly constituted.

20 (3) The first meeting of the Senate as constituted by this Bill shall  
21 be convened by the Vice-Chancellor on such date and in such manner as he  
22 may determine.

23 (4) The persons who were members of the Academic Board  
24 immediately before the coming into force of this Bill shall be deemed to  
25 constitute the Senate of the University until the date when the Senate as set  
26 up under the Third Schedule to this Bill shall have been duly constituted.

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

1 University as constituted by this Bill.

2 (6) Persons who were Deans of schools and Heads of Academic  
3 Departments shall continue to be Deans or HODs of the corresponding  
4 School/Department, until new appointments are made in pursuance of the  
5 statutes.

6 (7) Any person who was a member of the staff of the University as  
7 established or was otherwise employed by the Provisional Council shall  
8 become the holder of an appointment at the University with the status,  
9 designation and functions which correspond as nearly as may be to those which  
10 appertained to him as member of that staff or as such an employee.

11 THIRD SCHEDULE

12 [Section 9 (3)]

13 Alvan Ikoku FEDERAL UNIVERSITY OF EDUCATION, OWERRI

14 Statute No. 1

15 ARRANGEMENT OF ARTICLES

16 *Articles*

- 17 1. The Council
- 18 2. The Finance and General Purposes Committee
- 19 3. The Senate
- 20 4. The Congregation
- 21 5. Convocation
- 22 6. Division of Colleges
- 23 7. College/School Boards
- 24 8. Dean of the College
- 25 9. Selection of certain Principal Officers
- 26 10. Creation of academic posts
- 27 11. Appointment of academic staff
- 28 12. Appointment of administrative and professional staff
- 29 13. Interpretation.
- 30 14. Short Title

1 *The Council*

2 1.-(1) The composition of the Council shall be as provided in  
3 section 5 of this Bill.

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

7 (3) A member of the Council holding office otherwise than in  
8 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he  
9 previously vacates it, vacate that office on the expiration of the period of  
10 four years beginning with effect from 1 August in the year which he was  
11 appointed.

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

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

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

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

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

*The Finance and General Purposes Committee*

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

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

(b) the Vice-Chancellor and Deputy Vice-Chancellors;

(c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;

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

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

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

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

*Annual budget and estimates, etc.*

(4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year;

Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure;

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

*Gifts, donations, etc.*

(5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid

1 of the finances of the University on such conditions as it may approve;

2 (ii) Registers shall be kept of all donations to the University  
3 including the names of donors and any special conditions under which any  
4 donation may have been given.

5 Provided that the University shall not be obliged to accept a donation for a  
6 particular purpose unless it approves of the terms and conditions attaching to  
7 such donation.

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

11 *Payment into bank*

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

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

18 *Audit*

19 3.-(1) The Council shall cause the accounts of the University to be  
20 audited by auditors appointed by the Council as soon as may be after the end  
21 of each financial year or for any such other period as the Council may  
22 require.

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

26 *The Senate*

27 4.-(1) The Senate shall consist of:

28 (i) the Vice-Chancellor;

29 (ii) Deputy Vice-Chancellors;

30 (iii) the Deans of respective Colleges;

- 1 (iv) the Professors in the University;
- 2 (v) Heads of Academic Departments and Units;
- 3 (vi) the University Librarian;
- 4 (vii) One elected representative of each College;
- 5 (viii) Two members of Academic Staff elected by the Congregation;
- 6 (ix) One elected representative of each department;
- 7 (x) Two members representing a variety of interests of the
- 8 professional bodies outside the University appointed by the Senate on the
- 9 recommendation of the Vice-Chancellor;
- 10 (xi) Registrar - Secretary.
- 11 (2) The procedure for election of members of Senate to the Council
- 12 shall be prescribed by Regulations .
- 13 (3) The Vice-Chancellor shall be the chairman at all meetings of the
- 14 Senate when he is present, and in his absence any of the Deputy Vice-
- 15 Chancellors present at the meeting as the Senate may appoint for that meeting
- 16 shall be the chairman at the meeting.
- 17 (4) The quorum of the Senate shall be one quarter or the nearest whole
- 18 number less than one quarter; and subject to paragraph (3) of this Article, the
- 19 Senate may regulate its own procedure.
- 20 (5) An elected member may, by notice to the Senate, resign his office.
- 21 (6) Subject to paragraph (8) of this article, there shall be elections for
- 22 the selection of elected members which shall be held in the prescribed manner
- 23 on such day in the month of May or June in each year as the Vice-Chancellor
- 24 may from time to time determine.
- 25 (7) An elected member shall hold office for the period of two years
- 26 beginning with 1 August in the year of his election, and may be a candidate at
- 27 any election held in pursuance to paragraph (6) of this article in the year in
- 28 which his period of office expires, so however that no person shall be such a
- 29 candidate if at the end of his current period of office he will have held office as
- 30 an elected member for a continuous period of six years or would have so held



1 office if he had not resigned it.

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

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

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

17 (11) In this article "total of non-elected members" means as respect  
18 any year, such number as may be certified by the Vice-chancellor on 30 April  
19 of that year to be the number of persons holding office as members of the  
20 Senate on that day otherwise than as elected members.

21 *Congregation*

22 5.-(1) Congregation shall consist of:

23 (i) Vice-Chancellor;

24 (ii) the Deputy Vice-Chancellors;

25 (iii) the full-time members of the academic staff

26 (iv) The Registrar;

27 (v) The Librarian;

28 (vi) Every member of the administrative staff who holds a degree,  
29 other than honorary degree, of any University recognized for the purposes of  
30 this statute by the Vice-Chancellor.

(2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.

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

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

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

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

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

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

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

23 *Convocation*

24                    6.-(1) Convocation shall consist of:

25 (i) the officers of the University mentioned in the First Schedule to  
26 this Bill;

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

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

30 (2) A person shall be entitled to have his name registered as a member

1 of convocation if-

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

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

6 (3) Regulations shall provide for the establishment and  
7 maintenance of a register for the purpose of this paragraph and subject to  
8 paragraph (4) of this article may provide for the payment, from time to time,  
9 of further fees by persons whose names are on the register and for the  
10 removal from the register of the name of any person who fails to pay those  
11 fees.

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

16 (5) A person who reasonably claims that he is entitled to have his  
17 name on the register shall be entitled on demand to inspect the register or a  
18 copy of the register at the principal times of the University at all reasonable  
19 times.

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

25 (7) The quorum of Convocation shall be fifty or one third or the  
26 whole number nearest to one third or the whole number of members of  
27 Convocation whichever is less.

28 (8) Subject to section 4 of the Act, the Chancellor shall be chairman  
29 at all meetings of Convocation when he is present, and in his absence the  
30 Vice-chancellor shall be the chairman at the meeting.

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

4 *Division of Colleges*

5 7. Each College shall be divided into such number of branches as  
6 may be prescribed.

7 *College Boards*

8 8.-(1) There shall be established in respect of each College, a Board of  
9 Studies which, subject to the provisions of this Statute, and subject to the  
10 directions of the Vice-Chancellor, shall:

11 (a) Regulate the teaching and study of, and the conduct of  
12 examinations connected with, the subjects assigned to the college;

13 (b) Deal with any other matter assigned to it by statute or by the Vice-  
14 Chancellor or by the Senate; and

15 (c) Advise the Vice-Chancellor or the Senate on any matter referred to  
16 it by the Vice-Chancellor or the Senate.

17 (2) Each College Board of Studies shall consist of:-

18 (a) the Vice-Chancellor;

19 (b) the Dean;

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

21 (d) the College Examination Officer;

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

24 (f) such persons, whether or not members of the University, as the  
25 Board may determine with the general or special approval of the Senate.

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

1 *Deans of the Colleges*

2 9.-(1) The Board of each College shall, at a meeting in the last term  
3 of any academic year which the term of office of the Dean expires, nominate  
4 one of its members, being one of the Professors assigned to that teaching  
5 unit, for appointment by the Senate as Dean of the College.

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

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

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

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

19 (6) There shall be a committee to be known as the Committee of  
20 Deans consisting of all the Deans of the several Colleges and that  
21 Committee shall advise the Vice-Chancellor on all academic matters and on  
22 particular matters referred to the University by the Senate.

23 (7) The Dean of a College may be removed from office for good  
24 cause by the College Board after a vote would have been taken at a meeting  
25 of the Board, and in the event of a vacancy occurring following the removal  
26 of a Dean, an acting Dean may be appointed by the Vice-Chancellor:

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

29 (8) In this article "good cause" has the same meaning as in section  
30 15(3) of the Act.

1 *Departmental Board of Studies*

2 10.-(1) There shall be a Departmental Board of Studies whose  
3 membership shall be made of all academic staff of the Department;

4 (2) It shall be headed by a Professor who shall be appointed by the  
5 Vice Chancellor and in the absence of a Professor, a senior academic staff shall  
6 be appointed in acting capacity;

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

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

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

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

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

17 11.-(1) When a vacancy occurs in the office of the Directors of  
18 Physical Planning and Development, Works and Services and Health, a  
19 Selection Board shall be constituted by the Council which shall consist of:

20 (a) the Pro-Chancellor;

21 (b) the Vice-Chancellor;

22 (c) two members appointed by the Council, not being members of the  
23 Senate;

24 (d) Two members appointed by the Senate.

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

29 *Tenure of Directors*

30 12. A Director shall hold office on such terms and conditions as may

1 be specified in his letter of appointment subject to the extant Regulations.

2 *Creation of Academic Posts*

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

6 *Appointment of Academic Staff*

7 14. -(1) Subject to the Act and statutes, the filling of vacancies in  
8 academic posts (including newly created ones) shall be the responsibility of  
9 the Council through the Departments and Colleges.

10 (2) For the purpose of filling such vacancies, suitable selection  
11 boards to select and make appointments on behalf of the Council shall be set  
12 up.

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

- 16 (a) the Vice-Chancellor - Chairman;  
17 (b) Deputy Vice-Chancellor - Member;  
18 (c) The Dean of the College - Member;  
19 (d) Head of Department - Member;  
20 (e) such other person(s), not exceeding two in number, deemed  
21 capable of helping the Board in assessing both the professional and  
22 academic suitability of a candidate under consideration, as the Senate may  
23 from time to time appoint;  
24 (f) Registrar - Secretary.

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

- 27 (a) the Vice-Chancellor or his representative - Chairman;  
28 (b) The Dean of the College - Member;  
29 (c) Head of the Department concerned - Member;  
30 (d) An internal member of Council (not below the Rank of Senior

1      Lecturer from the sister college in the Candidate's subject-area) - Member;

2                    (e) Registrar or his representative - Secretary.

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

7                    (6) Boards of Selection may interview candidates directly or consider  
8      the reports of specialist interviewing panels and shall in addition, in the case of  
9      Professorships, Associate Professorship, Readerships or equivalent Posts,  
10     consider the reports of External Assessors relevant to the area in which the  
11     appointment is being considered. Quorum shall be three (3) including the  
12     Chairman.

13                    *Appointment of Administrative and Professional Staff*

14                    15.-(1) The administrative and professional staff of the University  
15     other than principal officers shall be appointed by the Council or on its behalf  
16     by the Vice-Chancellor in accordance with delegation of powers made by the  
17     Council on its behalf.

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

19                    (i) Vice Chancellor;

20                    (ii) Deputy Vice Chancellor;

21                    (iii) Registrar;

22                    (iv) Bursar;

23                    (v) University Librarian;

24                    (vi) The Head of Department concerned;

25                    (vii) Establishment and Human Resources Officer who shall serve as  
26     Secretary Quorum shall be three (3) including the Chairman.

27                    *Interpretation*

28                    16. In this Statute, the expression "the Act" means the Alvan Ikoku  
29     Federal University of Education, Owerri Act and any word or expression  
30     defined in the Act has the same meaning in this Statute.



1 *Short Title*

2 17. This Statute may be cited as the Alvan Ikoku Federal University  
3 of Education, Owerri Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to upgrade the Federal College of Education, Owerri to  
Alvan Ikoku Federal University of Education, Owerri.



# A BILL

## FOR

AN ACT TO PROVIDE A LEGAL FRAMEWORK FOR THE ESTABLISHMENT OF  
NATIONAL COTTON PRODUCTION, PROCESSING AND RESEARCH INSTITUTE,  
ZAMFARA STATE AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Ibrahim Almustapha Aliyu*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF NATIONAL COTTON PRODUCTION,  
2 PROCESSING AND RESEARCH INSTITUTE, ZAMFARA STATE AND  
3 GOVERNING BOARD OF THE INSTITUTE

4 1.-(1) There is established the National Cotton Production,  
5 Processing and Research Institute, Zamfara State (in this Bill referred to as  
6 the "Institute").

Establishment  
of National Cotton  
Production, Processing  
and Research  
Institute

7 (2) The Institute:

8 (a) shall be a corporate body with perpetual succession and a  
9 Common seal;

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

11 (c) may for the purposes of performance of its functions under this  
12 Bill, acquire, hold movable or immovable property and enter into contract or  
13 any other transaction for the purposes of carrying out any of its functions.

14 2. The functions of the Institute shall be to:

Functions of the  
Institute

15 (a) To conduct research into the genetic improvement, production,  
16 processing, storage and socio-economy of cotton crop of economic  
17 importance.

18 (b) Assist into research of the system of massive productions of  
19 cotton varieties above, so that Nigeria can achieve self sufficiency in cotton  
20 crop;

1           (c) Assist in the transfer, adaptation and utilization of the end results  
2 of researches to get to the appropriate and relevant farmers, for the rapid  
3 agricultural and socio- economic growth of Nigeria;

4           (d) Carry out appropriate research to ensure compliance with  
5 standards and specifications designated by the Institute and approved by other  
6 regulatory authorities in Nigeria for effective control of quality of cotton crop;

7           (e) Identify indigenous technologies in the area of cotton crops food  
8 processing and develop them into modern technologies;

9           (f) Establish and equip research and development laboratories with  
10 relevant facilities in the Institute;

11          (g) Liaise with relevant establishments within and outside Nigeria in  
12 pursuance of the functions of the Institute;

13          (h) Establish and operate world class laboratories and workshop as  
14 centers of excellence for cutting edge research in cotton crop research;

15          (i) Establish demonstration centers to ensure rapid commercialization  
16 of its research as well as providing necessary avenues for training and re-  
17 training especially for students of agricultural studies in tertiary institutions of  
18 learning;

19          (j) Encourage and promote the commercialization of research and  
20 development innovation results through patents in conjunction with the  
21 National Office for Technology Acquisition and promotion (NOTAP);

22          (k) Establish and operate State Offices for effective delivery and  
23 deployment of its research results especially in the North West Zone of Nigeria;

24          (l) Provide technical consultancy services for revenue generation and  
25 for quality control;

26          (m) Collaborate with relevant bodies, especially tertiary institutions  
27 to develop curricula or modules for appropriate knowledge transfer and  
28 training programmes with a view of diploma awards;

29          (n) Achieve a high research and development output and revenue;

30          (o) Become a member of any relevant International Scientific bodies;

1 (p) Publish research results of its activities and collaborate with  
2 educational institutions and other relevant government Institutes,  
3 organizations, agencies, Councils and industries in research and;

4 (q) Carry out other activities as are necessary or expedient for the  
5 performance of its functions under this Bill.

