

Extraordinary



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FEDERAL UNIVERSITY OF MEDICAL AND HEALTH SCIENCES SOBA,
KADUNA STATE (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF SECTIONS

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FEDERAL UNIVERSITY, SOBA, KADUNA STATE

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A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL UNIVERSITY
OF MEDICAL AND HEALTH SCIENCES, SOBA, KADUNA STATE AND FOR
RELATED MATTERS, 2022

Sponsored by Hon. Ibrahim Hamza

[] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
2 FEDERAL UNIVERSITY OF MEDICAL AND HEALTH SCIENCES;

3 1.-(1) There is hereby established the Federal University of Health
4 and Medical Sciences Soba, Kaduna State.

Establishment
and Objects of the
Federal University
of Medical and
Health Sciences

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

8 (3) The general objects/purposes of the University shall be-

9 (a) To encourage the advancement of learning and to hold out to all
10 persons without distinction of tribe, race, creed, gender or political
11 conviction, the opportunity of acquiring a higher education in health and
12 other health sciences;

13 (b) To develop and offer academic and professional programs
14 leading to award of diplomas, first degrees, postgraduate research and
15 higher degrees with emphasis on planning, adaptive, technical,
16 maintenance, developmental and productive skills in the field of health,
17 biomedical engineering, scientific and allied professionals discipline
18 relating to health resources with the aim of producing socially mature
19 persons with capacity not only to understand, use and adapt existing
20 technologies in the health industries, but also to improve on those

1 disciplines and develop new ones, and to contribute to the scientific
2 transformation of medical and other health practices in Nigeria;

3 (c) To act as agents and catalysts, through postgraduate training,
4 research and innovation for the effective and economic utilization, exploitation
5 and conservation of Nigeria's natural, economic and human resources;

6 (d) To offer to the general population, as a form of public service, the
7 results of training and research in health and allied disciplines and to foster the
8 practical applications of those results;

9 (e) To establish appropriate relationships with other national
10 institutions involved in training, research and development of health care;

11 (f) To identify the health problems and needs of Nigeria and to find
12 solution to them within the context of overall national development;

13 (g) To provide and promote sound basic scientific training as a
14 foundation for the development of health and allied disciplines, taking into
15 account indigenous culture, the need to enhance national unity, the need to
16 vastly increase the practical content of students training, and adequate
17 preparation of graduated for self-employment in Health and allied professions;

18 (h) To promote and emphasize teaching, research and extension of
19 health knowledge, including health extension services and outreach programs,
20 in service training, continuing education and adaptive research;

21 (i) To offer academic programs in relation to the training of manpower
22 for health and allied professions in Nigeria;

23 (j) To organize research relevant to training of manpower and health
24 technology;

25 (k) To organize extension services and outreach programs for
26 technology transfer;

27 (l) To establish institutional linkages in order to foster collaboration
28 and integration of training, research and extension activities, and

29 (m) To undertake any other activities, appropriate for a University of
30 Health Sciences.

- 1 (4) The university has the mandate to:
- 2 (i) Teach and train high calibre health-care professionals,
- 3 (ii) To provide healthcare services and consultancy,
- 4 (iii) Conduct research and participate in extension, outreach and
- 5 community services,
- 6 (iv) Operate various school and specialties that offer exemplary
- 7 training and quality research in health care,
- 8 (v) Facilitate the acquisition of knowledge and skills in different
- 9 specialties for effective and efficient management of health care,
- 10 (vi) Provide solution to the lack and the inequitable distribution of
- 11 health profession as serving rural communities,
- 12 (vii) Train clinically, competent and socially conscious health
- 13 workers who will stay and serve in deprived and unprivileged communities
- 14 especially in rural areas of Nigeria,
- 15 (viii) Develop a training model for the training of community-
- 16 oriented health workers that could be replicated in other areas of Nigeria,
- 17 (ix) Facilitate collaboration and enhancement of health sciences
- 18 research and educational endeavours,
- 19 (x) Advance the national and international reputation as the
- 20 foremost University for Health Sciences education and research in Nigeria,
- 21 (xi) Advise and report regularly to the Ministry of Education on all
- 22 matters relevant to the sciences sector and its education and research
- 23 programs,
- 24 (xii) Work collectively on common health academic issues and
- 25 their implementation;
- 26 (xiii) Provide management support for education and research
- 27 across the health sciences sector,
- 28 (xiv) Promote inter-professional education across all health
- 29 professional programs and optimize the resources to do so; and
- 30 (xv) Ensure that the health sciences sector is adequately and

	1	appropriately represented at all levels of university governance.
Composition of the University	2	2.-(1) The university shall consist of-
	3	(a) Chancellor;
	4	(b) Pro-Chancellor and a Council;
	5	(c) Vice Chancellor and a Senate;
	6	(d) Deputy Vice Chancellor (s);
	7	(e) A body to be called Congregation;
	8	(f) A body to be called Convocation;
	9	(g) Campuses and College of the University;
	10	(h) Schools, institute and other teaching and research units;
	11	(i) Persons holding the offices constituted by the first schedule to this
	12	Act other than those mentioned in paragraph (a) to (d) of this subsection;
	13	(j) All Graduates and Undergraduates of the University; and
	14	(k) All other persons who are Member of the University in accordance
	15	with provision made by statute in that behalf.
	16	(2) The first schedule to this Act shall have effect with respect to the
	17	Principal Officers of each University therein mentioned.
	18	(3) Subject to Section 6 of this Act, provision shall be made by statute
	19	with respect to the constitution of the following bodies, namely the Council,
	20	the Senate, Congregation and Convocation.
Powers of the University and their exercise	21	3.-(1) For the carrying out of its objects as specified in section 2 of this
	22	Act, the University shall have power-
	23	(a) To establish such Campuses, Colleges, Institutes, schools,
	24	extramural departments and other teaching and research units within the
	25	University as may, from time to time, be deemed necessary or desirable,
	26	subject to the approval of the Federal Ministry of Education;
	27	(b) To institute Professorships, readership or Associate
	28	Professorships, and other posts and offices to make appointment thereto;
	29	(c) To institute and award fellowships, scholarships, exhibition,

1 bursaries, medal prizes and other titles, distinction, awards and other forms
2 of assistance;

3 (d) To provide for the discipline and welfare of members of the
4 University;

5 (e) To hold examinations and grant degrees, diplomas, certificates
6 and other distinctions to persons who have pursued a course of study
7 approved by the University and have satisfied such other requirements as the
8 University lay go down;

9 (f) To grant honorary degrees, fellowships or academic titles;

10 (g) To demand and receive from any student or any other person
11 attending the universities for the purpose of instruction such fees as the
12 University may, from time to time, determine subjects to the overall
13 directives of the Minister;

14 (h) Subject to Section 23 of this Act, to acquire, hold grant, charge
15 or otherwise deal with or dispose of movable and immovable property
16 wherever situate;

17 (i) To accept gifts, legacies and donations, but without obligation to
18 accept the same for a particular purpose unless it approves the terms and
19 condition attaching thereto;

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

22 (k) To erect, provide, equip and maintain libraries, laboratories;
23 lecture halls, halls of residence, refectories, sports grounds, playing fields
24 and other buildings or things necessary or suitable or convenient for any of
25 the objects of the University;

26 (l) To hold public lectures and to undertake printing, publishing
27 and book-selling;

28 (m) Subject to any limitations or conditions imposed by statute, to
29 invest any money appertaining to the University by way of endowment, not
30 being immediately required for current expenditure, in any investment or

1 securities or the purchase or improvement of land, with power from time to
2 time, to vary any such investment and to deposit any money for the time not
3 invested with any bank on deposit or current account;

4 (n) To borrow, whether on interest or not, if need be, upon the security
5 of any or all of the property, movable or immovable, of the University, such as
6 the Council may, from time to time, in its discretion find it necessary or
7 expedient to borrow or to guarantee any loan, advances or credit facilities;

8 (o) Or to do anything which is authorized or required by this act or by
9 statute to do; and

10 (p) To do all such acts or things, incidental to the foregoing powers, as
11 may advance the objects of the University.