6 **3.** There is established a Governing Board (hereinafter in this Bill  
7 referred to as "the Board") which shall formulate policy for the Institute.

Establishment  
of the Governing  
Board of the  
Institute

8 **4.-(1)** The Institute shall consist of:

Composition of  
the Governing  
Board of the  
Institute

9 (a)A Chairman, appointed by the President with requisite  
10 knowledge and experience in matters relating to global agricultural research  
11 and development;

12 (b)The Minister charged with the responsibility for Science and  
13 Technology or his representative;

14 (c) The Minister charged with responsibility for agriculture and  
15 Rural Development or his representative;

16 (d)A representative of the Nigeria Academy of Science;

17 (e)A representative of the Nutrition Society of Nigeria (NSN);

18 (f) A representative of the Nigerian Institute of Foods, Science and  
19 Technology (NIFST);

20 (g) One representative each from the Six Geopolitical Zones,  
21 appointed by the President on the recommendation of the Minister for  
22 Agriculture and Rural Development,

23 (h )A person appointed by the President on the recommendation of  
24 the Minister to represent the Civil Society organizations; and

25 (i) The Director-General of the Institute who shall be the Board's  
26 Secretary.

27 (2) The supplementary provision set out in the First Schedule to  
28 this Bill shall have effect with regard to the proceedings of the Board and  
29 other matters contained in the Schedule.

Tenure of the Members of the Governing Board of the Institute	1	<b>5.-(1)</b> The Chairman of the Board shall hold office for a term of four
	2	years and may be eligible for re-appointment for another term of four years and
	3	no more.
	4	(2) A member of the Board who is not an ex-officio member shall hold
	5	office for a term of four years and may be eligible for re-appointment for
	6	another term of four years and no more.
Remuneration of members of the Governing Board of the Institute	7	<b>6.</b> The Chairman and other members of the Board shall be paid such
	8	allowances and expenses in accordance with such rates as may be approved by
	9	the Federal Government of Nigeria from time to time.
Removal of the Chairman or any member of the Board of the Institute	10	<b>7.-(1)</b> When it appears that the Chairman or any member of the Board,
	11	other than an ex-officio member should be removed from office on the grounds
	12	of misconduct or inability to perform the functions of his office, the Board shall
	13	make a recommendation through the Minister to the President for approval.
	14	(2) Where the President, after making such inquiries as he considers
	15	necessary, approves the recommendation made through the Minister by the
	16	Board, the Secretary to the Government of the Federation shall, in writing
	17	declare the position vacant.
	18	(3) Notwithstanding the provision of subsection (1) of this section, the
	19	President may remove any member of the Governing Board, where he is
	20	satisfied that it is in the interest of the Institute and the public to do so.
Resignation by a member of the Board of the Institute	21	<b>8.</b> A member of the Governing Board other than an ex-officio
	22	member may at any time by notice in writing addressed to the President
	23	through the Minister, resign from being a member of the Board of the Institute.
Cessation of members of the Board from office	24	<b>9.</b> Notwithstanding the provisions of Section 4 of this Bill, a member
	25	of the Board ceases to hold office as a member, where:
	26	(a) He resigns his appointment as a member of the Board by notice
	27	under his hand addressed to the President of the Federal Republic of Nigeria;
	28	(b) He becomes of unsound mind;
	29	(c) He becomes bankrupt;
	30	(d) He is convicted of a felony or any other offence involving

1 dishonesty or corruption;

2 (e) He becomes incapable of performing the functions of his office,  
3 either arising from infirmity of mind or body;

4 (f) The President of the Federal Republic of Nigeria is satisfied that  
5 it is not in the interest of the Institute or in the interest of the public for the  
6 person to continue in office;

7 (g) He has been found guilty under the Code of Conduct or serious  
8 misconduct in relation to his duties; or

9 (h) In the case of a person who becomes a member by virtue of the  
10 office he occupies ceases to hold such office.

11 **10.** In the event of death or resignation by a member of the Filling of vacancies  
12 Governing Board or where the office of a member of the Board becomes  
13 vacant, a replacement shall be appointed by the President of the Federal  
14 Republic of Nigeria.

15 **PART II - POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE**

16 **11.** The Board shall have powers to: Powers of the  
Board

17 (a) Formulate policies and ratify short and long term plans of the  
18 Institute;

19 (b) Ratify the annual budget and estimates of the Institute in line  
20 with approval granted by the National Assembly in the Appropriation Act;

21 (c) Approve research and Academic programmes of the Institute;

22 (d) Approve investment plan of the Institute;

23 (e) Consider and approve the capital development plans of the  
24 Institute;

25 (f) Receive and consider proposals, recommendations and  
26 suggestions of the Director-General or any Committee of the Governing  
27 Board on matters relating to the functions of the Institute under this Bill;

28 (g) Constitute any Committee that may be necessary to discharge  
29 any of the functions assigned to it under this Bill;

30 (h) Attract funds by way of donations and contributions to the

The structure  
of the Institute

- 1 Institute and put in place mechanisms for collection and utilization of funds;
- 2 (i) Invest surplus funds of the Institute in profit-yielding ventures; and
- 3 (j) Carry out or exercise any other powers that may be necessary for
- 4 the attainment of the objects of this Bill.
- 5 **12.-(1)** The Institute shall have:
- 6 (a) Its headquarters in Zamfara State;
- 7 (b) Liaison office or Directorate in Abuja; and
- 8 (c) State offices in the remaining five states of the North West Zone of
- 9 Nigeria which include:
- 10 (1) Kaduna State;
- 11 (2) Kano State;
- 12 (3) Katsina State;
- 13 (4) Kebbi State; and
- 14 (5) Jigawa State;
- 15 (6) Sokoto State.
- 16 (2) The Institute shall operate a departmental structure with
- 17 directorate or any other structure as may be considered necessary for the
- 18 performance of its functions and delivery of its services under this Bill.
- 19 (3) The head of the Research Directorate shall be designated as head
- 20 of Department and headed by a Director.
- 21 (4) The head of Research Directorate shall hold office for 3 years in
- 22 the first instance and renewable for another 3 years and no more.
- 23 (5) Notwithstanding the provisions of subsection (3) of this Section,
- 24 in the absence of a Director or head of the Research Directorate, the most
- 25 Senior Research Officer may be appointed in acting capacity on the
- 26 recommendation of the Director- General of the Institute to the Board.
- 27 (6) A Department shall have no more than five divisions, with each
- 28 division headed by a Deputy Director and a division may consists of Sections,
- 29 headed by Chief Research or Scientific Officer and a Section may also be
- 30 composed of units for effectiveness.



1 (7) State Offices shall be headed by a State Office Coordinator.

2 PART III - APPOINTMENT OF THE DIRECTOR- GENERAL AND OTHER

3 STAFF OF THE INSTITUTE

4 **13.**-(1) There is appointed for the Institute a Director-General, who Appointment of  
5 shall be the Chief Executive Officer and Accounting Officer of the Institute. the Director-  
6 General of the  
7 Institute

6 (2) The Director-General shall be:

7 (a) Appointed by the President on the recommendation of the  
8 Minister;

9 (b) Responsible to the Board for the management of the affairs of  
10 the Institute;

11 (c) Responsible for the execution of the policy and day to day  
12 Administration of the affairs of the Institute;

13 (c) Entitled to earn a remuneration and allowances as may be  
14 Specified in his letter of appointment;

15 (d) A person with cognate experience and Skills of not less than 15  
16 years post-doctoral qualification and or 25 years post qualification as a  
17 professional in all fields of Agricultural Science that relates to the operations  
18 of the Institute or other criteria as may be specified;

19 (e) Hold office for a term of four years at the first instance and  
20 eligible for re-appointment for another term of four years on such terms and  
21 conditions as may be specified in his letter of appointment and no more; and

22 (f) Shall be the Secretary to the Institute and the Governing Board,  
23 but not a member of the Board.

24 **14.** The Director- General shall:

25 (a) Prepare the minutes of meetings of the Governing Board and The duties of the  
26 any of its Committees; Director-General  
of the Institute

27 (b) Keep and secure all records of the Governing Board;

28 (c) Issue notice of meetings of the Governing Board as may be  
29 directed by the Chairman;

30 (d) Be responsible for the implementations of the resolutions of the

	1	Governing Board;
	2	(e) Coordinates the preparation of income and expenditure, estimates
	3	and development plans for the Governing Board's consideration;
	4	(f) Have custody of the seal of the Institute;
	5	(g) Perform such other functions as may be assigned by the Board.
Principal Officers of the Institute	6	<b>15.</b> -(1) The principal officers of the Institute shall include:
	7	(a) Directors;
	8	(b) Head of Department;
	9	(c) State Office Coordinators;
	10	(d) Head of Servicom Office;
	11	(e) Chief Internal Auditor;
	12	(f) Head of Pension Office;
	13	(g) Head of Legal; and
	14	(h) Head of Procurement..
	15	(2) The Directors, Heads of Departments or State Office Coordinators
	16	shall assist the Director-General in the day-to-day management of the Institute
	17	(3) Directors or State Office Coordinators shall:
	18	(a) Head each of the Directorate of the Institute;
	19	(b) Implement the policies of the Institute as they apply to the
	20	Directorate;
	21	(c) Prepare draft expenditure estimates and development plans of his
	22	Directorate;
	23	(d) Serve on Scientific or Technical Advisory Committee of the
	24	Institute; and
	25	(e) Perform such other functions as may be determined by the
	26	Director- General.
Other staff of the Institute	27	<b>16.</b> The Board may from time to time, appoint or employ such other
	28	persons as members of Staff of the Institute on the recommendation of the
	29	Director-General as may be necessary, subject to the extant rules and
	30	conditions of service of the Institute.

1	<b>17.</b> Salaries and benefits of the Staff of the Institute shall be in	Remuneration of employees of the Institute
2	accordance with the conditions and scheme of service in other Research	
3	Institutes in Nigeria as may be approved by the Board of the Institute.	
4	<b>18.</b> -(1) The Board may make staff regulations or adopt staff	Staff Regulations
5	conditions of service that is independent of the Civil Service of the	
6	Federation that may provide for:	
7	(a) Remuneration and tenure of office of members of staff of the	
8	Institute;	
9	(b) Appointment, promotion, fringe benefits and incentive for	
10	members of staff of the Institute; and	
11	(c) Appeal procedure for members of staff of the Institute against	
12	dismissal or other disciplinary measures.	
13	(2) The Board shall have power to amend regulations made under	
14	this Bill, provided that the proposal for, is passed by two-thirds majority of	
15	the Board members.	
16	(3) All regulations made by the Board subject to the provisions of	
17	this Bill, may be published in the Official Gazette of the Federal	
18	Government of Nigeria.	
19	<b>19.</b> -(1) The Principal Officers of the Institute may be removed	Removal and discipline of Staff of the Institute
20	from office by the Board with the approval of the Minister.	
21	(2) Any other senior member of Staff of the Institute may be	
22	removed from office by the Director-General with the approval of the	
23	Board.	
24	(3) The removal from office of any Junior Staff shall be with the	
25	approval of the Director-General.	
26	<b>20.</b> -(1) Service in the employment of the Institute shall be as	Application of the Pension Reform Act
27	approved service under the Pensions Reform Act, accordingly, employees	
28	of the Institute shall, in respect of their services be entitled to Pension and	
29	other retirement benefits as prescribed in the Act.	
30	(2) Notwithstanding provisions of Subsection (1) of this section,	

1 nothing in this Bill shall prevent the appointment of a person to any office on  
2 terms, which preclude the gratuity in respect of that office.

3 (3) For the purpose of the application of the Pensions Reform Act, any  
4 power exercisable in the Act by the President or authority other than the Federal  
5 Government (not being the power to make Regulations under Section 34 of this  
6 Bill), shall be vested in and exercisable by the Institute.

7 (4) Subject to Subsection (2) of this Section, the Pensions Reform  
8 Act, shall in its application of Subsection (3) of this Section, have effect as if,  
9 the office were in the public service of the Federation within the meaning of the  
10 Constitution of the Federal Republic of Nigeria, 1999( as altered).

#### 11 PART IV - STRUCTURE AND CONSTITUTION OF THE INSTITUTE

Constitution of  
Scientific Technical  
Advisory Committee

12 **21.**-(1) The Institute may establish Scientific Technical Advisory  
13 Committee (in this Bill referred to as the Committee) in the areas of Research to  
14 assist the Institute in various aspects of its responsibilities.

15 (2) The members of a Scientific or Technical Advisory Committee  
16 shall be persons with requisite expertise and experience in the relevant areas of  
17 interest of the Institute.

Establishment  
of demonstration  
Centers

18 **22.**-(1) The Institute may with the approval of the Chairman of the  
19 Board or Minister, establish Demonstration Centers in any of the six geo-  
20 political zones of Nigeria, based on the nature of the cotton derivable from the  
21 area or zone.

22 (2) The Institute shall provide for:

23 (a) the location of the demonstration centers;

24 (b) the field in which the centers are to conduct its work and  
25 manpower training, where applicable;

26 (c) the transfer to the centers by mutual agreement, any existing  
27 Federal, State and Local Government facilities;

28 (d) the establishment and constitution of senior officers of the  
29 Institute to manage the affairs of the centers.

30 (e) the demonstration centers be fully equipped to enable it carry out

1 training, research and development activities; and

2 (f) a suitable association and collaboration of the Demonstration  
3 centers with Universities and other institutions of higher learning.

4 (3) The Institute may with the approval of relevant authorities  
5 establish the Institute's Consult, which shall be a semi-autonomous body to  
6 commercialize the Institute's research results.

7 PART IV - FINANCIAL PROVISIONS

8 **23.**-(1) The Institute shall establish and maintain a fund which shall  
9 be applied towards the promotion of the objectives of the Institute specified  
10 in this Bill. Establishment of  
fund for the  
Institute

11 (2) The fund established in pursuance of subsection (1) of this  
12 Section is:

13 (a) such sums as may be provided by the Government of the  
14 Federation or appropriated by the National Assembly for payment into the  
15 fund of the Institute;

16 (b) fees charged for services rendered by the Institute; including  
17 royalties on the Institute's results ceded to farmers or institutions for national  
18 development in areas of agriculture.

19 (c) all sums accruing to the Institute by way of gifts, testamentary  
20 dispositions, endowments or contributions from philanthropic persons or  
21 organizations;

22 (d) contributions from the organized private sector;

23 (e) foreign aids and assistance from bilateral and multilateral  
24 Agencies; and

25 (f) proceeds from commercialization of research results of the  
26 Institute.

27 (3) Notwithstanding the provisions of Subsection (2) of this  
28 Section, every application for registration into the Institute's Journal shall  
29 attract a fee, which shall be credited and maintained in a separate account of

	1	the Institute, part of which shall be used for the publication of the Institute's
	2	Journal.
Expenditure of the Institute	3	<b>24.</b> The Institute shall apply the fund established under this Bill to:
	4	(a) Conduct research and development activities in the capital project
	5	of the Institute;
	6	(b) Maintain the Head Office and establish State Offices for the
	7	Institute;
	8	(c) Pay allowances and expenses of members of the Board;
	9	(d) Sponsor local and international conferences, seminars, workshops
	10	for members of Staff of the Institute;
	11	(e) Provide scholarship and award for specialized training for
	12	personnel;
	13	(f) Publicize and promote the activities of the Institute;
	14	(g) Support national and international bodies and pay annual dues and
	15	other contributions for scientific organizations, in which Nigeria is a member;
	16	and
	17	(h) Undertake any other activity in connection with the objects of this
	18	Bill;
Annual Estimates Accounts	19	<b>25.</b> -(1) The Institute shall not later than 30th September of every year,
	20	submit to the Board and the National Assembly for approval its estimates of
	21	Income and expenditure for the next financial year.
	22	(2) The Institute shall:
	23	(a) keep proper records of all accounts of its income and expenditure;
	24	and
	25	(b) Prepare statement of account in respect of each financial year.
	26	(3) The Institute shall not later than 30th June of each financial year,
	27	submit its accounts to Auditors appointed from the list of qualified auditors in
	28	accordance to guidelines laid down by the Auditor-General for the Federation
	29	and the Auditors fees and expenses shall be paid from the funds of the Institute
	30	and provide same to the National Assembly for oversight purposes.

1                   **26.**-(1) The Institute shall not later than 30th June of each financial     Annual report  
2                   year submit to the Board and the National Assembly for approval its  
3                   estimates of income and Expenditure for the next financial year in respect of  
4                   the preceding year an annual report on the activities of the Institute in such  
5                   form as the Board may direct.

6                   (2) The report referred to in Subsection (1) of this Section shall  
7                   include:

8                   (a) Information on the activities of the Institute for the year;

9                   (b) A copy of the audited accounts of the Institute for that year  
10                  together with the Auditor- General report on the accounts of the Institute;  
11                  and

12                  (c) Such other information as the Board may request.

13                  (3) The Director-General shall provide such information on the  
14                  affairs of the Institute as the Board may from time to time request.

15                  **27.** All income derived by the Institute from sources specified in  
16                  section 23 subsection (2) of this Bill shall be exempted from income tax and  
17                  all contributions to the fund of the Institute shall be tax deductible.

18                  **28.** Subject to the approval by the Board, the Institute may invest     Capital Production  
19                  in profitable production of agricultural produce for commercial purposes by     Income  
20                  joint venture, partnership, share-holding or as sole proprietor as the case  
21                  may be and the net income generated shall be paid into the fund of the  
22                  Institute.

23                  **29.** The Institute may, with the consent, or in accordance with any     Borrowing and  
24                  general authority given by the Board, borrow by way of loan or overdraft,     Investment Power  
25                  any specified amount of money required by the Institute for its obligations     of the Institute  
26                  and functions under this Bill in line with extant laws and Regulations.

27                  (2) The Institute may, subject to the provisions of this Bill and the  
28                  constitutions of any trust created in respect of any property, invest any of its  
29                  funds with the consent or general authority of the Board.

30                  (3) The Institute may invest any of its surplus funds in such

1 securities as the Board may, from time to time, approve.

2 **PART V - MISCELLANEOUS**

3 **30.**-(1) The Institute may accept any gift of land, money or other  
4 property upon such terms and conditions, if any, as specified by the person or  
5 organization making the gift.

6 (2) The Institute shall not accept any gift where the conditions  
7 attached by the person or organization making the gift are inconsistent with the  
8 functions and objectives of the Institute.

9 (3) A gift donated to the Institute or project of the Institute shall be  
10 made directly to the Institute and shall be utilized only for the purpose.

The seal of  
the Institute

11 **31.**-(1) The seal of the Institute shall be such as may be administered  
12 by the Board, signed by the Chairman of the Board and the Director-General.

13 (2) Certificates issued by the Institute shall have the Institute's seal  
14 affixed and signed by the Chairman of the Board and the Director- General of  
15 the Institute.

16 (3) Any contract or instrument which, if made or executed by a person  
17 not being a body corporate, would not be required to be under seal may be made  
18 or executed on behalf of the Institute by any authorized person.

Power to make  
regulations

19 **32.** The Board may make regulations:

20 (a) To regulate the activities and programmes of the Institute, or any  
21 matter connected with the Institute; or

22 (b) For the effective implementation of any of the provisions of this  
23 Bill.

Limitation of  
suit against the  
Institute

24 **33.**-(1) subject to the provisions of this Bill, the provisions of the  
25 Public Officers Protections Act, shall apply to any suit instituted against the  
26 Institute, an Officer of the Institute or employee of the Institute.

27 (2) No suit shall lie or be instituted in any Court of Law against the  
28 Institute, a member of the Board or any Principal Officer or Employee of the  
29 Institute for an action carried out in pursuance to the execution of this Bill or  
30 any enactment, or of any public duty in respect of any alleged neglect or default



1 in the execution of this Bill or duty or authority, unless it is commenced:

2 (a) within three months of such act, neglect or default complained  
3 thereof; or

4 (b) in the case of a continuation of damage or injury, within six  
5 months after the ceasing of the act, neglect or default.

6 (3) No suit shall be commenced against the Institute, a member of  
7 the Board or any Principal Officer or employee of the Institute before the  
8 expiration of a period of one month after written notice of the intention to  
9 commence the suit has been served on the Institute by the intending Plaintiff  
10 or his Agent.

11 (4) The notice referred to in subsection (3) shall clearly state the:

12 (a) cause of action;

13 (b) particulars of the claim;

14 (c) the name and place of abode of the intending Plaintiff; and

15 (d) the relief sought.

16 **34.-(1)** Any notice or other document required or authorized to be Services of notice  
17 served Service of notice on or given to any person for the purposes of this  
18 Bill, may be served or given by:

19 (a) Delivering it to that person, or by leaving it at his usual or last  
20 known place of residence or business or at the address specified by him in  
21 any notice, application or other document made, given or tendered to the  
22 Institute under this Bill; or

23 (b) Posting it by registered mail to him at that place of residence or  
24 business or at that address.

25 (2) Where any of such notice or other document sent by registered  
26 mail, unless the contrary is proved, it shall be deemed to have been delivered  
27 to him when it would have been delivered in the ordinary course of a posting  
28 mail unless the contrary is established and in proving the delivery, it shall be  
29 sufficient to prove that there is return Post Office slip or Speed Post slip  
30 showing actual delivery.

	1	(3) When for any purpose under this Bill, a notice or document is
	2	required to be served on a firm or company, the notice or document may be
	3	served on the Secretary, Executive Officer or other Officer holding a similar
	4	position in the organization and the service unless otherwise directed by the
	5	Institute, be deemed to be served on all persons who are members of the
	6	organization.
	7	(4) Any service of notice or process on the Institute shall be by proven
	8	registered post or personal service on any Principal Officer of the Institute.
Power to give directives by the Minister	9	<b>35.</b> The Minister may give to the Institute, directives of a general
	10	character relating to the policies and functions of the Institute and shall comply
	11	with such directives without prejudice to the powers of the Board and the
	12	oversight of the National Assembly.
Exemption from tax accruing from investment	13	<b>36.-(1)</b> The Institute shall be exempted from the payment of income
	14	tax in any income accruing from investment made by the Institute.
	15	(2) The provision of any enactment relating to the taxation of
	16	companies or Trusts Funds shall not apply to the Institute.
Joint Venture targets for technology acquisition	17	<b>37.</b> The Institute shall impose conditions and set targets for the
	18	formation of Joint Ventures or Partnerships between multinational services,
	19	Research Institutes, institutions or service companies in all sectors of the
	20	economy and certified indigenous services companies for the purpose of
	21	technological training and acquisition.
Research targets and development of research products	22	<b>38.</b> The Institute shall make regulations with requirement and targets
	23	for the growth of Research and Development in the areas of Food and other
	24	Agro-allied raw materials but not limited thereof as may be reviewed by the
	25	Institute, in Nigeria.
Interpretation	26	<b>39.</b> In this Bill, unless the context otherwise requires-
	27	"Board" means the Governing body of the Institute established under section 3
	28	(1);
	29	"Chairman" means the Chairman of the Governing Board of the Institute
	30	appointed under section 14(1);

1 "Fund" means the fund of the Institute as established under section 25 of this

2 Bill;

3 "Institute" means the National Cotton Production, Processing and Research

4 Institute,

5 Zamfara State established under section 1(1) of this Bill;

6 "Minister" means the Minister responsible for Science and Technology;

7 "Member" means a member of the Board;

8 "President" means the President of the Federal Republic of Nigeria;

9 "Principal Officer" means the Directors and other Officers as specified in

10 section 16 of this Bill;

11 "Public Service" has the meaning assigned to it in the Constitution of the

12 Federal

13 Republic of Nigeria, 1999 as altered;

14 "Secretary" means the Secretary to the Board of the Institute.

15 **40.** This Bill may be cited as the National Cotton Production, Short title

16 Processing and Research Institute, Zamfara (Establishment) Bill, 2022.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

3 *Proceedings of the Board*

4 1. Subject to this Bill and section 42 of the interpretation Act, the  
5 Board may make standing orders regulating its proceedings or those of any of  
6 its Committees.

7 2. The quorum of the Board shall be the Chairman or the person  
8 presiding the meeting and two other members of the Board and the quorum of  
9 any Committee of the Board shall be determined by the Board.

10 3. The Board shall meet not less than four times in each year and  
11 subject thereto, the Board shall meet whenever it is summoned by the  
12 Chairman or where the Chairman is required to do so by a notice given to him  
13 by not less than 4 other members, he shall summon a meeting of the Board to be  
14 held within 28 days from the date on which the notice is given.

15 4. At any meeting of the Board, the Chairman shall preside but if he is  
16 absent, the members present at the meeting shall appoint one of their members  
17 to preside at the meeting.

18 5. Where the Board desires to obtain the advice of any person on a  
19 particular matter, the Board may co-opt such person for such a period as it  
20 deems fit, but a person who is in attendance by virtue of this sub-paragraph  
21 shall not be entitled to vote at any meeting of the Board and shall not count  
22 towards a quorum;

23 6. The Board may set up one or more Committees to carryout, on  
24 behalf of the Board, such functions as the Board may determine.

25 7. A Committee set up under this paragraph shall consist of such  
26 number of persons as may be determined by the Board and a person shall hold  
27 office on the Committee in accordance with the terms of his appointment.

28 8. A decision of a Committee shall be of no effect until it is confirmed  
29 by the Board.

30 9. The validity of the proceedings of the Board or of a Committee

1       thereof shall not be affected by any vacancy in the membership of the Board  
2       or of a Committee.

10. Any member of the Board or any person holding office on a Committee of the Board, who has personal interest in any contract or arrangement shall disclose his interest to the Board and shall not vote on any matter relating to the contract or arrangement.

8 *Miscellaneous*

9 11. The fixing of the seal of the Board shall be authenticated by the  
10 signature of the Director- General/Chief Executive Officer or any person  
11 generally or specifically authorized by the Board to act for that purpose.

12                   12. Any contract or instrument which, if made or executed by a  
13                   person not being a body corporate, would be required to be under seal may  
14                   be made or executed on behalf of the Board by the Director- General/CEO or  
15                   any person generally or specifically authorized by the Board to act for that  
16                   purpose.

17                   13. Any document purporting to be a document duly executed  
18           under the seal of the Board shall be received in evidence and shall, unless  
19           and until the contrary is proved, be presumed to be so executed.

14. The validity of any proceeding of the Board or a Committee  
shall not be affected by-

22 (a) A vacancy in the membership of the Board or Committee;

23 (b) A defect in the appointment of a member of the Board or  
24 Committee; or

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Cotton Production, Processing and Research Institute, Zamfara State, for the conduct of research on cotton crop to enhance its growth and commercialization so that the nation can be self-sufficient in cotton production.

# A BILL

## FOR

AN ACT TO PROVIDE A LEGAL FRAMEWORK FOR THE ESTABLISHMENT OF  
NATIONAL RICE PRODUCTION, PROCESSING AND RESEARCH INSTITUTE,  
KEBBI STATE AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Ibrahim Almustapha Aliyu*

[ ] Commencement

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

1           PART I - ESTABLISHMENT OF NATIONAL RICE PRODUCTION,  
2           PROCESSING AND RESEARCH INSTITUTE, KEBBI STATE  
3           AND GOVERNING BOARD

4           1.-(1) There is established the National Rice Production,  
5           Processing and Research Institute, Kebbi State (in this Bill referred to as the  
6           "Institute").