12 (2) Subject to the provision of this Act and of the statutes and without
13 prejudice to Section 9 (2) of this Act, the power conferred on the University of
14 Subsection (1) of this section shall be exercisable on behalf of the university by
15 the Councillor by the Senate or in any other manner, which may be authorized
16 by the statute.

17 (3) The power of the University to establish further campuses and
18 colleges within the University shall be exercisable by statute and not
19 otherwise.

The functions
of the Chancellor

20 **4.-(1)** The Chancellor shall, in relation to the University, take
21 precedence before all other members of the University and when he is present
22 shall preside at all meetings of convocation held for conferring degrees.

23 (2) Every proposal to confer an honorary degree shall be subject to the
24 confirmation of the Chancellor.

25 (3) The Chancellor shall exercise such other powers and perform such
26 other duties as may be conferred or imposed on him by this Act or the statutes.

Functions of the
Pro-Chancellor

27 **5.-(1)** The Pro-Chancellor shall, in relation to the University, the
28 precedence before all other members of the University, except the Chancellor
29 and except the Vice - Chancellor when acting as Chairman of congregation or
30 convocation and the Pro-Chancellor shall, when he is present, be the chairman

1 at all meetings of the council

2 (2) Subject to the provision of this Act, the Pro-Chancellor shall
3 hold office for a period of five years beginning with date of his appointment.

4 **6.** The Council of each University shall consist of-

Composition of
Council

5 (a) The Pro-Chancellor;

6 (b) The Vice-Chancellor;

7 (c) The Deputy Vice Chancellor(s);

8 (d) One person from the Ministry responsible for education;

9 (e) Nine persons representing of the whole Federation to be
10 appointed by the President;

11 (f) Four persons appointed by the Senate from among its members;

12 (g) Two persons appointed by the Congregation from among its
13 members;

14 (h) One person appointed by the Convocation from among its
15 members;

16 **7.-(1)** Subject to the provisions of this act relating to the Visitor, the
17 Council shall be the governing body of each University and shall be charged
18 with the general control and superintendence of the policy, finance, and
19 property of the University.

Functions of the
Council and its
finance and general
purposes 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 Auditors approved by the Council, and that an annual report
30 shall be published by the University together with certified copies of the said

1 accounts as audited.

2 (5) Subjects to these acts are the statutes, the council and the Finance
3 and General Purposes Committee may each rule for regulating their own
4 procedure.

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

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

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

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

20 (10) Any requests made under Subsection (9) of this section shall
21 specify the business to be considered at the meeting and a business and not so
22 specified shall not be transacted at the meeting.

Functions of
the Senate

23 **8.-(1)** Subject to the Section 8 of this Act and Subsections (3) and (4)
24 of this section and to the provisions of this Act relating to the visitor, it shall be
25 the general function of the Senate to organize and control the teaching by the
26 University, the admission (where no other enactment provides to the contrary,
27 of students) and the discipline of students; and to promote research at the
28 University.

29 (2) Without prejudice to the generality of Subsection (1) of this
30 section and subjects as there mentioned, it shall in particular be the function of

1 the Senate to make provision for-

2 (a) The establishment and organization and control of campuses,
3 colleges, schools, institute and other teaching and research units of the
4 University and allocation of responsibility for different branches of
5 learning;

6 (b) The organization and control of courses of study in the
7 University and of the examination held in conjunction with those courses,
8 including the appointment of examiner, both internal and external;

9 (c) The award of degrees, and such other qualifications as may be
10 prescribed, in connection with examination held as aforesaid;

11 (d) The making of recommendations to the Council with respect to
12 the award to any persons of an honorary fellowship or degree or the title or
13 professor emeritus;

14 (e) The establishment, organization and control of halls of
15 residence and similar institutions at the University;

16 (f) The supervision of the welfare of students at the University and
17 the regulation of their conduct;

18 (g) The granting of fellowship, scholarships, prize and similar
19 awards in so far as the awards are within the control of the university; and

20 (h) Determining what description of dress shall be academic dress
21 for the purpose of the University, and regulating the use of academic dress.

22 (3) The senate shall not establish any new campus, college, school,
23 department, institute or other teaching and research units of the University
24 without the approval of the council.

25 (4) Subjects to this Act and statutes, the Senate may make
26 regulations for the purposes of exercising any function conferred on it either
27 by the foregoing provisions by regulations is authorized or required by this
28 Act or by statute.

29 (5) Regulations shall provide that at least one of the person(s)
30 appointed as the examiners at each final or professional examination held in

1 conjunction with any course of study at the university, as may be prescribed by
 2 the Senate from time to time, is not a teacher at the University but is a teacher of
 3 the branch of learning to which the course relates at some other university of
 4 high repute or a person engaged in practicing the profession in a reputable
 5 organization or institution.

6 (6) Subjects to a right of appeal to the Council from a decision of the
 7 Senate under this subsection, the Senate may deprive any person or any degree,
 8 diploma or other award of the University which has been conferred upon him if
 9 after he is shown to have been guilty of dishonourable or scandalous conduct in
 10 gaining admission into the University or obtaining that award.

Functions of the
Vice-Chancellor

11 9.-(1) The Vice-Chancellor shall, in relation to each University, take
 12 precedence before all other members of the University, except the Chancellor,
 13 and any other person for the time being acting as Chairman of the Council.

14 (2) Subject to Section 8,9 and 15 of this Act, the Vice Chancellor shall
 15 have the general function, in addition to any other functions conferred on him
 16 by this Act or otherwise, of directing the activities of the University and shall be
 17 the Chief executive and academic officer of the University and Ex- Officio
 18 Chairman of the Senate.

Powers of the
University to
make statutes

19 10.-(1) Subject to this act, the University may make statutes for any of
 20 the following purposes, that is to say-

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

23 (b) Specifying and regulating the powers and duties of any authority
 24 of the university and regulating any other matter connected with the University
 25 or any of its authorities;

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

28 (d) Determining whether any particular matter is to be treated as an
 29 academic or non-academic matter for the purpose of this act and of any statue,
 30 regulation or other instruments made there under;

1 (e) Making provision for any other matter for which provision by
2 statute is authorized or required by this Act.

3 (2) Subject to Section 28 (6) of this Act, the interpretation Act shall
4 apply 2 in relation to any statute made under this Section as it applies to a 3-
5 subsidiary instrument within the meaning of Section 29 (1) of that Act

6 (3) The statute contained in the second schedule to this Act shall be
7 5 deemed to have come into force on the commencement of this Section 6 of
8 this Act and shall be deemed to have been made under this section by each
9 University.

10 (4) The power to make statutes conferred by this Section shall not
11 be prejudiced or limited in any way by reason of the inclusion or omission of
12 any matter in or from the statute contained in the second schedule of this Act
13 or any subsequent statute.

14 **11.-(1)** The power of the University to make statutes shall be
15 exercised In accordance with the provisions of this section otherwise.

Mode of exercising
power to make
statutes

16 (2) A proposed statute shall not become law unless it has been
17 approved-

18 (a) At a meeting of the Council, by the votes of not less than two
19 thirds of the members present and voting;

20 (b) At a meeting of the Council, by the votes of not less than two
21 thirds of the members present and voting.

22 (3) A proposed statute may originate either in a senate or in council,
23 may be approved as required by subsection (2) of his section by either one of
24 those bodies before the other.

25 (4) A statue which makes provision for or alters the composition or
26 constitution of the council, the senate or any other authority of the university
27 shall not come into operation unless it has been approved by the president.

28 (5) For the purposes of section 1 (2) of the interpretation Act a
29 statute shall be treated as being made on the date on which it is duly
30 approved by the council after having been approved by the senate, as the

1 case may be or, in the case of a statute falling with sub-section (4) of this section,
2 on the date on which it is approved by the president.

3 *[cap. 123]*

4 (6) In the event of any doubt or dispute arising at any time-

5 (a) As to the meaning of any provision of a statute; or

6 (b) As to whether any matter is for the purpose of this Act an academic
7 matter as they relate to such doubt or dispute, the matter may be referred to the
8 Visitor, who shall take such advice and make such decision therein as he shall
9 think fit.

10 (7) The decision of the Visitor on any matter referred to him under
11 Subsection (6) of this section shall be final and binding upon authorities, staff
12 and students of the University and where any question as to meaning of any
13 provision of a statute has been decided by the visitor under that subsection, the
14 question as to the meaning of that provision shall not be entertained by any
15 court of law in Nigeria.

16 (8) Nothing in Subsection (7) of this Section shall affect any power of
17 a court of competent jurisdiction to determine whether any provision of a
18 statute is wholly or partially void as being ultra vires or as being inconsistent
19 with the Constitution of the Federal Republic of Nigeria 1999.

Proof of statutes

20 **12.** A statute may be proved in any court by the production of a copy
21 thereto bearing affixed to It a certificate purporting to be signed by the Vice
22 Chancellor or the Secretary to the Council to the effect that the copy is a true
23 copy of a statute of the University

The Visitor

24 **13.-(1)** The President shall be the visitor of the University.

25 (2) The Visitor shall as often as the circumstance may require, not
26 being less than once every five years, conduct a visitation of the University or
27 direct that such a visitation be conducted by such person or persons as the
28 Visitor may deem fit and in respect of any of the affairs of the University.

29 (3) It shall be duty of the bodies and persons comprising the university
30 to make available to the visitor and any other persons conducting a visitation in

1 pursuance of this section, such facilities and assistance as he or they may
2 reasonably require for the purpose of a visitation.

3 **14.**-(1) If it appears to the Council that a Member of the Council
4 (other than the Pro- Chancellor or the Vice Chancellor) should be removed
5 from office on the ground of misconduct or inability to perform the
6 functions of his office or employments, the Council shall make a
7 recommendation to that effect through the Minister to the President after
8 making such enquiry, if any, as may be considered appropriate, and if the
9 President approves the recommendations He may direct the removal of the
10 persons in question from office.

Removal of certain
Members of the
Council

11 (2) It shall be the duty of the minster to use his best endeavour to
12 cause a copy of the instrument embodying a direction under subjection (1) of
13 this section to be served a soon as reasonably practicable on the person to
14 whom it relates.

15 **15.**-(1) If it appears to the Council that there are reasons for
16 believing that any employed as a member of the academic, administrative or
17 professional staff of the University, other than Vice Chancellor, should be
18 removed from his office or employment on the ground of misconduct or of
19 inability to perform the functions of his office or employment, the Council
20 shall-

Removal and
discipline of
academic,
administrative and
professional staff

21 (a) Give notice of those reasons to the person in question; afford
22 him an opportunity of making representations in person on the matter;

23 (b) Appoint a staff disciplinary Committee;

24 (c) And if the Council, after considering the report of the staff
25 disciplinary committee, is satisfied that the persons in question should be
26 removed as aforesaid, the Council may so remove him by an instrument in
27 writing signed on the directions of the Council

28 (2) The Vice-Chancellor may, in case of misconduct by a member
29 of staff, which in the opinion of the Vice-Chancellor is prejudicial to the
30 interests of the University, suspended such member and any such

1 suspension shall forthwith be reported to the Council.

2 (3) For good cause, any member of staff may be suspended from his
3 duties or his appointment may be terminated by the Council; and for the
4 purpose of this subsection "good cause" means-

5 (a) Conviction for any offence which the Council considers to be such
6 as to render the person concerned unfit to continue to hold his office;

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

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

13 (d) Conduct which the Council considers to be such as to constitute
14 failure or in-ability of the person concerned to discharge the functions of his
15 office or to comply with terms and conditions of his service; or

16 (e) Conduct which the Council considers to be generally of such
17 nature as to render the continued appointment or service of the person
18 concerned prejudicial or detrimental to the interest of the University.

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

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

25 (b) Whether to re-instate such persons in which case the council shall
26 restore his full emoluments with effect from the date of suspension;

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

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

1 person (including the restoration of such proportion of his emoluments as
2 might have been withheld) as the council may determine

3 (5) In any case where the Council, pursuant to this section, decides
4 to continue a person's suspension or decides to take further disciplinary
5 action against such person (including the restoration of such proportion of
6 his emoluments as might have been withheld) as the Council may
7 determine.

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

12 (7) Nothing in the foregoing provision shall-

13 (a) Apply to any directive given by the Visitor in consequences of
14 any visitation; or

15 (b) Prevent the Council from making regulation for the discipline
16 of other categories of workers of the University as may be prescribed.

17 **16.-(1)** The Vice-Chancellor or senate shall constitute an
18 investigation panel to determine whether or not a prima facie case has been
19 established any member of staff.

Procedures for
staff discipline

20 (2) The investigation shall include the president or the chairman of
21 the union to which the staff being investigated belongs.

22 (3) The Vice-Chancellor shall constitute a staff disciplinary
23 committee, which shall consist of such members of the senate as he may
24 determine, to consider the report of the investigating panel.

25 (4) The report and commendation of the staff disciplinary
26 committee shall be forwarded to the council for consideration and decision.

27 **17.** The Senate shall appoint external examiners.

Appointment of
External Examiners

28 **18.-(1)** If on the recommendation of the senate, it appears to the
29 Vice-Chancellor or that a person appointed as an examiner for any
30 examination of the university ought to be removed from his office or

Removal of
Examiners

1 appointment, then except in such cases as may be prescribed, the Vice-
2 Chancellor may, after affording the examiner an opportunity of making
3 representations in person on the matter to the Vice-chancellor, remove the
4 examiner from the office or appointment by an instrument in writing signed by
5 the Vice-Chancellor.

6 (2) subject to the provisions of regulations made in pursuance of
7 section 9(5) of this Act, the Vice- chancellor may, on the recommendation of
8 the Senate appoint an appropriate person as examiner in place of the examiner
9 removed in pursuance of Subsection (1) of the Section.

10 (3) it shall be duty of the Vice-Chancellor to sign an instrument of
11 removal in pursuance of this section, to use his best endeavour to sign an
12 instrument to be served as soon as is reasonably practicable on the parson to
13 whom it relates.

Discipline of
students

14 **18.-(1)** Subject to the provisions of this section, where it appears to
15 the Vice-Chancellor that any student of the University has been guilty of
16 misconduct, the Vice- Chancellor may, in consultation with the Senate and,
17 without prejudice to any other disciplinary power conferred on him by statute
18 or regulations, direct that-

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

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

24 (c) The students be rusticated for such period as may be specified in
25 the direction; or

26 (d) The student be expelled from the university.

27 (2) When a direction is given under Subsection (1) (c) or (d) of the
28 Section in respect of any student, that student may, within the prescribed period
29 and in the prescribed manner, appeal to the Council; and where such an appeal
30 is brought, the Council shall after cause enquiry to be made in the matter as the

1 Council considers just, confirm or set aside the direction or modify in such
2 manner as the councils thinks fit.

3 (3) The fact that an appeal from a direction is brought in pursuance
4 of Subsection (2) of this Section shall not affect the operation of the
5 direction while the appeal is pending.

6 (4) The Vice-Chancellor may delegate his power under this Section
7 to a disciplinary Committee consisting of such members of the University as
8 he may nominate.

9 (5) Nothing in this Section shall be construed as preventing the
10 restriction or termination of a student's activities at the University otherwise
11 than on the ground of misconduct.

12 (6) Without prejudice to the provision of Subsection (1) of this
13 section, nothing shall prevent the Vice-Chancellor from taking an
14 immediate disciplinary action against a student where he deems fit, and
15 report thereafter to the senate.

16 (7) It is hereby declared that a direction under Subsection (1) (a) of
17 this Section may be combined with a direction under Subsection (1) (b) of
18 this Section.