Establishment  
of National Rice  
Production,  
Processing and  
Research Institute

7           (2) The Institute:

8           (a) shall be a corporate body with perpetual succession and a  
9           Common seal;

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

11          (c) may for the purposes of performance of its functions under this  
12           Bill, acquire, hold movable or immovable property and enter into contract or  
13           any other transaction for the purposes of carrying out any of its functions.

14          2. The functions of the Institute shall be to:

Functions of the  
Institute

15          (a) To conduct research into the genetic improvement, production,  
16           processing, storage and socio-economy of rice crop of economic  
17           importance;

18          (b) Assist into research of the system of massive productions of rice  
19           varieties above, so that Nigeria can achieve self sufficiency in rice crop;

20          (c) Assist in the transfer, adaptation and utilization of the end

1 results of researches to get to the appropriate and relevant farmers, for the rapid  
2 agricultural and socio-economic growth of Nigeria;

3 (d) Carry out appropriate research to ensure compliance with  
4 standards and specifications designated by the Institute and approved by other  
5 regulatory authorities in Nigeria for effective control of quality of rice crop;

6 (e) Identify indigenous technologies in the area of rice crops food  
7 processing and develop them into modern technologies;

8 (f) Establish and equip research and development laboratories with  
9 relevant facilities in the Institute;

10 (g) Liaise with relevant establishments within and outside Nigeria in  
11 pursuance of the functions of the Institute;

12 (h) Establish and operate world class laboratories and workshop as  
13 centers of excellence for cutting edge research in rice crop research;

14 (i) Establish demonstration centers to ensure rapid commercialization  
15 of its research as well as providing necessary avenues for training and re-  
16 training especially for Students of agricultural studies in tertiary institutions of  
17 learning;

18 (j) Encourage and promote the commercialization of research and  
19 development innovation results through patents in conjunction with the  
20 National Office for Technology Acquisition and promotion (NOTAP);

21 (k) Establish and operate State Offices for effective delivery and  
22 deployment of its research results especially in the North West Zone of Nigeria;

23 (l) Provide technical consultancy services for revenue generation and  
24 for quality control;

25 (m) Collaborate with relevant bodies, especially tertiary institutions  
26 to develop curricula or modules for appropriate knowledge transfer and  
27 training programmes with a view of diploma awards;

28 (n) Achieve a high research and development output and revenue;

29 (o) Become a member of any relevant International Scientific bodies;

30 (p) Publish research results of its activities and collaborate with



1 educational institutions and other relevant government Institutes,  
2 organizations, agencies, Councils and industries in research and;

3 (q) Carry out other activities as are necessary or expedient for the  
4 performance of its functions under this Bill.

5 3. There is established a Governing Board (hereinafter in this Bill  
6 referred to as "the Board") which shall formulate policy for the Institute.

Establishment  
of the Governing  
Board of the  
Institute

7 4.-(1) The Institute shall consist of:

Composition of  
the Governing  
Board of the  
Institute

8 (a) A Chairman, appointed by the President with requisite  
9 knowledge and experience in matters relating to global agricultural research  
10 and development;

11 (b) The Minister charged with the responsibility for Science and  
12 Technology or his representative;

13 (c) The Minister charged with responsibility for agriculture and  
14 Rural Development or his representative;

15 (d) A representative of the Nigeria Academy of Science;

16 (e) A representative of the Nutrition Society of Nigeria (NSN);

17 (f) A representative of the Nigerian Institute of Foods, Science and  
18 Technology (NIFST);

19 (g) One representative each from the Six Geopolitical Zones,  
20 appointed by the President on the recommendation of the Minister for  
21 Agriculture and Rural Development;

22 (h) A person appointed by the President on the recommendation of  
23 the Minister to represent the Civil Society organizations; and

24 (i) The Director-General of the Institute who shall be the Board's  
25 Secretary.

26 (2) The supplementary provision set out in the First Schedule to  
27 this Bill shall have effect with regard to the proceedings of the Board and  
28 other matters contained in the Schedule.

29 5.-(1) The Chairman of the Board shall hold office for a term of  
30 four years and may be eligible for re-appointment for another term of four

Tenure of the  
Members of the  
Governing Board  
of the Institute

	1	years and no more.
	2	(2) A member of the Board who is not an ex-officio member shall hold
	3	office for a term of four years and may be eligible for re-appointment for
	4	another term of four years and no more.
Remuneration of members of the Governing Board of the Institute	5	6. The Chairman and other members of the Board shall be paid such
	6	allowances and expenses in accordance with such rates as may be approved by
	7	the Federal Government of Nigeria from time to time.
Removal of the Chairman or any member of the Board of the Institute	8	7.-(1) When it appears that the Chairman or any member of the Board,
	9	other than an ex-officio member should be removed from office on the grounds
	10	of misconduct or inability to perform the functions of his office, the Board shall
	11	make a recommendation through the Minister to the President for approval.
	12	(2) Where the President, after making such inquiries as he considers
	13	necessary, approves the recommendation made through the Minister by the
	14	Board, the Secretary to the Government of the Federation shall, in writing
	15	declare the position vacant.
	16	(3) Notwithstanding the provision of subsection (1) of this section,
	17	the President may remove any member of the Governing Board, where he is
	18	satisfied that it is in the interest of the Institute and the public to do so.
Resignation by a member of the Board of the Institute	19	8. A member of the Governing Board other than an ex-officio
	20	member may at any time by notice in writing addressed to the President
	21	through the Minister, resign from being a member of the Board of the Institute.
Cessation of members of the Board from office	22	9. Notwithstanding the provisions of Section 4 of this Bill, a member
	23	of the Board ceases to hold office as a member, where:
	24	(a) He resigns his appointment as a member of the Board by notice
	25	under his hand addressed to the President of the Federal Republic of Nigeria;
	26	(b) He becomes of unsound mind;
	27	(c) He becomes bankrupt;
	28	(d) He is convicted of a felony or any other offence involving
	29	dishonesty or corruption;
	30	(e) He becomes incapable of performing the functions of his office,

1 either arising from infirmity of mind or body;

2 (f) The President of the Federal Republic of Nigeria is satisfied that  
3 it is not in the interest of the Institute or in the interest of the public for the  
4 person to continue in office;

5 (g) He has been found guilty under the Code of Conduct or serious  
6 misconduct in relation to his duties; or

7 (h) In the case of a person who becomes a member by virtue of the  
8 office he occupies ceases to hold such office.

9 **10.** In the event of death or resignation by a member of the Filling of vacancies  
10 Governing Board or where the office of a member of the Board becomes  
11 vacant, a replacement shall be appointed by the President of the Federal  
12 Republic of Nigeria.

13 Part 11-

14 POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE

15 **11.** The Board shall have powers to:

16 (a) Formulate policies and ratify short and long term plans of the  
17 Institute;

18 (b) Ratify the annual budget and estimates of the Institute in line  
19 with approval granted by the National Assembly in the Appropriation Act;

20 (c) Approve research and Academic programmes of the Institute;

21 (d) Approve investment plan of the Institute;

22 (e) Consider and approve the capital development plans of the  
23 Institute;

24 (f) Receive and consider proposals, recommendations and  
25 suggestions of the Director-General or any Committee of the Governing  
26 Board on matters relating to the functions of the Institute under this Bill;

27 (g) Constitute any Committee that may be necessary to discharge  
28 any of the functions assigned to it under this Bill;

29 (h) Attract funds by way of donations and contributions to the  
30 Institute and put in place mechanisms for collection and utilization of funds;

Powers of the  
Board

The structure  
of the Institute

- 1 (i) Invest surplus funds of the Institute in profit-yielding ventures; and
- 2 (j) Carry out or exercise any other powers that may be necessary for
- 3 the attainment of the objects of this Bill.

4 **12.-(1)** The Institute shall have:

- 5 (a) Its headquarters in Kebbi State;
- 6 (b) Liaison office or Directorate in Abuja; and
- 7 (c) State offices in the remaining five states of the North West Zone of
- 8 Nigeria which include:

- 9 (1) Kaduna State;
- 10 (2) Kano State;
- 11 (3) Katsina State;
- 12 (4) Zamfara State; and
- 13 (5) Jigawa State;
- 14 (6) Sokoto State.

15 (2) The Institute shall operate a departmental structure with

16 directorate or any other structure as may be considered necessary for the

17 performance of its functions and delivery of its services under this Bill.

18 (3) The head of the Research Directorate shall be designated as head

19 of Department and headed by a Director.

20 (4) The head of Research Directorate shall hold office for 3 years in

21 the first instance and renewable for another 3 years and no more.

22 (5) Notwithstanding the provisions of subsection (3) of this Section,

23 in the absence of a Director or head of the Research Directorate, the most

24 Senior Research Officer may be appointed in acting capacity on the

25 recommendation of the Director- General of the Institute to the Board.

26 (6) A Department shall have no more than five divisions, with each

27 division headed by a Deputy Director and a division may consists of Sections,

28 headed by Chief Research or Scientific Officer and a Section may also be

29 composed of units for effectiveness.

30 (7) State Offices shall be headed by a State Office Coordinator.

## PART III - APPOINTMENT OF THE DIRECTOR- GENERAL AND

## OTHER STAFF OF THE INSTITUTE

**13.**-(1) There is appointed for the Institute a Director-General, who shall be the Chief Executive Officer and Accounting Officer of the Institute.

Appointment  
of the Director-  
General of the  
Institute

(2) The Director-General shall be:

(a) Appointed by the President on the recommendation of the Minister;

(b) Responsible to the Board for the management of the affairs of the Institute;

(c) Responsible for the execution of the policy and day to day Administration of the affairs of the Institute;

(c) Entitled to earn a remuneration and allowances as may be Specified in his letter of appointment;

(d) A person with cognate experience and Skills of not less than 15 years post-doctoral qualification and or 25 years post qualification as a professional in all fields of Agricultural Science that relates to the operations of the Institute or other criteria as may be specified;

(e) Hold office for a term of four years at the first instance and eligible for re-appointment for another term of four years on such terms and conditions as may be specified in his letter of appointment and no more; and

(f) Shall be the Secretary to the Institute and the Governing Board, but not a member of the Board.

**14.** The Director- General shall:

The duties of the  
Director-General  
of the Institute

(a) Prepare the minutes of meetings of the Governing Board and any of its Committees;

(b) Keep and secure all records of the Governing Board;

(c) Issue notice of meetings of the Governing Board as may be directed by the Chairman;

(d) Be responsible for the implementations of the resolutions of the Governing Board;

	1	(e) Coordinates the preparation of income and expenditure, estimates
	2	and development plans for the Governing Board's consideration;
	3	(f) Have custody of the seal of the Institute;
	4	(g) Perform such other functions as may be assigned by the Board.
Principal Officers of the Institute	5	<b>15.-(1)</b> The principal officers of the Institute shall include:
	6	(a) Directors;
	7	(b) Head of Department;
	8	(c) State Office Coordinators;
	9	(d) Head of Servicom Office;
	10	(e) Chief Internal Auditor;
	11	(f) Head of Pension Office;
	12	(g) Head of Legal; and
	13	(h) Head of Procurement.
	14	(2) The Directors, Heads of Departments or State Office Coordinators
	15	shall assist the Director-General in the day-to-day management of the Institute
	16	(3) Directors or State Office Coordinators shall:
	17	(a) Head each of the Directorate of the Institute;
	18	(b) Implement the policies of the Institute as they apply to the
	19	Directorate;
	20	(c) Prepare draft expenditure estimates and development plans of his
	21	Directorate;
	22	(d) Serve on Scientific or Technical Advisory Committee of the
	23	Institute; and
	24	(e) Perform such other functions as may be determined by the
	25	Director- General.
Other staff of the Institute	26	<b>16.</b> The Board may from time to time, appoint or employ such other
	27	persons as members of Staff of the Institute on the recommendation of the
	28	Director-General as may be necessary, subject to the extant rules and
	29	conditions of service of the Institute.

1	<b>17.</b> Salaries and benefits of the Staff of the Institute shall be in	Remuneration of
2	accordance with the conditions and scheme of service in other Research	employees of the
3	Institutes in Nigeria as may be approved by the Board of the Institute.	Institute
4	<b>18.-(1)</b> The Board may make staff regulations or adopt staff	Staff Regulations
5	conditions of service that is independent of the Civil Service of the	
6	Federation that may provide for:	
7	(a) Remuneration and tenure of office of members of staff of the	
8	Institute;	
9	(b) Appointment, promotion, fringe benefits and incentive for	
10	members of staff of the Institute; and	
11	(c) Appeal procedure for members of staff of the Institute against	
12	dismissal or other disciplinary measures.	
13	(2) The Board shall have power to amend regulations made under	
14	this Bill, provided that the proposal for, is passed by two-thirds majority of	
15	the Board members.	
16	(3) All regulations made by the Board subject to the provisions of	
17	this Bill, may be published in the Official Gazette of the Federal	
18	Government of Nigeria.	
19	<b>19.-(1)</b> The Principal Officers of the Institute may be removed	Removal and
20	from office by the Board with the approval of the Minister.	discipline of Staff
21	(2) Any other senior member of Staff of the Institute may be	of the Institute
22	removed from office by the Director-General with the approval of the	
23	Board.	
24	(3) The removal from office of any Junior Staff shall be with the	
25	approval of the Director-General.	
26	<b>20.-(1)</b> Service in the employment of the Institute shall be as	Application of
27	approved service under the Pensions Reform Act, accordingly, employees	the Pensions
28	of the Institute shall, in respect of their services be entitled to Pension and	Reform Act
29	other retirement benefits as prescribed in the Act.	
30	(2) Notwithstanding provisions of Subsection (1) of this section,	

1 nothing in this Bill shall prevent the appointment of a person to any office on  
2 terms, which preclude the gratuity in respect of that office.

3 (3) For the purpose of the application of the Pensions Reform Act, any  
4 power exercisable in the Act by the President or authority other than the Federal  
5 Government (not being the power to make Regulations under Section 34 of this  
6 Bill), shall be vested in and exercisable by the Institute.

7 (4) Subject to Subsection (2) of this Section, the Pensions Reform  
8 Act, shall in its application of Subsection (3) of this Section, have effect as if,  
9 the office were in the public service of the Federation within the meaning of the  
10 Constitution of the Federal Republic of Nigeria, 1999( as altered).