19 (8) No staff or student shall resort to a law court without proof of
20 having exhausted the integral avenues for settling disputes or grievances or
21 for seeking of redress.

22 (9) The Visitor shall be the final arbiter on staff and student
23 discipline and his decision was shall not be contestable in any court of law in
24 Nigeria.

25 (10) Nothing in this Subsection shall affect any power of a court of
26 a compete jurisdiction to enforce the fundamental right of any aggrieved
27 citizen as enshrined in the Constitution of the Federal Republic of the
28 Federal Republic of Nigeria 1999.

1 *[Cap C23]*

2 *Miscellaneous and general*

Exclusion of
Discrimination
on account of
race, religion etc.

3 **20.-(1)** No person shall be required to satisfy the requirements as to
4 any following matter, that is to say race, tribe, sex, place of birth or family
5 origin, or religious or political persuasion, as a condition of becoming or
6 continuing to be a student at the University, the holder of persuasion, as a
7 condition of becoming or continuing to be a student at the University, the
8 holder of any degree of the University or of any appointment or employment at
9 the University or a member of anybody established by virtue of this Act; and no
10 person shall be subjected to any disadvantage or accorded any advantage in
11 relation to the university, by reference to any of those matters.

12 (2) Nothing in subsection (1) of this section shall construed as
13 preventing the University from imposing any disability or restriction on any of
14 the aforementioned persons where such person wilfully refuses or fails on
15 grounds of religious belief to undertake any duty generally and uniformly
16 imposed on all such persons or any group of them which duty, having regard to
17 its nature and the special circumstance pertaining thereto, is in the opinion of
18 the University reasonably justified in the national interest.

Restriction on
disposal of Land
by University

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

23 *[CapL5]*

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

Quorum and
procedure of bodies
established by
this Act

27 **22.** Except as may be otherwise provided by statute or by regulations,
28 the quorum and procedure of any body of persons by this Act shall be as
29 determined by that body.

5 (a) To exercise, on its behalf, such of its functions as it may
6 determine;

(2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies or any of them and either of dealing with it or of reporting on it those bodies or any of them.

(4) Nothing in the foregoing provisions of this section shall be construed as-

(b) Enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.

Retiring age of
Academic Staff
of the University

29 **24.-(1)** Notwithstanding anything to the contrary in the Pensions
30 Act, the compulsory retiring age of an academic staff of a University shall be

	1	65 years except for the professor, which is 70 years.
	2	(2) A law or rule requiring a person to retire from the public service
	3	after serving 35 years shall not apply to an academic staff of the university.
Special provisions relating to pensions of Professors	4	25. A person who retires as a professor having served-
	5	<i>[1993 No. II]</i>
	6	(a) A minimum period of fifteen years as a professor in the University
	7	or continuously in the services of a University in Nigeria up to the retiring age;
	8	and
	9	(b) Who during the period of service was absent from the University
	10	only on approved national or university assignments, shall be entitled to
	11	pension at a rate equivalent to his last annual salary and such allowances as the
	12	Council may, from time to time, determine as qualifying for pension and
	13	gratuity, in addition to any other retirement benefits to which he may be
	14	entitled.
Miscellaneous Administrative Provisions	15	26. -(1) The seal of each University shall be such as may be
	16	determined by the Council and approved by the Chancellor, and the affixing of
	17	the seal shall be authenticated by any member of the Council and by the Vice-
	18	Chancellor, Secretary to the Council any other person authorized by statute.
	19	(2) Any document purporting to be a document executed under the
	20	seal of the University shall be received in evidence and shall, unless the
	21	contrary is proved, be presumed to be so executed.
	22	(3) Any contract or instrument, which if made or executed by a person
	23	not being a body corporate would not be required to be under seal, may be made
	24	or executed on behalf of the University any person generally or specifically
	25	authorized to do so by the Council.
	26	(4) The validity of any proceedings of anybody established in
	27	pursuance of this Act shall not be affected by any vacancy in the membership of
	28	the body, or by any defect in the appointment of a member of the body or by
	29	reason that any person entitled to the proceedings.
	30	(5) Any member of any such body who has personal interest in any

1 matter proposed to be considered by that body shall forthwith disclose his
2 interest to the body and shall not vote on any question relating to that matter.

3 (6) Nothing in Section (12) of the interpretation Act (which
4 provides for the application in relation to subordinate legislation of certain
5 incidental provisions) shall apply to statutes or regulations made in
6 pursuance of this Act.

7 *[Cap. 123.]*

8 (7) The power conferred by this Act on anybody to make statutes or
9 regulations shall include power to revoke or vary any statute (including the
10 statute contained in the second schedule of this Act) or any regulation by a
11 subsequent statute, or, as the case may be a subsequent regulation and statute
12 and regulations may make different provisions in reaction to different
13 circumstances.

14 (8) No stamp duty or other duty shall be payable in respect of any
15 transfer of property to the university by virtue of any provision of this Act.

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

19 **27.-(1)** In this Act, unless the context otherwise requires-

Interpretation

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

21 "college" means college which may be established by the University;

22 "Council" means council established by this Act for the University;

23 "graduate" means a person on whom a degree' (other than an honorary
24 degree) has been conferred by the University;

25 "Minister" means minister charged with responsibility for education;

26 "notice" means notice in writing;

27 "office" does not include the visitor;

28 "prescribed" means prescribed by statutes or regulations;

29 "Professor" means a person designated as a professor of the university in
30 accordance with provisions made in that behalf by statute or regulation;

1 "property" includes rights, liabilities and obligations;
2 "regulations" means regulations made by the senate or the council;
3 "Senate" means the Senate of the University established pursuant to Section (3)
4 (1)(c) of this Act;
5 "statute" means a statute made by the University under Section 12 of this Act
6 and in accordance with the provisions of Section 13 of this Act;
7 And "the statute" means all such statutes as are in forces 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 in statupuillari at the university other than-
11 (a) A graduate; and
12 (b) A person of such description as may be prescribed for the purposes
13 of this definition;
14 "University" means any of the University of Health Sciences established under
15 Section 2 of this Act.
16 (2) It is hereby declared that where in any provisions of this Act it is
17 laid down that proposals are to be submitted or a recommendation is to be made
18 by one authority to another through one or more intermediate authorities, it
19 shall be the duty of every such intermediate authority to forward any proposals
20 or recommendations received by it in pursuance of that provision to the
21 appropriate authority, but any such intermediate authority may, if it thinks fit,
22 forward therewith its own comments thereon.
23 **28.** This Bill may be cited as the Federal University of Medical and
24 Health Sciences Soba, Kaduna State. (Establishment) Bill, 2022.

1 SCHEDULES

2 FIRST SCHEDULES

3 PRINCIPAL OFFICERS OF THE UNIVERSITY

4 *The Chancellor*

5 1.-(1) The chancellor or shall be appointed by the President of
6 Nigeria.

7 (2) The chancellor shall hold office for a period of five (5) years.

8 (3) If it appears to the Visitor that the Chancellor should be
9 removed from his/her office on the ground of misconduct or of inability to
10 perform the functions of his office, the Visitor may be noticed in the Federal
11 gazette remove the Chancellor from office.

12 *The Pro-Chancellor*

13 2.-(1) The Pro-Chancellor shall be appointed or removed by the
14 President on the recommendation of the Minister.

15 (2) Subject to the provision of this Act, the Pro-Chancellor shall
16 hold office for a period of four years beginning with the date of his/her
17 appointment.

18 *The Vice-Chancellor*

19 3.-(1) There shall be a Vice-Chancellor of the University who shall
20 be appointed by the President in accordance with the provisions of this
21 paragraph.

22 (2) Where a vacancy occurs in the post of a Vice-Chancellor, the
23 Council shall-

24 (a) Advertise the vacancy in a reputable journal or a widely read
25 newspaper in Nigeria, specifying-

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

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

30 (b) Constitute a search team consisting of-

1 (i) A member of the Council, who is not a member of the Senate, as
2 chairman;

3 (ii) Two members of the Senate who are not members of the Council,
4 one of whom shall be a Professor;

5 (iii) Two members of Congregation who are not members of the
6 Council, one of whom shall be a Professor, to identify and nominate for
7 consideration, suitable persons who are not likely to apply for the post on their
8 own volition because they feel that it is not proper to do so.