#### 11 PART IV - STRUCTURE AND CONSTITUTION OF THE INSTITUTE

Constitution of  
Scientific Technical  
Advisory Committee

12 21.-(1) The Institute may establish Scientific Technical Advisory  
13 Committee (in this Bill referred to as the Committee) in the areas of Research to  
14 assist the Institute in various aspects of its responsibilities.

15 (2) The members of a Scientific or Technical Advisory Committee  
16 shall be persons with requisite expertise and experience in the relevant areas of  
17 interest of the Institute.

Establishment  
of demonstration  
Centers

18 22.-(1) The Institute may with the approval of the Chairman of the  
19 Board or Minister, establish Demonstration Centers in any of the six geo-  
20 political zones of Nigeria, based on the nature of the Rice derivable from the  
21 area or zone.

22 (2) The Institute shall provide for:

23 (a) the location of the demonstration centers;

24 (b) the field in which the centers are to conduct its work and  
25 manpower training, where applicable;

26 (c) the transfer to the centers by mutual agreement, any existing  
27 Federal, State and Local Government facilities;

28 (d) the establishment and constitution of senior officers of the  
29 Institute to manage the affairs of the centers.

30 (e) the demonstration centers be fully equipped to enable it carry out



1 training, research and development activities; and

2 (f) a suitable association and collaboration of the Demonstration  
3 centers with Universities and other institutions of higher learning.

4 (3) The Institute may with the approval of relevant authorities  
5 establish the Institute's Consult, which shall be a semi-autonomous body to  
6 commercialize the Institute's research results.

7 PART IV - FINANCIAL PROVISIONS

8 **23.**-(1) The Institute shall establish and maintain a fund which shall  
9 be applied towards the promotion of the objectives of the Institute specified  
10 in this Bill.

Establishment  
of fund for the  
Institute

11 (2) The fund established in pursuance of subsection (1) of this  
12 Section is:

13 (a) such sums as may be provided by the Government of the  
14 Federation or appropriated by the National Assembly for payment into the  
15 fund of the Institute;

16 (b) fees charged for services rendered by the Institute; including  
17 royalties on the Institute's results ceded to farmers or institutions for national  
18 development in areas of agriculture.

19 (c) all sums accruing to the Institute by way of gifts, testamentary  
20 dispositions, endowments or contributions from philanthropic persons or  
21 organizations;

22 (d) contributions from the organized private sector;

23 (e) foreign aids and assistance from bilateral and multilateral  
24 Agencies; and

25 (f) proceeds from commercialization of research results of the  
26 Institute.

27 (3) Notwithstanding the provisions of Subsection (2) of this  
28 Section, every application for registration into the Institute's Journal shall  
29 attract a fee, which shall be credited and maintained in a separate account of

	1	the Institute, part of which shall be used for the publication of the Institute's
	2	Journal.
Expenditure of the Institute	3	<b>24.</b> The Institute shall apply the fund established under this Bill to:
	4	(a) Conduct research and development activities in the capital project
	5	of the Institute;
	6	(b) Maintain the Head Office and establish State Offices for the
	7	Institute;
	8	(c) Pay allowances and expenses of members of the Board;
	9	(d) Sponsor local and international conferences, seminars, workshops
	10	for members of Staff of the Institute;
	11	(e) Provide scholarship and award for specialized training for
	12	personnel;
	13	(f) Publicize and promote the activities of the Institute;
	14	(g) Support national and international bodies and pay annual dues and
	15	other contributions for scientific organizations, in which Nigeria is a member;
	16	and
	17	(h) Undertake any other activity in connection with the objects of this
	18	Bill.
Annual Estimate Accounts	19	<b>25.</b> -(1) The Institute shall not later than 30th September of every year,
	20	submit to the Board and the National Assembly for approval its estimates of
	21	Income and expenditure for the next financial year.
	22	(2) The Institute shall:
	23	(a) keep proper records of all accounts of its income and expenditure;
	24	and
	25	(b) Prepare statement of account in respect of each financial year.
	26	(3) The Institute shall not later than 30th June of each financial year,
	27	submit its accounts to Auditors appointed from the list of qualified auditors in
	28	accordance to guidelines laid down by the Auditor-General for the Federation
	29	and the Auditors fees and expenses shall be paid from the funds of the Institute
	30	and provide same to the National Assembly for oversight purposes.

1                   **26.**-(1) The Institute shall not later than 30th June of each financial     Annual report  
2                   year submit to the Board and the National Assembly for approval its  
3                   estimates of income and Expenditure for the next financial year in respect of  
4                   the preceding year an annual report on the activities of the Institute in such  
5                   form as the Board may direct.

6                   (2) The report referred to in Subsection (1) of this Section shall  
7                   include:

8                   (a) Information on the activities of the Institute for the year;

9                   (b) A copy of the audited accounts of the Institute for that year  
10                  together with the Auditor- General report on the accounts of the Institute;  
11                  and

12                  (c) Such other information as the Board may request.

13                  (3) The Director-General shall provide such information on the  
14                  affairs of the Institute as the Board may from time to time request.

15                  **27.** All income derived by the Institute from sources specified in  
16                  section 23 subsection (2) of this Bill shall be exempted from income tax and  
17                  all contributions to the fund of the Institute shall be tax deductible.

18                  **28.** Subject to the approval by the Board, the Institute may invest     Capital Production  
19                  in profitable production of agricultural produce for commercial purposes by     Income  
20                  joint venture, partnership, share-holding or as sole proprietor as the case  
21                  may be and the net income generated shall be paid into the fund of the  
22                  Institute.

23                  **29.** The Institute may, with the consent, or in accordance with any     Borrowing and  
24                  general authority given by the Board, borrow by way of loan or overdraft,     Investment Power  
25                  any specified amount of money required by the Institute for its obligations     of the Institute  
26                  and functions under this Bill in line with extant laws and Regulations.

27                  (2) The Institute may, subject to the provisions of this Bill and the  
28                  constitutions of any trust created in respect of any property, invest any of its  
29                  funds with the consent or general authority of the Board.

30                  (3) The Institute may invest any of its surplus funds in such

1 securities as the Board may, from time to time, approve.

2 PART V - MISCELLANEOUS

Powers to accept  
gifts

3 **30.**-(1) The Institute may accept any gift of land, money or other  
4 property upon such terms and conditions, if any, as specified by the person or  
5 organization making the gift.

6 (2) The Institute shall not accept any gift where the conditions  
7 attached by the person or organization making the gift are inconsistent with the  
8 functions and objectives of the Institute.

9 (3) A gift donated to the Institute or project of the Institute shall be  
10 made directly to the Institute and shall be utilized only for the purpose.

The seal of the  
Institute

11 **31.**-(1) The seal of the Institute shall be such as may be administered  
12 by the Board, signed by the Chairman of the Board and the Director-General.

13 (2) Certificates issued by the Institute shall have the Institute's seal  
14 affixed and signed by the Chairman of the Board and the Director- General of  
15 the Institute.

16 (3) Any contract or instrument which, if made or executed by a person  
17 not being a body corporate, would not be required to be under seal may be made  
18 or executed on behalf of the Institute by any authorized person.

Power to make  
Regulations

19 **32.** The Board may make regulations:

20 (a) To regulate the activities and programmes of the Institute, or any  
21 matter connected with the Institute; or

22 (b) For the effective implementation of any of the provisions of this  
23 Bill.

Limitation of  
suit against the  
Institute

24 **33.**-(1) subject to the provisions of this Bill, the provisions of the  
25 Public Officers Protections Act, shall apply to any suit instituted against the  
26 Institute, an Officer of the Institute or employee of the Institute.

27 (2) No suit shall lie or be instituted in any Court of Law against the  
28 Institute, a member of the Board or any Principal Officer or Employee of the  
29 Institute for an action carried out in pursuance to the execution of this Bill or  
30 any enactment, or of any public duty in respect of any alleged neglect or default

1 in the execution of this Bill or duty or authority, unless it is commenced:

2 (a) within three months of such act, neglect or default complained  
3 thereof; or

4 (b) in the case of a continuation of damage or injury, within six  
5 months after the ceasing of the act, neglect or default.

6 (3) No suit shall be commenced against the Institute, a member of  
7 the Board or any Principal Officer or employee of the Institute before the  
8 expiration of a period of one month after written notice of the intention to  
9 commence the suit has been served on the Institute by the intending Plaintiff  
10 or his Agent.

11 (4) The notice referred to in subsection (3) shall clearly state the:

12 (a) cause of action;

13 (b) particulars of the claim;

14 (c) the name and place of abode of the intending Plaintiff; and

15 (d) the relief sought.

16 **34.-(1)** Any notice or other document required or authorized to be Service of notice  
17 served Service of notice on or given to any person for the purposes of this  
18 Bill, may be served or given by:

19 (a) Delivering it to that person, or by leaving it at his usual or last  
20 known place of residence or business or at the address specified by him in  
21 any notice, application or other document made, given or tendered to the  
22 Institute under this Bill; or

23 (b) Posting it by registered mail to him at that place of residence or  
24 business or at that address.

25 (2) Where any of such notice or other document sent by registered  
26 mail, unless the contrary is proved, it shall be deemed to have been delivered  
27 to him when it would have been delivered in the ordinary course of a posting  
28 mail unless the contrary is established and in proving the delivery, it shall be  
29 sufficient to prove that there is return Post Office slip or Speed Post slip  
30 showing actual delivery.

	1	(3) When for any purpose under this Bill, a notice or document is
	2	required to be served on a firm or company, the notice or document may be
	3	served on the Secretary, Executive Officer or other Officer holding a similar
	4	position in the organization and the service unless otherwise directed by the
	5	Institute, be deemed to be served on all persons who are members of the
	6	organization.
	7	(4) Any service of notice or process on the Institute shall be by proven
	8	registered post or personal service on any Principal Officer of the Institute.
Power to give directives by the Minister	9	<b>35.</b> The Minister may give to the Institute, directives of a general
	10	character relating to the policies and functions of the Institute and shall comply
	11	with such directives without prejudice to the powers of the Board and the
	12	oversight of the National Assembly.
Exemption from tax accruing from investment	13	<b>36.-(1)</b> The Institute shall be exempted from the payment of income
	14	tax in any income accruing from investment made by the Institute.
	15	(2) The provision of any enactment relating to the taxation of
	16	companies or Trusts Funds shall not apply to the Institute.
Joint Venture targets for technology acquisition	17	<b>37.</b> The Institute shall impose conditions and set targets for the
	18	formation of Joint Ventures or Partnerships between multinational services,
	19	Research Institutes, institutions or service companies in all sectors of the
	20	economy and certified indigenous services companies for the purpose of
	21	technological training and acquisition.
Research targets and development of research products	22	<b>38.</b> The Institute shall make regulations with requirement and targets
	23	for the growth of Research and Development in the areas of Food and other
	24	Agro-allied raw materials but not limited thereof as may be reviewed by the
	25	Institute, in Nigeria.
Interpretation	26	<b>39.</b> In this Bill, unless the context otherwise requires:
	27	"Board" means the Governing body of the Institute established under section 3
	28	(1);
	29	"Chairman" means the Chairman of the Governing Board of the Institute
	30	appointed under section 14 (1);

1 "Fund" means the fund of the Institute as established under section 25 of this  
2 Bill;

3 "Institute" means the National Rice Production, Processing and Research  
4 Institute, Kebbi State established under section 1(1) of this Bill;

5 "Minister" means the Minister responsible for Science and Technology;

6 "Member" means a member of the Board;

7 "President" means the President of the Federal Republic of Nigeria;

8 "Principal Officer" means the Directors and other Officers as specified in  
9 section 16 of this Bill;

10 "Public Service" has the meaning assigned to it in the Constitution of the  
11 Federal Republic of Nigeria, 1999 as altered;

12 "Secretary" means the Secretary to the Board of the Institute.

13 **40..** This Bill may be cited as the National Rice Production, Short title  
14 Processing and Research Institute, Kebbi (Establishment) Bill, 2022.

## 1 SCHEDULE

## 2 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

3 *Proceedings of the Board*

4 1. Subject to this Bill and section 42 of the interpretation Act, the  
5 Board may make standing orders regulating its proceedings or those of any of  
6 its Committees.

7 2. The quorum of the Board shall be the Chairman or the person  
8 presiding the meeting and two other members of the Board and the quorum of  
9 any Committee of the Board shall be determined by the Board.

10 3. The Board shall meet not less than four times in each year and  
11 subject thereto, the Board shall meet whenever it is summoned by the  
12 Chairman or where the Chairman is required to do so by a notice given to him  
13 by not less than 4 other members, he shall summon a meeting of the Board to be  
14 held within 28 days from the date on which the notice is given.

15 4. At any meeting of the Board, the Chairman shall preside but if he is  
16 absent, the members present at the meeting shall appoint one of their members  
17 to preside at the meeting.

18 5. Where the Board desires to obtain the advice of any person on a  
19 particular matter, the Board may co-opt such person for such a period as it  
20 deems fit, but a person who is in attendance by virtue of this sub-paragraph  
21 shall not be entitled to vote at any meeting of the Board and shall not count  
22 towards a quorum;

23 6. The Board may set up one or more Committees to carryout, on  
24 behalf of the Board, such functions as the Board may determine.

25 7. A Committee set up under this paragraph shall consist of such  
26 number of persons as may be determined by the Board and a person shall hold  
27 office on the Committee in accordance with the terms of his appointment.

28 8. A decision of a Committee shall be of no effect until it is confirmed  
29 by the Board.

30 9. The validity of the proceedings of the Board or of a Committee



thereof shall not be affected by any vacancy in the membership of the Board or of a Committee.

10. Any member of the Board or any person holding office on a Committee of the Board, who has personal interest in any contract or arrangement shall disclose his interest to the Board and shall not vote on any matter relating to the contract or arrangement.

*Miscellaneous*

11. The fixing of the seal of the Board shall be authenticated by the signature of the Director- General/Chief Executive Officer or any person generally or specifically authorized by the Board to act for that purpose.

12. Any contract or instrument which, if made or executed by a person not being a body corporate, would be required to be under seal may be made or executed on behalf of the Board by the Director- General/CEO or any person generally or specifically authorized by the Board to act for that purpose.

13. Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.

14. The validity of any proceeding of the Board or a Committee shall not be affected by:

- (a) A vacancy in the membership of the Board or Committee;
- (b) A defect in the appointment of a member of the Board or Committee; or
- (c) Reason that a person not entitled to do so took part in the proceedings of the Board or Committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Rice Production, Processing and Research Institute, Kebbi State, for the conduct of research on rice crop to enhance its growth and commercialization so that the nation can be self-sufficient in rice production.



# A BILL

## FOR

AN ACT TO PROVIDE A LEGAL FRAMEWORK FOR THE ESTABLISHMENT OF  
NATIONAL GROUNDNUT PRODUCTION, PROCESSING AND RESEARCH  
INSTITUTE, WURNO, SOKOTO STATE AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Ibrahim Almustapha Aliyu*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF NATIONAL GROUNDNUT PRODUCTION,  
2 PROCESSING AND RESEARCH INSTITUTE, WURNO, SOKOTO STATE  
3 AND GOVERNING BOARD

4 1.-(1) There is established the National Groundnut Production,  
5 Processing and Research Institute, Wurno, Sokoto State (in this Bill referred  
6 to as the "Institute").

Establishment  
of National  
Groundnut  
Production,  
Processing and  
Research Institute

7 (2) The Institute:

8 (a) shall be a corporate body with perpetual succession and a  
9 Common seal;

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

11 (c) may for the purposes of performance of its functions under this  
12 Bill, acquire, hold movable or immovable property and enter into contract or  
13 any other transaction for the purposes of carrying out any of its functions.

14 2. The functions of the Institute shall be to:

Functions of the  
Institute

15 (a) To conduct research into the genetic improvement, production,  
16 processing, storage and socio-economy of groundnut crop of economic  
17 importance.

18 (b) Assist into research of the system of massive productions of  
19 groundnut varieties above, so that Nigeria can achieve self sufficiency in  
20 groundnut crop;

1           (c) Assist in the transfer, adaptation and utilization of the end results  
2 of researches to get to the appropriate and relevant farmers, for the rapid  
3 agricultural and socio- economic growth of Nigeria;

4           (d) Carry out appropriate research to ensure compliance with  
5 standards and specifications designated by the Institute and approved by other  
6 regulatory authorities in Nigeria for effective control of quality of groundnut  
7 crop;

8           (e) Identify indigenous technologies in the area of groundnut crops  
9 food processing and develop them into modern technologies;

10          (f) Establish and equip research and development laboratories with  
11 relevant facilities in the Institute;

12          (g) Liaise with relevant establishments within and outside Nigeria in  
13 pursuance of the functions of the Institute;

14          (h) Establish and operate world class laboratories and workshop as  
15 centers of excellence for cutting edge research in groundnut crop research;

16          (i) Establish demonstration centers to ensure rapid commercialization  
17 of its research as well as providing necessary avenues for training and re-  
18 training especially for Students of agricultural studies in tertiary institutions of  
19 learning;

20          (j) Encourage and promote the commercialization of research and  
21 development innovation results through patents in conjunction with the  
22 National Office for Technology Acquisition and promotion (NOTAP);

23          (k) Establish and operate State Offices for effective delivery and  
24 deployment of its research results especially in the North West Zone of Nigeria;

25          (l) Provide technical consultancy services for revenue generation and  
26 for quality control;

27          (m) Collaborate with relevant bodies, especially tertiary institutions  
28 to develop curricula or modules for appropriate knowledge transfer and  
29 training programmes with a view of diploma awards;

30          (n) Achieve a high research and development output and revenue;

1 (o) Become a member of any relevant International Scientific  
2 bodies;

3 (p) Publish research results of its activities and collaborate with  
4 educational institutions and other relevant government Institutes,  
5 organizations, agencies, Councils and industries in research and;

6 (q) Carry out other activities as are necessary or expedient for the  
7 performance of its functions under this Bill.

8 **3.** There is established a Governing Board (hereinafter in this Bill  
9 referred to as "the Board") which shall formulate policy for the Institute.

Establishment  
of the Governing  
Board of the  
Institute

10 **4.-(1)** The Institute shall consist of:

Composition of  
the Governing  
Board of the  
Institute

11 (a) A Chairman, appointed by the President with requisite  
12 knowledge and experience in matters relating to global agricultural research  
13 and development;

14 (b) The Minister charged with the responsibility for Science and  
15 Technology or his representative;

16 (c) The Minister charged with responsibility for agriculture and  
17 Rural Development or his representative;

18 (d) A representative of the Nigeria Academy of Science;

19 (e) A representative of the Nutrition Society of Nigeria (NSN);

20 (f) A representative of the Nigerian Institute of Foods, Science and  
21 Technology (NIFST);

22 (g) One representative each from the Six Geopolitical Zones,  
23 appointed by the President on the recommendation of the Minister for  
24 Agriculture and Rural Development,

25 (h) A person appointed by the President on the recommendation of  
26 the Minister to represent the Civil Society organizations; and

27 (i) The Director-General of the Institute who shall be the Board's  
28 Secretary.

29 (2) The supplementary provision set out in the First Schedule to  
30 this Bill shall have effect with regard to the proceedings of the Board and

	1	other matters contained in the Schedule.
Tenure of the Members of the Governing Board of the Institute	2	<b>5.-(1)</b> The Chairman of the Board shall hold office for a term of four
	3	years and may be eligible for re-appointment for another term of four years and
	4	no more.
	5	(2) A member of the Board who is not an ex-officio member shall
	6	hold office for a term of four years and may be eligible for re-appointment for
	7	another term of four years and no more.
Remuneration of members of the Governing Board of the Institute	8	<b>6.</b> The Chairman and other members of the Board shall be paid such
	9	allowances and expenses in accordance with such rates as may be approved by
	10	the Federal Government of Nigeria from time to time.
Removal of the Chairman or any member of the Board of the Institute	11	<b>7.-(1)</b> When it appears that the Chairman or any member of the Board,
	12	other than an ex-officio member should be removed from office on the grounds
	13	of misconduct or inability to perform the functions of his office, the Board shall
	14	make a recommendation through the Minister to the President for approval.
	15	(2) Where the President, after making such inquiries as he considers
	16	necessary, approves the recommendation made through the Minister by the
	17	Board, the Secretary to the Government of the Federation shall, in writing
	18	declare the position vacant.
	19	(3) Notwithstanding the provision of subsection (1) of this section,
	20	the President may remove any member of the Governing Board, where he is
	21	satisfied that it is in the interest of the Institute and the public to do so.
Resignation by a member of the Board of the Institute	22	<b>8.</b> A member of the Governing Board other than an ex-officio
	23	member may at any time by notice in writing addressed to the President
	24	through the Minister, resign from being a member of the Board of the Institute.
Cessation of members of the Board from office	25	<b>9.</b> Notwithstanding the provisions of Section 4 of this Bill, a member
	26	of the Board ceases to hold office as a member, where:
	27	(a) He resigns his appointment as a member of the Board by notice
	28	under his hand addressed to the President of the Federal Republic of Nigeria;
	29	(b) He becomes of unsound mind;
	30	(c) He becomes bankrupt;

1 (d) He is convicted of a felony or any other offence involving  
2 dishonesty or corruption;

3 (e) He becomes incapable of performing the functions of his office,  
4 either arising from infirmity of mind or body;

5 (f) The President of the Federal Republic of Nigeria is satisfied that  
6 it is not in the interest of the Institute or in the interest of the public for the  
7 person to continue in office;

8 (g) He has been found guilty under the Code of Conduct or serious  
9 misconduct in relation to his duties; or

10 (h) In the case of a person who becomes a member by virtue of the  
11 office he occupies ceases to hold such office.

12 **10.** In the event of death or resignation by a member of the Filling of vacancies  
13 Governing Board or where the office of a member of the Board becomes  
14 vacant, a replacement shall be appointed by the President of the Federal  
15 Republic of Nigeria.

16 **PART II - POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE**

17 **11.** The Board shall have powers to: Powers of the  
Board

18 (a) Formulate policies and ratify short and long term plans of the  
19 Institute;

20 (b) Ratify the annual budget and estimates of the Institute in line  
21 with approval granted by the National Assembly in the Appropriation Act;

22 (c) Approve research and Academic programmes of the Institute;

23 (d) Approve investment plan of the Institute;

24 (e) Consider and approve the capital development plans of the  
25 Institute;

26 (f) Receive and consider proposals, recommendations and  
27 suggestions of the Director-General or any Committee of the Governing  
28 Board on matters relating to the functions of the Institute under this Bill;

29 (g) Constitute any Committee that may be necessary to discharge  
30 any of the functions assigned to it under this Bill;

The structure  
of the Institute

1 (h) Attract funds by way of donations and contributions to the  
2 Institute and put in place mechanisms for collection and utilization of funds;  
3 (i) Invest surplus funds of the Institute in profit-yielding ventures; and  
4 (j) Carry out or exercise any other powers that may be necessary for  
5 the attainment of the objects of this Bill.

6 **12.-(1)** The Institute shall have:

7 (a) Its headquarters in Wurno, Sokoto State;  
8 (b) Liaison office or Directorate in Abuja; and  
9 (c) State offices in the remaining five states of the North West Zone of

10 Nigeria which include:

11 (1) Kaduna State;  
12 (2) Kano State;  
13 (3) Katsina State;  
14 (4) Zamfara State; and  
15 (5) Jigawa State;  
16 (6) Kebbi State.

17 (2) The Institute shall operate a departmental structure with  
18 directorate or any other structure as may be considered necessary for the  
19 performance of its functions and delivery of its services under this Bill.

20 (3) The head of the Research Directorate shall be designated as head  
21 of Department and headed by a Director.

22 (4) The head of Research Directorate shall hold office for 3 years in  
23 the first instance and renewable for another 3 years and no more.

24 (5) Notwithstanding the provisions of subsection (3) of this Section,  
25 in the absence of a Director or head of the Research Directorate, the most  
26 Senior Research Officer may be appointed in acting capacity on the  
27 recommendation of the Director- General of the Institute to the Board.

28 (6) A Department shall have no more than five divisions, with each  
29 division headed by a Deputy Director and a division may consists of Sections,  
30 headed by Chief Research or Scientific Officer and a Section may also be



1 composed of units for effectiveness.

2 (7) State Offices shall be headed by a State Office Coordinator.

3 PART III - APPOINTMENT OF THE DIRECTOR- GENERAL AND OTHER

4 STAFF OF THE INSTITUTE

5 13.-(1) There is appointed for the Institute a Director-General, who  
6 shall be the Chief Executive Officer and Accounting Officer of the Institute.

Appointment  
of the Director-  
General of the  
Institute

7 (2) The Director-General shall be:

8 (a) Appointed by the President on the recommendation of the  
9 Minister;

10 (b) Responsible to the Board for the management of the affairs of  
11 the Institute;

12 (c) Responsible for the execution of the policy and day to day  
13 Administration of the affairs of the Institute;

14 (c) Entitled to earn a remuneration and allowances as may be  
15 Specified in his letter of appointment;

16 (d) A person with cognate experience and Skills of not less than 15  
17 years post-doctoral qualification and or 25 years post qualification as a  
18 professional in all fields of Agricultural Science that relates to the operations  
19 of the Institute or other criteria as may be specified;

20 (e) Hold office for a term of four years at the first instance and  
21 eligible for re-appointment for another term of four years on such terms and  
22 conditions as may be specified in his letter of appointment and no more; and

23 (f) Shall be the Secretary to the Institute and the Governing Board,  
24 but not a member of the Board.

25 14. The Director- General shall:

The duties of the  
Director-General  
of the Institute

26 (a) Prepare the minutes of meetings of the Governing Board and  
27 any of its Committees;

28 (b) Keep and secure all records of the Governing Board;

29 (c) Issue notice of meetings of the Governing Board as may be  
30 directed by the Chairman;

	1	(d) Be responsible for the implementations of the resolutions of the
	2	Governing Board;
	3	(e) Coordinates the preparation of income and expenditure, estimates
	4	and development plans for the Governing Board's consideration;
	5	(f) Have custody of the seal of the Institute;
	6	(g) Perform such other functions as may be assigned by the Board.
Principal Officers of the Institute	7	<b>15.</b> -(1) The principal officers of the Institute shall include:
	8	(a) Directors;
	9	(b) Head of Department;
	10	(c) State Office Coordinators;
	11	(d) Head of Servicom Office;
	12	(e) Chief Internal Auditor;
	13	(f) Head of Pension Office;
	14	(g) Head of Legal; and
	15	(h) Head of Procurement.
	16	(2)The Directors, Heads of Departments or State Office Coordinators
	17	shall assist the Director-General in the day-to-day management of the Institute
	18	(3) Directors or State Office Coordinators shall:
	19	(a) Head each of the Directorate of the Institute;
	20	(b) Implement the policies of the Institute as they apply to the
	21	Directorate;
	22	(c) Prepare draft expenditure estimates and development plans of his
	23	Directorate;
	24	(d) Serve on Scientific or Technical Advisory Committee of the
	25	Institute; and
	26	(e) Perform such other functions as may be determined by the
	27	Director- General.
Other staff of the Institute	28	<b>16.</b> The Board may from time to time, appoint or employ such other
	29	persons as members of Staff of the Institute on the recommendation of the
	30	Director-General as may be necessary, subject to the extant rules and

1 conditions of service of the Institute.

2 **17.** Salaries and benefits of the Staff of the Institute shall be in Remuneration  
 3 accordance with the conditions and scheme of service in other Research of employees of  
 4 Institutes in Nigeria as may be approved by the Board of the Institute. the Institute

5 **18.-(1)** The Board may make staff regulations or adopt staff Staff Regulations  
 6 conditions of service that is independent of the Civil Service of the  
 7 Federation that may provide for:

8 (a) Remuneration and tenure of office of members of staff of the  
 9 Institute;

10 (b) Appointment, promotion, fringe benefits and incentive for  
 11 members of staff of the Institute; and

12 (c) Appeal procedure for members of staff of the Institute against  
 13 dismissal or other disciplinary measures.

14 (2) The Board shall have power to amend regulations made under  
 15 this Bill, provided that the proposal for, is passed by two-thirds majority of  
 16 the Board members.

17 (3) All regulations made by the Board subject to the provisions of  
 18 this Bill, may be published in the Official Gazette of the Federal  
 19 Government of Nigeria.