9 (3) A joint Council and Senate Selection Board consisting of-

10 (a) the Pro-Chancellor, as Chairman;

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

12 (c) two members of the Senate who are Professors, but who are not
13 members of the Search Team, shall consider the candidates and persons on the
14 short list drawn up under subparagraph (2) of this paragraph through an
15 examination of their curriculum vitae and interaction with them and
16 recommend to the Council suitable candidates for further consideration.

17 (4) The Council shall select three candidates from among the
18 candidates recommended to it under subparagraph (3) of this paragraph and
19 may indicate its order of preference stating the reasons thereof and forward the
20 names to the president. [1996 No.25.]

21 (5) The President may appoint as Vice-Chancellor anyone of the
22 candidates recommended to Him in accordance with the provisions of
23 subparagraph (4) of this paragraph.

24 (6) The Vice-Chancellor shall hold office for a single term of five
25 years only on such terms and conditions as may be specified in his letter of
26 appointment.

27 (7) For the avoidance of doubt, the provisions of subparagraph (6) of
28 this paragraph shall-

29 *[1996 no.25]*

30 (a) only applicable to those appointed to the office of the Vice-

1 Chancellor after 1 January, 1993;

2 (b) Not confer on a person serving a first term of office as Vice
3 Chancellor before 1st January, 1993 any right to renewal of the appointment
4 for a further terms of four years.

5 (8) The vice chancellor may be removed from office by the visitor
6 after due consultation with the Council and the Senate acting through the
7 Minister of Education.

8 *Deputy Vice-Chancellors*

9 4.-(1) There shall be for the University such number of Deputy
10 Vice Chancellor as the Council may, from time to time, deem necessary for
11 the proper administration of the University.

12 *[1996 No.25]*

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

16 (3) The Senate shall select for each vacant post one candidate from
17 each list forwarded to it under subparagraph (2) of this paragraph and
18 forward his name to the Council for confirmation.

19 (4) A Deputy Vice-Chancellor shall-

20 (a) Assist the Vice-Chancellor in the performance of his functions;

21 (b) Act in the place of the Vice-Chancellor when the post of the
22 Vice-Chancellor is vacant or if the Vice-Chancellor is, for reason, absent or
23 unable to perform his functions as Vice- Chancellor; and

24 (c) Perform such other functions as the Vice-Chancellor or the
25 Council may, from time to time, assigns to him.

26 (5) A Deputy Vice-Chancellor-

27 (a) shall hold office for a period of two years beginning from the
28 effective date of his appointment and on such terms and condition as may be
29 specified in his letter of appointment; and

1 (b) May be re-appointed for one further period of two years and no
2 more.

3 *Office of the Registrar*

4 5.-(1) There shall be for the University a Registrar, who shall be the
5 chief administrative officer of the University and shall be responsible to the
6 Vice-Chancellor for the day - to-day administrative work of the University
7 except as regards matters for which the Bursar is responsible in accordance with
8 paragraph 6 (2) of this schedule.

9 *[1993 No.55.]*

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

13 (3) The Registrar shall hold the office for such period and such terms
14 as to emoluments of his/her office and otherwise as may be specified other
15 principal officers of the University

16 6.-(1) there shall be for each university the following principal
17 officers, in addition to the registrar that is-

18 (a) The Bursar; and

19 (b) The University Librarian, who shall be appointed by the Council
20 on the recommendation of the selection Board constituted under paragraph 8 of
21 this schedule.

22 (2) The Bursar shall be the chief financial officer of the University and
23 be responsible to the Vice- Chancellor for the day -to - day administration and
24 control of the financial affairs of the University. .

25 (3) The University Librarian shall be responsible to the Vice-
26 Chancellor for the administration of the University library and the coordination
27 of the library services in the University and its campuses, colleges, faculties,
28 schools, departments, institutes and other teaching or research units.

29 (4) The Bursar and Librarian shall hold office for such period and on

such terms as to the emoluments of their offices and otherwise as may be
specified.

3 [1993 No 11. 1993 No.55.]

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

6 *Selection Board for other principal officers*

7 7-(1) There shall be, for the University, a selection board for the
8 appointment of principal officers, other than the Vice-Chancellor or Deputy
9 Vice-Chancellor, which shall consist of-

10 *[1993 No.11.]*

- 11 (a) The Pro-Chancellor, as Chairman;
12 (b) The Vice-Chancellor;
13 (c) Four members of the Council not being members of the Senate;

14 and

- (d) Two members of the Senate.
- (2) The functions, procedure and other matters relating to the selection Board constituted under sub-paragraph (1) of this paragraph shall be as the council may, from time to time, determine.

- (3) The registrar, Bursar and Librarian shall hold office for such period and such term as to the emoluments of their offices and otherwise as may be specified in their letter of appointment.

22 *Resignation and re-appointment*

23 8.-(1) any officer mentioned in the foregoing provisions of this
24 schedule may resign his office-

- (a) In the case of the Chancellor, by notice to the President; and
- (b) In any other case, by notice to the Council and the Council shall immediately notify the Minister in the case of the Vice-Chancellor.

- (2) Subject to paragraphs 4 or 5 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.

1 SECOND SCHEDULE

2 UNIVERSITY OF HEALTH SCIENCES STATUTE NO.1

3 ARRANGEMENTS OF ARTICLE

4 Articles:

- 5 1. The Council
- 6 2. The Finance and General Purposes Committee
- 7 3. The Senate
- 8 4. Congregation
- 9 5. Convocation
- 10 6. Division of colleges
- 11 7. College Board
- 12 8. Appointments and Promotions Committees
- 13 9. Dean of college
- 14 10. Deputy Dean of college
- 15 11. Director of institute or centre
- 16 12. Head of department
- 17 13. Selection of certain principal officers
- 18 14. Creation of academic posts
- 19 15. Appointment of academic staff
- 20 16. Funding of the university
- 21 17. University co-ordination
- 22 18. Interpretation
- 23 19. Citation

24 *The Council*

25 1.-(1) The composition of the Council shall be as provided in section 7
26 of this Act.

27 (2) Any member of the Council holding office otherwise than in
28 pursuance of section 7 (a), (b), (c) or (d) Of this Act may, by notice to the
29 Council, resign his office.

30 (3) A member of the Council holding office otherwise than in

1 pursuance of Section (a), (b), (c) or (d) of this Act shall, unless he previously
2 vacates it, vacate that office on the expiration of the period of five years
3 beginning with effects from 1 st August in the year in which he was
4 appointed.

5 (4) Where a member of the Council holding office otherwise than
6 in pursuance of Section 7 (a), (b), (c) or (d) of this Act vacates before the
7 expiration of the period aforesaid, the body or person by whom he was
8 appointed may appoint successor to hold office for the residue of the term of
9 his predecessor

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

13 (6) The quorum of the Council shall be five, at least one to whom
14 shall be a member appointed pursuant to section 7 (d), (e), or (h) of this Act.

15 (7) if the Pro-Chancellor is not present at a meeting of the Council,
16 such other member of the Council present at the meeting as the Council may
17 appoints as respect that meeting shall be the Chairman at the meeting, and
18 subject to section 5 and 6 of this Act and the fore-going provisions, the
19 Council may regulate its own procedure.

20 (8) Where the Council desires to obtain advice with respect to any
21 particular matter, I may co-opt no more than two persons for that purpose
22 and the persons co-opted may take part in the deliberation of the Council at
23 any meeting but shall not be entitled to vote.

24 *The Finance and General Purposes Committee*

25 2.-(1) The Finance and General-Purpose Committee of the Council
26 shall consist of-

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

29 (b) The Vice Chancellor and Deputy Vice-Chancellors;

30 (c) Six other members of the Council appointed by the Council,

1 two of whom shall be selected from among the three members of the Council
2 appointed by the Senate and one member appointed to the Council by
3 Congregation;

4 (d) The Permanent Secretary of the Federal Ministry of Education or,
5 in his absence, such members of his Ministry as he may designate to represent
6 him.