20 **19.-(1)** The Principal Officers of the Institute may be removed Removal and  
 21 from office by the Board with the approval of the Minister. discipline of Staff  
of the Institute

22 (2) Any other senior member of Staff of the Institute may be  
 23 removed from office by the Director-General with the approval of the  
 24 Board.

25 (3) The removal from office of any Junior Staff shall be with the  
 26 approval of the Director-General.

27 **20.-(1)** Service in the employment of the Institute shall be as Application of  
 28 approved service under the Pensions Reform Act, accordingly, employees the Pension  
 29 of the Institute shall, in respect of their services be entitled to Pension and Reform Act  
 30 other retirement benefits as prescribed in the Act.

1 (2) Notwithstanding provisions of Subsection (1) of this section,  
2 nothing in this Bill shall prevent the appointment of a person to any office on  
3 terms, which preclude the gratuity in respect of that office.

4 (3) For the purpose of the application of the Pensions Reform Act, any  
5 power exercisable in the Act by the President or authority other than the Federal  
6 Government (not being the power to make Regulations under Section 34 of this  
7 Bill), shall be vested in and exercisable by the Institute.

8 (4) Subject to Subsection (2) of this Section, the Pensions Reform  
9 Act, shall in its application of Subsection (3) of this Section, have effect as if,  
10 the office were in the public service of the Federation within the meaning of the  
11 Constitution of the Federal Republic of Nigeria, 1999(as altered).

12 **PART IV - STRUCTURE AND CONSTITUTION OF THE INSTITUTE**

Constitution of  
Scientific Technical  
Advisory Committee

13 **21.**-(1) The Institute may establish Scientific Technical Advisory  
14 Committee (in this Bill referred to as the Committee) in the areas of Research to  
15 assist the Institute in various aspects of its responsibilities.

16 (2) The members of a Scientific or Technical Advisory Committee  
17 shall be persons with requisite expertise and experience in the relevant areas of  
18 interest of the Institute.

Establishment  
of demonstration  
Centers

19 **22.**-(1) The Institute may with the approval of the Chairman of the  
20 Board or Minister, establish Demonstration Centers in any of the six geo-  
21 political zones of Nigeria, based on the nature of the Groundnut derivable from  
22 the area or zone.

23 (2) The Institute shall provide for:

24 (a) the location of the demonstration centers;

25 (b) the field in which the centers are to conduct its work and  
26 manpower training, where applicable;

27 (c) the transfer to the centers by mutual agreement, any existing  
28 Federal, State and Local Government facilities;

29 (d) the establishment and constitution of senior officers of the  
30 Institute to manage the affairs of the centers.

1 (e) the demonstration centers be fully equipped to enable it carry  
2 out training, research and development activities; and

3 (f) a suitable association and collaboration of the Demonstration  
4 centers with Universities and other institutions of higher learning.

5 (3) The Institute may with the approval of relevant authorities  
6 establish the Institute's Consult, which shall be a semi-autonomous body to  
7 commercialize the Institute's research results.

8 **PART V - FINANCIAL PROVISIONS**

9 **23.-(1)** The Institute shall establish and maintain a fund which shall  
10 be applied towards the promotion of the objectives of the Institute specified  
11 in this Bill. Establishment  
of fund for the  
Institute

12 (2) The fund established in pursuance of subsection (1) of this  
13 Section is:

14 (a) such sums as may be provided by the Government of the  
15 Federation or appropriated by the National Assembly for payment into the  
16 fund of the Institute;

17 (b) fees charged for services rendered by the Institute; including  
18 royalties on the Institute's results ceded to farmers or institutions for national  
19 development in areas of agriculture.

20 (c) all sums accruing to the Institute by way of gifts, testamentary  
21 dispositions, endowments or contributions from philanthropic persons or  
22 organizations;

23 (d) contributions from the organized private sector;

24 (e) foreign aids and assistance from bilateral and multilateral  
25 Agencies; and

26 (f) proceeds from commercialization of research results of the  
27 Institute.

28 (3) Notwithstanding the provisions of Subsection (2) of this  
29 Section, every application for registration into the Institute's Journal shall  
30 attract a fee, which shall be credited and maintained in a separate account of

	1	the Institute, part of which shall be used for the publication of the Institute's
	2	Journal.
Expenditure of the Institute	3	<b>24.</b> The Institute shall apply the fund established under this Bill to:
	4	(a) Conduct research and development activities in the capital project
	5	of the Institute;
	6	(b) Maintain the Head Office and establish State Offices for the
	7	Institute;
	8	(c) Pay allowances and expenses of members of the Board;
	9	(d) Sponsor local and international conferences, seminars, workshops
	10	for members of Staff of the Institute;
	11	(e) Provide scholarship and award for specialized training for
	12	personnel;
	13	(f) Publicize and promote the activities of the Institute;
	14	(g) Support national and international bodies and pay annual dues and
	15	other contributions for scientific organizations, in which Nigeria is a member;
	16	and
	17	(h) Undertake any other activity in connection with the objects of this
	18	Bill.
Annual Estimates Accounts	19	<b>25.-(1)</b> The Institute shall not later than 30th September of every year,
	20	submit to the Board and the National Assembly for approval its estimates of
	21	Income and expenditure for the next financial year.
	22	(2) The Institute shall:
	23	(a) keep proper records of all accounts of its income and expenditure;
	24	and
	25	(b) Prepare statement of account in respect of each financial year.
	26	(3) The Institute shall not later than 30th June of each financial year,
	27	submit its accounts to Auditors appointed from the list of qualified auditors in
	28	accordance to guidelines laid down by the Auditor-General for the Federation
	29	and the Auditors fees and expenses shall be paid from the funds of the Institute
	30	and provide same to the National Assembly for oversight purposes.

1                   **26.**-(1) The Institute shall not later than 30th June of each financial      Annual report  
2                   year submit to the Board and the National Assembly for approval its  
3                   estimates of income and Expenditure for the next financial year in respect of  
4                   the preceding year an annual report on the activities of the Institute in such  
5                   form as the Board may direct.

6                   (2) The report referred to in Subsection (1) of this Section shall  
7                   include:

8                   (a) Information on the activities of the Institute for the year;

9                   (b) A copy of the audited accounts of the Institute for that year  
10                  together with the Auditor- General report on the accounts of the Institute;  
11                  and

12                  (c) Such other information as the Board may request.

13                  (3) The Director-General shall provide such information on the  
14                  affairs of the Institute as the Board may from time to time request.

15                  **27.** All income derived by the Institute from sources specified in  
16                  section 23 subsection (2) of this Bill shall be exempted from income tax and  
17                  all contributions to the fund of the Institute shall be tax deductible.

18                  **28.** Subject to the approval by the Board, the Institute may invest      Capital Production  
19                  in profitable production of agricultural produce for commercial purposes by      Income  
20                  joint venture, partnership, share-holding or as sole proprietor as the case  
21                  may be and the net income generated shall be paid into the fund of the  
22                  Institute.

23                  **32.** The Institute may, with the consent, or in accordance with any      Borrowing and  
24                  general authority given by the Board, borrow by way of loan or overdraft,      Investment Power  
25                  any specified amount of money required by the Institute for its obligations      of the Institute  
26                  and functions under this Bill in line with extant laws and Regulations.

27                  (2) The Institute may, subject to the provisions of this Bill and the  
28                  constitutions of any trust created in respect of any property, invest any of its  
29                  funds with the consent or general authority of the Board.

30                  (3) The Institute may invest any of its surplus funds in such

	1	securities as the Board may, from time to time, approve.
	2	PART VI - MISCELLANEOUS
Power to accept gifts	3	<b>30.</b> -(1) The Institute may accept any gift of land, money or other
	4	property upon such terms and conditions, if any, as specified by the person or
	5	organization making the gift.
	6	(2) The Institute shall not accept any gift where the conditions
	7	attached by the person or organization making the gift are inconsistent with the
	8	functions and objectives of the Institute.
	9	(3) A gift donated to the Institute or project of the Institute shall be
	10	made directly to the Institute and shall be utilized only for the purpose.
The seal of the Institute	11	<b>31.</b> -(1) The seal of the Institute shall be such as may be administered
	12	by the Board, signed by the Chairman of the Board and the Director-General.
	13	(2) Certificates issued by the Institute shall have the Institute's seal
	14	affixed and signed by the Chairman of the Board and the Director- General of
	15	the Institute.
	16	(3)Any contract or instrument which, if made or executed by a person
	17	not being a body corporate, would not be required to be under seal may be made
	18	or executed on behalf of the Institute by any authorized person.
Power to make Regulations	19	<b>32.</b> The Board may make regulations:
	20	(a) To regulate the activities and programmes of the Institute, or any
	21	matter connected with the Institute; or
	22	(b) For the effective implementation of any of the provisions of this
	23	Bill.
Limitation of suit against the Institute	24	<b>33.</b> -(1) subject to the provisions of this Bill, the provisions of the
	25	Public Officers Protections Act, shall apply to any suit instituted against the
	26	Institute, an Officer of the Institute or employee of the Institute.
	27	(2) No suit shall lie or be instituted in any Court of Law against the
	28	Institute, a member of the Board or any Principal Officer or Employee of the
	29	Institute for an action carried out in pursuance to the execution of this Bill or
	30	any enactment, or of any public duty in respect of any alleged neglect or default



1 in the execution of this Bill or duty or authority, unless it is commenced:

2 (a) within three months of such act, neglect or default complained  
3 thereof; or

4 (b) in the case of a continuation of damage or injury, within six  
5 months after the ceasing of the act, neglect or default.

6 (3) No suit shall be commenced against the Institute, a member of  
7 the Board or any Principal Officer or employee of the Institute before the  
8 expiration of a period of one month after written notice of the intention to  
9 commence the suit has been served on the Institute by the intending Plaintiff  
10 or his Agent.

11 (4) The notice referred to in subsection (3) shall clearly state the:

12 (a) cause of action;

13 (b) particulars of the claim;

14 (c) the name and place of abode of the intending Plaintiff; and

15 (d) the relief sought.

16 **34.-(1)** Any notice or other document required or authorized to be Service of notice  
17 served Service of notice on or given to any person for the purposes of this  
18 Bill, may be served or given by:

19 (a) Delivering it to that person, or by leaving it at his usual or last  
20 known place of residence or business or at the address specified by him in  
21 any notice, application or other document made, given or tendered to the  
22 Institute under this Bill; or

23 (b) Posting it by registered mail to him at that place of residence or  
24 business or at that address.

25 (2) Where any of such notice or other document sent by registered  
26 mail, unless the contrary is proved, it shall be deemed to have been delivered  
27 to him when it would have been delivered in the ordinary course of a posting  
28 mail unless the contrary is established and in proving the delivery, it shall be  
29 sufficient to prove that there is return Post Office slip or Speed Post slip  
30 showing actual delivery.

	1	(3) When for any purpose under this Bill, a notice or document is
	2	required to be served on a firm or company, the notice or document may be
	3	served on the Secretary, Executive Officer or other Officer holding a similar
	4	position in the organization and the service unless otherwise directed by the
	5	Institute, be deemed to be served on all persons who are members of the
	6	organization.
	7	(4) Any service of notice or process on the Institute shall be by proven
	8	registered post or personal service on any Principal Officer of the Institute.
Power to give directives by the Minister	9	<b>35.</b> The Minister may give to the Institute, directives of a general
	10	character relating to the policies and functions of the Institute and shall comply
	11	with such directives without prejudice to the powers of the Board and the
	12	oversight of the National Assembly.
Exemption from tax accruing from investment	13	<b>36.-(1)</b> The Institute shall be exempted from the payment of income
	14	tax in any income accruing from investment made by the Institute.
	15	(2) The provision of any enactment relating to the taxation of
	16	companies or Trusts Funds shall not apply to the Institute.
Joint Venture targets for technology acquisition	17	<b>37.</b> The Institute shall impose conditions and set targets for the
	18	formation of Joint Ventures or Partnerships between multinational services,
	19	Research Institutes, institutions or service companies in all sectors of the
	20	economy and certified indigenous services companies for the purpose of
	21	technological training and acquisition.
Research targets and development of research products	22	<b>38.</b> The Institute shall make regulations with requirement and targets
	23	for the growth of Research and Development in the areas of Food and other
	24	Agro-allied raw materials but not limited thereof as may be reviewed by the
	25	Institute, in Nigeria.
Interpretation	26	<b>39.</b> In this Bill, unless the context otherwise requires:
	27	"Board" means the Governing body of the Institute established under section3
	28	(1);
	29	"Chairman" means the Chairman of the Governing Board of the Institute
	30	appointed under section 14(1);

1 "Fund" means the fund of the Institute as established under section 25 of this  
2 Bill;  
3 "Institute" means the National Groundnut Production, Processing and  
4 Research Institute, Wurno, Sokoto State established under section 1(1) of  
5 this Bill;  
6 "Minister" means the Minister responsible for Science and Technology;  
7 "Member" means a member of the Board;  
8 "President" means the President of the Federal Republic of Nigeria;  
9 "Principal Officer" means the Directors and other Officers as specified in  
10 section 16 of this Bill;  
11 "Public Service" has the meaning assigned to it in the Constitution of the  
12 Federal Republic of Nigeria, 1999 as altered;  
13 "Secretary" means the Secretary to the Board of the Institute.

14 **40.** This Bill may be cited as the National Groundnut Production, Short title  
15 Processing and Research Institute, Wurno, Sokoto (Establishment) Bill,  
16 2022.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

3 *Proceedings of the Board*

4 1. Subject to this Bill and section 42 of the interpretation Act, the  
5 Board may make standing orders regulating its proceedings or those of any of  
6 its Committees.

7 2. The quorum of the Board shall be the Chairman or the person  
8 presiding the meeting and two other members of the Board and the quorum of  
9 any Committee of the Board shall be determined by the Board.

10 3. The Board shall meet not less than four times in each year and  
11 subject thereto, the Board shall meet whenever it is summoned by the  
12 Chairman or where the Chairman is required to do so by a notice given to him  
13 by not less than 4 other members, he shall summon a meeting of the Board to be  
14 held within 28 days from the date on which the notice is given.

15 4. At any meeting of the Board, the Chairman shall preside but if he is  
16 absent, the members present at the meeting shall appoint one of their members  
17 to preside at the meeting.

18 5. Where the Board desires to obtain the advice of any person on a  
19 particular matter, the Board may co-opt such person for such a period as it  
20 deems fit, but a person who is in attendance by virtue of this sub-paragraph  
21 shall not be entitled to vote at any meeting of the Board and shall not count  
22 towards a quorum;

23 6. The Board may set up one or more Committees to carryout, on  
24 behalf of the Board, such functions as the Board may determine.

25 7. A Committee set up under this paragraph shall consist of such  
26 number of persons as may be determined by the Board and a person shall hold  
27 office on the Committee in accordance with the terms of his appointment.

28 8. A decision of a Committee shall be of no effect until it is confirmed  
29 by the Board.

30 9. The validity of the proceedings of the Board or of a Committee

1       thereof shall not be affected by any vacancy in the membership of the Board  
2       or of a Committee.

10. Any member of the Board or any person holding office on a Committee of the Board, who has personal interest in any contract or arrangement shall disclose his interest to the Board and shall not vote on any matter relating to the contract or arrangement.

7 *Miscellaneous*

8 11. The fixing of the seal of the Board shall be authenticated by the  
9 signature of the Director- General/Chief Executive Officer or any person  
10 generally or specifically authorized by the Board to act for that purpose.

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

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

19                    14. The validity of any proceeding of the Board or a Committee  
20                    shall not be affected by:

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

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Groundnut Production, Processing and Research Institute, Wurno, Sokoto State, for the conduct of research on Groundnut crop to enhance its growth and commercialization, and to provide food so that the nation can be self-sufficient in groundnut production.

FEDERAL INSTITUTE OF BIO-MEDICAL AND LABORATORY TECHNOLOGY,

EFFURUN, BILL, 2022

ARRANGEMENT OF SECTIONS

*Bio-Medical sector*

1. Establishment of the Federal Institute of Bio-Medical and laboratory Studies
2. Governing Council of the Institute
3. Membership of the Council
4. Powers of the Council
5. Objectives and functions of the Institute
6. Provisions of library facilities

*Staff of the Institute*

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

*Financial Provisions*

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

*Miscellaneous and Supplementary Provisions*

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

Schedule

Supplementary provisions relating to the Council

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A BILL  
FOR

AN ACT TO ESTABLISH THE FEDERAL INSTITUTE OF BIO-MEDICAL AND  
LABORATORY TECHNOLOGY STUDIES TO, AMONGST OTHER THINGS, TO  
PROVIDE TRAINING OF SPECIALISED SKILLED TECHNICIANS AND  
TECHNOLOGIST AND RESEARCH IN THE AREAS OF DESIGN, FABRICATION,  
INSTALLATION OF MEDICAL EQUIPMENTS SUCH AS DEFIBRILLATORS,  
VENTILLATORS, INFUSION PUMP, X-RAY MACHINES, AND ULTRASOUND.  
OTHERS ARE SURGICAL TABLES, BIOCHEMISTRY ANALYSER, EKG/ECG  
MACHINES ETC. AND FOR RELATED MATTERS

*Sponsored by Hon. Oberuakpefe Anthony Afe*

[ ] Commencement

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

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- 1.-(1) There is hereby established a body to be known as the

Federal Institute of Bio-Medical and laboratory Technology Studies (in this

Bill referred to as "the Institute") which shall have the functions assigned to

it by this Bill.

(2) The Institute shall be a body corporate with perpetual

succession and a common seal and shall have power to acquire property and

may sue and be sued in its corporate name.

2.-(1) The government of the Institute and the direction of its

affairs shall vest in the Governing Council of the Institute (in this Bill

referred to as "the Council").

(2) Without prejudice to the generality of subsection (1) of this

section and subject to this Bill, it shall be the responsibility of the Council to

consider and approve:

(a) the plan of activities and general policy of the Institute;
- Establishment  
of the Federal  
Institute of Bio-  
Medical and  
Laboratory  
Technology

Governing  
Council of the  
Institute

Membership  
of the Council

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

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

5                    (d) the investment plans of the Institute.

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

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

10                   (i) the Institute;

11                   (ii) national planning; and

12                   (iii) education;

13                   (b) one representative of Medical Laboratory Science Council of  
14     Nigeria

15                   (c) one representative of Health Workers Union to be appointed in  
16     rotation from among workers unions recognized by the Ministry;

17                   (d) one representative of the Nigerian Society of Engineers

18                   (e) the Director of the Institute; and

19                   (f) such other persons as the President may from time to time appoint.

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

24                   (3) The President may terminate the appointment of a member of the  
25     Council if it is satisfied that it is no longer in the interest of the Institute that the  
26     person concerned should continue in office.

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

- 1                   **4.-(1)** For the purpose of carrying out the functions of the Institute      Powers of the  
2 as specified in this Bill, the Council shall have power to-      Council
- 3                   (a) determine the general policy of the Institute;
- 4                   (b) prescribe the fees to be charged for courses of instruction and  
5 other services offered by the Institute;
- 6                   (c) prescribe, monitor and regulate the organization and  
7 management of the Institute;
- 8                   (d) establish such departments, divisions, schools, extra-mural  
9 departments and other teaching and research units within the Institute as  
10 may from time to time seem to the Council to be necessary or desirable;
- 11                  (e) institute lectureships and other posts and offices and to make  
12 appointments thereto;
- 13                  (f) provide for the discipline and welfare of members of staff of the  
14 Institute;
- 15                  (g) institute and award fellowships, scholarships, exhibitions,  
16 bursaries, medals, prizes and other titles, distinctions, awards and forms of  
17 assistance;
- 18                  (h) arrange for the general welfare of children of members of staff;
- 19                  (i) erect, provide, equip and maintain libraries, laboratories, lecture  
20 halls, halls of residence, refectories, sports grounds, playing fields and other  
21 buildings or structures necessary for the Institute; and
- 22                  (j) carry out such other activities as are necessary and expedient for  
23 the full discharge of any of its functions under or pursuant to this Bill.
- 24                  **(2)** Notwithstanding any other provisions of this Bill, the Council  
25 shall not establish additional educational unit within the Institute without  
26 the prior approval of the Minister.
- 27                  **5.** The objectives of the Institute shall be-      Objectives and  
28                   (a) to provide training of specialised skilled technicians and      functions of the  
29 technologist and Research in the areas of Design, Fabrication, Installation of      Institute  
30 Medical Equipments such as Defibrillators, Ventilators, Infusion Pump, X-

1 ray Machines, and Ultrasound. Others are Surgical Tables, Biochemistry  
2 Analyser, EKG/ECG Machines etc.

3 (b) to provide basic standard and specialized courses of instruction  
4 leading to the award of qualifications, certificates and diplomas in the  
5 techniques of Bio-Medical Engineering, Bio-Medical Science, Clinical  
6 Engineering with a view to developing a bank of technically competent, highly  
7 skilled and efficient operators for the Biomedical and Laboratory Technology  
8 sector of the economy;

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

12 (d) to provide courses of instruction on the co-ordination of all aspects  
13 of the Biomedical and Laboratory Technology and the regulation and  
14 management techniques suited to the bio-medical sector both in the public and  
15 private sector in consultation with the Ministry or Department charged with  
16 such responsibility;

17 (e) to provide template for approved training in the design,  
18 installation, maintenance, operation, fabrication and modernization of  
19 technical equipment relevant in all forms of the bio-medical sector;

20 (f) to provide equipment and facilities for the encouragement,  
21 promotion and conduct of research in all fields of Biomedical and Laboratory  
22 Technology;

23 (g) to promote or undertake such other activities (not inconsistent  
24 with the foregoing provisions of this section) as the Council considers will help  
25 to further the objectives of the Institute;

26 (h) to award certificates of attendance to those who participate and  
27 attain a sufficiently satisfactory standard in any of the courses organized by the  
28 Institute;

Provision of  
library facilities

29 6. The Institute shall establish and maintain a library comprising such  
30 books, records, reports and other publications as may be directed by the

1 Council for the advancement of knowledge in the areas of work undertaken  
 2 by it, for research purposes and for other purposes connected with the  
 3 functions conferred on the Institute by or pursuant to this Bill.

4 *Staff of the Institute*

5 7. -(1) There shall be an officer of the Institute to be known as the The Director of  
 6 Director. the Institute

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

8 (3) The Director shall be the chief executive of the Institute and be  
 9 responsible to the Council for the day-to-day management of the affairs of  
 10 the Institute.

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

15 8.-(1) There shall be appointed by the Council the following Appointment of  
 16 officers of the Institute, that is- other staff of the  
 Institute

17 (a) The Deputy Director;

18 (b) The Registrar;

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

20 (d) The Bursar.

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

23 (3) The heads of the various academic units shall be responsible to  
 24 the Director for planning, organizing, coordinating and conducting the  
 25 courses and other studies undertaken by their respective units of the Institute  
 26 including collation and publication of course materials and other written  
 27 materials relating thereto.

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

	1	(5) The Bursar shall be responsible to the Director for the finances and
	2	accounts of the Institute.
	3	(6) There may be appointed from time to time by the Council such
	4	other staff as may be required for the purpose of the efficient performance of
	5	the function conferred on the Institute under this Bill.
Pension	6	9.-(1) It is hereby declared that service in the Institute shall be public
	7	service for the purposes of the Pensions Bill and, accordingly, officers and
	8	other persons employed in the Institute shall in respect of their service in the
	9	Institute be entitled to pensions, gratuities and other retirement benefits as are
	10	prescribed thereunder, so however that nothing in this Bill shall prevent the
	11	appointment of a person to any office on terms which preclude the grant of a
	12	pension or gratuity in respect of that office.
	13	(2) For the purposes of the application of the provisions of the
	14	Pensions Bill any power exercisable thereunder by a Minister or other
	15	authority of the Government of the Federation (not being the power to make
	16	regulations under section 23 thereof), is hereby vested in and shall be
	17	exercisable by the Council and not by any other person or authority.
	18	<i>Financial Provisions</i>
Establishment of fund of the Institute	19	10.-(1) The Institute shall establish and maintain a fund which shall be
	20	applied towards the promotion of the objectives specified in this Bill.
	21	(2) There shall be paid and credited to the fund established pursuant to
	22	subsection (1) of this section-
	23	(a) such sums as may be provided by the Government of the
	24	Federation for payment into the fund;
	25	(b) any fees charged for services rendered by the Institute; and;
	26	(c) all other sums accruing to the Institute by way of gifts,
	27	testamentary disposition and endowments or contributions from philanthropic
	28	persons or organizations or otherwise howsoever.
Power to accept gifts	29	11.-(1) The Institute may accept gifts of land, money or other property
	30	upon such terms and conditions, if any, as may be specified by the person or

1 organization making the gift.

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

5 12.-(1) The Council may with the consent or in accordance with  
6 any general authority given by the President borrow by way of loan or  
7 overdraft from a source approved by the President, such specified amount of  
8 money as may be required by the Institute for meeting its obligations and  
9 discharging its functions under this Bill.

Borrowing  
powers, etc.

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

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

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

20 13.-(1) The Council shall cause to be prepared, not later than six  
21 months before the end of each financial year or such other time as the  
22 Minister may direct, an estimate of the expenditure and income of the  
23 Institute during the next succeeding financial year and when prepared they  
24 shall be submitted through the Minister for approval by the President.

Annual estimates,  
accounts and audit

25 (2) The Council shall cause to be kept proper accounts and proper  
26 records in relation thereto and when certified by the Council such accounts  
27 shall be audited as provided in subsection (3) of this section.

28 (3) The accounts of the Institute shall be audited as soon as may be  
29 after the end of each financial year by auditors appointed from the list of  
30 auditors and in accordance with the guidelines issued by the Auditor-

	1	General for the Federation and the fees of the auditors and the expenses for the
	2	audit generally shall be paid from the fund of the Institute.
	3	<i>Miscellaneous and Supplementary Provisions</i>
Annual reports	4	<b>14.</b> The Council shall, not later than six months after the end of each
	5	financial year, submit through the Minister to the President a report on the
	6	activities of the Institute and its administration during the immediately
	7	preceding year and shall include in such report the audited accounts of the
	8	Institute and the auditor's comments thereon.
Staff regulations	9	<b>15.</b> -(1) The Institute may, subject to the provisions of this Bill, make
	10	staff regulations relating generally to the conditions of service of the
	11	employees of the Institute and, without prejudice to the generality of the
	12	foregoing, such regulations may provide for-
	13	(a) the appointment, promotion and disciplinary control (including
	14	dismissal) of employees of the Institute; and
	15	(b) appeals by such employees against dismissal or other disciplinary
	16	measures, and until such regulations are made, any instrument relating to the
	17	conditions of service of officers in the civil service of the Federation shall be
	18	applicable, with such modifications as may be necessary, to the employees of
	19	the Institute.
	20	(2) Staff regulations made under subsection (1) of this section shall
	21	not have effect until approved by the Minister, and when so approved they need
	22	not be published in the Federal Gazette but the Council shall cause them to be
	23	brought to the notice of all affected persons in such manner as it may from time
	24	to time determine.
Discipline of students	25	<b>16.</b> -(1) Subject to the provisions of this section, where it appears to
	26	the Director that any student of the Institute has been guilty of misconduct, the
	27	Director may, without prejudice to any other disciplinary powers conferred on
	28	him by rules, direct-
	29	(a) that the student shall not, during such period as may be specified in



1 the direction, participate in such activities of the Institute as may be so  
2 specified; or

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

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

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

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

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

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

Interpretation

20 "Council" means the Governing Council of the Institute constituted under  
21 section 2 of this Bill;

22 "chairman" means the chairman of the Council;

23 "Director" means the Director of the Institute;

24 "Institute" means the Federal Institute of Bio-Medical and Laboratory  
25 Technology established by section 1 of this Bill;

26 "member" includes the chairman of the Council;

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

29 **18.** This Bill may be cited as the Federal Institute of Bio-Medical  
30 and Laboratory Technology, Effurun, Bill, 2022.

Short title

## EXPLANATORY MEMORANDUM

institute is a specialized institution with restricted programmes.

## 1 SCHEDULE

2 [Section 3 (4).]

## 3 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

4 *Proceedings of the Council*

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

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

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

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

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

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

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

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

4 *Committees*

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

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

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

14 *Miscellaneous*

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

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

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

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

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