7 (2) The quorum of the committee shall be five.

8 (3) Subject to any directions given by the council, the committee
9 may regulate its own procedure.

10 *The Senate*

11 3.-(1) the Senate shall consist of-

12 (a) The Vice Chancellor and Deputy Vice-Chancellors;

13 (b) Deans of Colleges;

14 (c) The Directors of Institutes and Research Centres;

15 (d) The Heads of academic Departments;

16 (e) The Librarian;

17 (f) One member of not less than the rank of senior lecturer of each
18 college;

19 (g) Four persons representing the Congregation.

20 (2) The Vice-Chancellor shall be the Chairman at all meetings of the
21 Senate when he is present; and in his absence any of the Deputy Vice-
22 Chancellor present at the meeting as the Senate may appoint for that meeting
23 shall be Chairman at the meeting.

24 (3) The quorum of the Senate shall be one quarter (or the nearest
25 whole number less than one quarter) and subject to paragraph 2 of this article,
26 the senate may regulate its own procedure.

27 (4) An elected member may, by notice to the Senate, resigns his office.

28 (5) Subject to paragraph (7) of this article, there shall be elections for
29 the selection of elected members, which shall be in the prescribed manner on
30 such day in the month of May or June in each year as the Vice-Chancellor may,

1 from time to time, determine.

2 (6) An elected member shall hold office for the period of two years
3 beginning with 15th August in the year of his election, and may be a
4 candidate at any election held in pursuance of paragraph (5) of this article in
5 the year in which his period of office expires, so however that no person
6 shall be such a candidate if at the end of his current period of office he will
7 hold office as an elected member for a continuous period of six years or
8 would have so held office if he had not resigned.

9 (7) No election held in pursuance of this article in any year if the
10 number specified in the certificate given in pursuance of paragraph (10) of
11 this article does not exceed by more than one the figure which is thrice the
12 number of those elected members holding office on the date of the certificate
13 who do not vacate office during the year III pursuance of paragraph (6) of
14 this article.

15 (8) For the avoidance of doubt, it is hereby declared that no person
16 shall be precluded for continuing in or taking office as an elected member by
17 reason only of a reduction in the total of non-elected members occurring on
18 or after 30th April in any year in, he is to continue in or take office as an
19 elected member.

20 (9) If so, requested in writing by any fifteen members of the Senate,
21 the Vice- Chancellor, or in his absence, any of the Deputy Vice-Chancellors
22 duly appointed by him, shall convene a meeting of the Senate to be held not
23 later than tenth day following that on which the re-quest was received.

24 (10) In this article "total of non-elected members" means as
25 respects any year, such number as may be certified by the Vice-Chancellor
26 on 30 April of that year to be the number of persons holding office as
27 members of the Senate on that day otherwise than s elected members.

28 *Congregation*

29 4.-(1) Congregation shall consist of-

30 (a) The Vice-Chancellor and the Deputy Vice-Chancellor;

1 (b) The full-time members of the academic staff;
2 (c) The Registrar;
3 (d) The Bursar;
4 (e) The Librarian;
5 (f) The Director of Works;
6 (g) The Director of Academic Planning;
7 (h) The Director of Physical Planning;
8 (i) The Director of Health Services; and
9 (j) Every member of the administrative staff who holds a degree other
10 than an honorary degree of any university recognized for the purposes of this
11 statute by the Vice-Chancellor.

12 (2) Subject to sections 5 and 6 of the Act, the Vice-Chancellor shall be
13 the chairman at all meetings of Congregation when he is present; and in his
14 absence any of the Deputy Vice-Chancellor present at the meeting as
15 Congregation may appoint for that meeting, shall be the chairman at the
16 meeting.

17 (3) The quorum of Congregation shall be one third (or the whole
18 number nearest one third) of the total numbers of Congregation or Fifty,
19 whichever is less.

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

21 (a) The total number of members of Congregation for the purposes of
22 any particular meeting or meetings of Congregation; or

23 (b) The name of the persons who are members of Congregating
24 during a particular shall be conclusive evidence of that number or as the case
25 may be, of the names of those persons.

26 *Convocation*

27 5.-(1) Convocation shall consist of-

28 (a) The officers of the University mentioned in the First Schedule to
29 the Act;

30 (b) All teachers within the meaning of the Act;

1 (c) All other persons whose names are registered in accordance
2 with paragraph (2) of this article.

3 (2) A person shall be entitled to have his name registered as a
4 member of Convocation if-

5 (a) He/ she is either a graduate of the University or a person
6 satisfying such requirements as may be prescribed for the purposes of this
7 paragraph; and

8 (b) He/she applies for the registration of his name in the prescribed
9 manner and pays the prescribed fees.

10 (3) Regulations shall provide for the establishment and
11 maintenance of a register for the purposes of this paragraph and subject to
12 paragraph (4) of his article may provide for the payment from time to time of
13 further fees by persons whose names are on the register and for any person
14 who fails to pay those fees.

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

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

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

29 (7) The quorum of Convocation shall be fifty or one third (or the
30 whole number nearest to one third) of the total number of members of

1 Convocation, whichever is less.

2 (8) Subject to Section 5 of this Act, the Chancellor shall be the
3 chairman at all meetings of convocation when he is present, and in his absence
4 the Vice- Chancellor shall be to the chairman at the meeting.

5 (9) Convocation shall have such other functions, in addition to the
6 functions of appointing a member of the Council, as may be provided by statute
7 or regulations.

8 *Division of colleges*

9 6. Each college shall be divided into such number of branches as may
10 be prescribed.

11 *College Boards*

12 7.-(1) There shall be established in respect of each College Board,
13 which subject to provisions of this statute, and subject to the directions of the
14 Vice-Chancellor, shall-

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

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

19 (c) Advice the Vice- Chancellor or the Senate on any matter referred
20 to it by the Vice- Chancellor or the Senate.

21 (2) Each College Board shall consist of-

22 (a) The Vice-Chancellor;

23 (b) The Deputy Vice-Chancellor;

24 (c) The Dean;

25 (d) The persons severally in charge of the departments of to the
26 college;

27 (e) Such of the teachers assigned to the college and having the
28 prescribed qualification as the Board may determine; and to any provisions of
29 this article and to any provision made by regulations in that behalf, the Board
30 may regulate its own procedure;

1 (f) Such persons whether or not members of the University as the
2 Board may determine with the general or special approval of the Senate.

3 (3) The quorum of the Board shall be six members or one quarter,
4 (whichever is greater), of the member for the time being of the Board; and
5 subject to the provisions of this statute and

6 *Appointments and Promotions Committee*

7 8.-(1) There shall be an Appointments and Promotions Committee
8 of the Council which shall ultimately be responsible for all appointments,
9 promotions and discipline of all categories of senior staff in the university,
10 under the chairmanship of the Vice- Chancellor.

11 (2) The committee shall operate where necessary through the
12 Senate or selection Board or ad-hoc committees and its recommendations
13 shall be subject to the approval of the Council.

14 *Dean of college*

15 9.-(1) The Dean of a college shall be a professor appointed by the
16 Appointments and Promotions Committee and such Dean shall hold office
17 for a term of three years, and shall be eligible for re-appointment for another
18 term of three years after which he may not be re- appointed again until two
19 years have elapsed.

20 (2) The Dean shall be the chairman at all meetings of the College
21 Board when he is pre- sent and shall be a member of all committees and other
22 boards appointed by the College.

23 (3) The Dean of a college shall exercise general superintendence
24 over the academic and administrative affairs of the college and it shall be the
25 function of the Dean to present to Con-vocation or for the conferment of
26 degrees on persons of the University at examinations held in the branches of
27 learning for which responsibility is allocated to that college.

28 (4) There shall be a committee to be known as the Committee of
29 Deans consisting of all Deans of the colleges and that Committee shall

1 handle academic matters and on particular matters referred to the University
2 Council.

3 *Deputy Dean of College*

4 10.-(1) There shall be a Deputy Dean of college who shall be
5 appointed by the Senate on the Recommendation of the Dean.

6 (2) The Deputy Dean shall be appointed for two years in the first
7 instance and may be re-appointed for a further period of two years after which
8 he shall not be entitled to re- appointment until after two years.

9 11.-(1) The Director of an Institute or of a Centre shall be appointed
10 by the Appointments and Promotions Committee for academic staff, and such
11 Director shall hold office for a period of three years after which he may not be
12 appointed again until two years have elapsed.

13 (2) The Director of an Institute or Centre shall general
14 superintendence over the affairs of the Institute or Centre.

15 *Head of Department*

16 12.-(1) The Head of a Department shall be appointment by the Vice-
17 Chancellor and such head shall hold office for a period of three years and shall
18 be eligible for re-appointment for another term of three years after which he
19 may not be appointed again until two years have elapsed.

20 (2) The Head of a Department shall exercise general superintendence
21 over the academic and administrative affairs of the department.

22 *Creation of academic posts*

23 13. Recommendations for the creation of posts other than those
24 mentioned in article 10 of this statute shall be made by Senate to the Council
25 through the Finance and General Purposes Committee.

26 *Appointment of Academic staff*

27 14.-(1) Subject to the Act and the Statutes, the filling of vacancies in
28 academic posts (including newly created ones) shall be the responsibility of the
29 Senate.

30 (2) For the purpose of filling such vacancies, the Senate shall set up

1 suitable selection boards to select and make appointments on its behalf.

2 (3) For appointments to Professorships, Associate professorships
3 or Readerships or equivalent posts, a board of selection (with power to
4 appoint) shall consist of-

5 (a) The Vice-Chancellor;

6 (b) If the post is tenable at a college, or is within a school
7 comprised in a college, the provost of that college;

8 (c) If the post is within a faculty, school, institute or other teaching
9 unit of the University, the Dean of that teaching unit;

10 (d) Two members appointed by the Council;

11 (e) Four members of the Senate appointed by the Senate, at least
12 two of whom shall, if the post is tenable at a college, be senior members of
13 the staff of the college;

14 (f) Such other persons as the Senate may from time to time appoint.

15 (4) Subject to paragraph (5) of this article, for appointments to
16 Associate Professorships, Readerships, senior lectureships and other
17 academic posts, a select board (with power to appoint) shall consist of-

18 (a) The Vice-Chancellor;

19 (b) If the post is tenable at a college, or is within a school comprised
20 in a college, the Provost of that College;

21 (c) If the post is within a faculty, school institute or other teaching
22 unit of the university, the Dean of that teaching unit;

23 (d) Four members of the Senate appointed by the Senate, at least
24 two of whom shall, if the post is tenable at a college, be members of the staff
25 of the college; and

26 (e) Such other persons as the Senate may from time to time appoint

27 (5) Where an appointment falling within paragraph (4) above is
28 tenable at a college, the Senate may authorize the college to set up a selection
29 board therefore (with power to appoint); but every selection board set up in
30 pursuance of this paragraph shall include the Vice-Chancellor and shall also

1 include at least two members of the Senate, nominated by the Senate, who are
2 not of the academic staff of the college.

3 (6) A college shall have power to make appointments to academic
4 posts within the college below the level of associate Professor or Reader.

5 (7) For the purpose of exercising the power conferred by paragraph
6 (7) of this article shall set up suitable selection boards to select and make
7 appointment on its behalf.

8 (8) Every selection board set up in pursuance of paragraph (7) of this
9 article shall include the Vice-Chancellor and shall also include at least two
10 members of the Senate, nominated by the Senate, who are not members of the
11 academic staff of the college.

12 (9) All appointments to senior library posts shall be made in the same
13 way as equivalent appointments in the academic staff; and for all such posts,
14 other than that of Librarian, the Librarian shall be a member of the selection
15 board.

16 (10) Boards of selection may interview candidates directly or
17 consider the reports of assessors or specialist interviewing panels.

18 *Appointment of administrative and technical staff*

19 15.-(1) The administrative and technical staff of the University, other
20 than principal officers, shall be appointed by the Council or on its behalf by the
21 Vice-Chancellor or the Registrar in accordance.

22 (2) Administrative and technical staff of a College, other than
23 principal officers, shall be appointed by the Board of Governors of the college
24 or by the Provost or Secretary of the college in accordance with any delegation
25 of powers made by the Court in that behalf.

26 (3) In the case of administrative or technical staff who have close and
27 important contracts with the academic staff, there shall be Senate or (in the case
28 of a college) academic board participation in the process of selection.

29 *Interpretation*

30 16. In this Statute, the expression "the Act" means the Federal

1 university of Medical and Health Sciences Soba, Kaduna State Act and any
2 expression defined in the Act has the same meaning in this Statute.

3 *Short title*

4 17.-(1) This Statute may be cited as Federal University of medical
5 and Health Sciences Soba, Kaduna State No.1.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Medical and Health Sciences, Soba, Kaduna State, which will provide a diverse educational opportunity within the geographical area and also provide employment to qualified citizens.

FEDERAL POLYTECHNIC, OKOLOMA AFAM (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF SECTIONS

Section:

1. Establishment of the Federal Polytechnic, Okoloma Afam, Oyigbo
Local Government Area, Rivers State
2. Functions of the Polytechnic
3. Establishment and Composition of the Council
4. Visitation
5. Registrar of the Polytechnic
6. Tenure of office of the Registrar
7. General functions of the Council
8. The Rector of the Polytechnic
9. Deputy Rectors
10. Other principal officers of the Polytechnic
11. Resignation of appointment of principal officers
12. Selection board for other principal officers
13. Other employees of the Polytechnic
14. Application of the Pension Reforms Act
15. Establishment of the Academic Board
16. Removal from office of member of Council
17. Removal of staff from office
18. Discipline of students
19. Discipline of junior staff
20. Accounts, etc.
21. Fund of the Polytechnic
22. Donation, gifts, etc.
23. Banking
24. Annual reports
25. Bye-laws
26. Prohibition of discrimination
27. Quorum
28. Interpretation
29. Citation
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC, OKOLOMA AFAM, OYIGBO LOCAL GOVERNMENT AREA, RIVERS STATE TO PROVIDE FULL AND PART TIME COURSES OF INSTRUCTION IN DIFFERENT FIELDS OF STUDIES; AND FOR RELATED MATTERS

Sponsored by Hon. Chisom Promise Dike

[] Commencement

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

1 1.-(1) There is established the Federal Polytechnic Okoloma Afam,
2 Oyigbo Local Government Area, Rivers State (in this Bill referred to as "the
3 Polytechnic") which shall have such powers and perform such functions
4 conferred on it by this Bill.

Establishment
of the Federal
Polytechnic,
Okoloma Afam,
Oyigbo LGA,
Rivers State

5 (2) The Polytechnic-

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

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

9 (c) may acquire and dispose of interests in movable and
10 immovable property.

11 2.-(1) The polytechnic shall-

Functions of the
Polytechnic

12 (a) provide full-time and part-time courses of instruction and
13 training to produce middle and high-level manpower in-

14 (i) technology, applied science, commerce and management, and

15 (ii) such other fields of applied learning relevant to the needs of the
16 development of Nigeria in the areas of industrial and agricultural
17 production, distribution and for research in the development and adaptation
18 of techniques as the Council may determine;

19 (b) arrange conference, seminars and study groups relative to the

Establishment
and Composition
of the Council

- 1 fields of learning specified under subsection (1)(a) of this section; and
- 2 (c) perform such other functions as in the opinion of the Council may
- 3 serve to promote the objectives of the polytechnic.
- 4 (2) Nothing in this section shall preclude the government of a state or
- 5 any of its agencies from setting up a polytechnic similar to any polytechnic
- 6 established under this Bill.
- 7 **3.-(1)** There is established for the Polytechnic a Governing Council
- 8 (in this Bill referred to as "the Council").
- 9 (2) The Council shall consist of a Chairman-
- 10 (a) four persons representing a variety of interests and broadly
- 11 representatives of the whole federation, at least one of whom shall be a woman;
- 12 (b) one person to represent the alumni association of the Polytechnic;
- 13 (c) a representative of the community where the Polytechnic is
- 14 situated;
- 15 (d) the Rector;
- 16 (e) the Deputy Rectors;
- 17 (f) one person representing the Federal Ministry of Education;
- 18 (g) two persons not below the rank of Chief Lecturer elected by the
- 19 Academic Board from among its members; and
- 20 (h) three persons not below the rank of Senior Lecturer or its
- 21 equivalent elected by the Congregation from among its members in which one
- 22 shall be a non-teaching staff.
- 23 (3) The Chairman and members of the Council other than ex-officio
- 24 members shall be-
- 25 (a) appointed by the President; and
- 26 (b) persons of proven integrity, knowledgeable and acquainted with
- 27 the working and tradition of the technical and vocational education.
- 28 (4) Any member of the Council other than an ex-officio member-
- 29 (a) shall hold office for a period of 3 years at the first instance; and

1 (b) may be eligible for re-appointment for another 3 years and no
2 more.

3 (5) The governing structure of the Polytechnic shall consist of-

4 (a) Governing Council;

5 (b) Academic Board;

6 (c) Management Committee;

7 (d) School Board; and

8 (e) Departmental Board.

9 (6) The supplementary provisions set out in the Schedule to this
10 Act, shall apply in relation to governing structure and other matters
11 specified in the Schedule.

12 4.-(1) The President shall be the Visitor to the Polytechnic.

Visitation

13 (2) The Visitor shall, at least once in every five years, conduct a
14 visitation of the Polytechnic or appoint a Visitation Panel, consisting of at
15 least five experts, to conduct the visitation for-

16 (a) the purpose of evaluating the academic and administrative
17 performance of the Polytechnic; and

18 (b) such other purpose or in respect of any other affairs of the
19 Polytechnic as the Visitor may deem fit

20 5.-(1) There shall be a Registrar to the Polytechnic who shall-

Registrar of the
Polytechnic

21 (a) be responsible to the Rector for the administration of the
22 Polytechnic; and

23 (b) shall perform such other duties as the Council or the Rector may
24 require him to do.

25 (2) The Registrar shall-

26 (a) be the Secretary to the Council, the Academic Board and any
27 committee of the Council; and

28 (b) attend all the meetings of those bodies unless excused for good
29 reason by the Chairman of the Council.

30 (3) In the absence of the Registrar, the Chairman of the Council

	1	may, after consultation with the Rector, appoint a suitable person to act as
	2	secretary for any particular meeting of the Council.
	3	(4) The Secretary to the Council or a person appointed to act under
	4	subsection (3) of this section, shall not vote on any question before the Council
	5	or count towards a quorum unless he is so entitled as a member of the Council.
Tenure of office of the Registrar	6	6.-(1) A Registrar shall hold office-
	7	(a) for a single term of 5 years beginning from the effective date of his
	8	appointment; and
	9	(b) on such terms and conditions as may be specified in the letter of his
	10	appointment.
	11	(2) Where a Registrar has held office for 5 years or less on the
	12	commencement of this Bill, he is deemed to have been serving his final term of
	13	office.
General functions of the Council	14	7.-(1) Subject to the provisions of this Bill, the Council -
	15	(a) shall be the governing body of the Polytechnic;
	16	(b) shall have powers and control over the general management of the
	17	affairs of the Polytechnic, and in particular, the property and finances of the
	18	polytechnic; and
	19	(c) may do anything which in its opinion is calculated to facilitate the
	20	carrying out of the activities of the Polytechnic and promote its best interests.
	21	(2) The Council may acquire and hold such movable or immovable
	22	property as may be necessary or expedient for carrying into effect the
	23	provisions of this Bill, and for the same purpose may sell, lease, mortgage or
	24	otherwise alienate or dispose of any property so acquired.
	25	(3) The Council may enter into such contracts as may be necessary or
	26	expedient for carrying into effect the provisions of this Bill.
	27	(4) The Minister may, give to the Council directions of a general
	28	character relating to particular matters, but not to any individual person or case,
	29	with regard to the exercise by the Council of its functions and it shall be the
	30	duty of the Council to comply with the directions.

- 1 8.-(1) There shall be a Rector of the Polytechnic (in this Bill The Rector of
2 referred to as "the Rector") who shall be appointed by the President in the Polytechnic
3 accordance with the provision of this section.
- 4 (2) Where a vacancy occurs in the post of the Rector, the Council
5 shall-
- 6 (a) advertise the vacancy, not later than 6 months to the expiration
7 of the term of the sitting Rector in at least 2 national newspapers in Nigeria,
8 specifying the-
- 9 (i) qualifications of the persons who may apply for the post, which
10 shall be a Chief Lecturer in the Polytechnic sector with at least 5 years of
11 experience in that position among other criteria, and
- 12 (ii) terms and conditions of service applicable to the post, and
13 thereafter, draw up a short list of suitable candidates for consideration;
- 14 (b) Constitute a Search Team consisting of-
- 15 (i) a member of the Council, not being a member of the Academic
16 Board, as Chairman,
- 17 (ii) 2 members of the Academic Board, not below the rank of Chief
18 Lecturer,
- 19 (iii) 2 members of Academic Staff not below the rank of Chief
20 Lecturer to be elected from among its members.
- 21 (3) A Joint Council, Academic Board and Congregation Selection
22 Board consisting of-
- 23 (a) the Chairman of the Council;
- 24 (b) 2 members of the Council not being members of the Academic
25 Board;
- 26 (c) 2 members of the Academic Board not below the rank of Chief
27 Lecturer, who were not members of the Search Team elected among its
28 members; and
- 29 (d) 2 members of the Congregation not below the rank of Chief
30 Lecturer who were not members of the Search Team elected among its

1 members, shall consider the candidates on the short list drawn up under
2 subsection (2) of this section through an examination of their curriculum vitae
3 and interaction with them and recommend in order of performance ranking
4 through the Council, to the President, three candidates for his consideration.

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

7 (5) Subject to this Bill and the general control of the Council, the
8 Rector shall be the Chief Executive of the Polytechnic and is charged with
9 general responsibility for matters relating to the management operations of the
10 Polytechnic.

11 (6) The Rector shall hold office-

12 (a) for a single term of 5 years beginning with the effective date of his
13 appointment; and

14 (b) on such terms and conditions as may be specified in his letter of
15 appointment.

16 (7) Where a Rector-

17 (a) was appointed on a 4-year term on the commencement of this Bill,
18 his term of office shall be extended for 1 year to complete the single-tenure of 5
19 years in line with subsection (6) of this section; and

20 (b) is serving second term 4 years on the commencement of this Bill,
21 he shall be deemed to have been serving his final term of office.

22 (8) The Rector shall-

23 (a) have power to exercise general authority over staff;

24 (b) be responsible for discipline in the polytechnic; and

25 (c) have his remuneration determined by the National Salaries and
26 Wages Commission.

Deputy Rectors

27 9.-(1) There shall be for the Polytechnic such number of Deputy
28 Rectors as the Council may deem necessary for the proper administration of the
29 Polytechnic.

30 (2) Where a vacancy occurs in the post of Deputy Rector, the Rector

1 shall forward to the Academic Board a list of 2 candidates for each post of
2 Deputy Rector that is vacant

3 (3) The Academic Board shall elect for each vacant post 1
4 candidate from each list forwarded to it under subsection (2) of this section
5 and forward his name to the Council for confirmation.

6 (4) Where the-

7 (a) Academic Board rejects the 2 candidates forwarded to it by the
8 Rector under subsection (2) of this section, the Rector shall submit another
9 list;

10 (b) Council rejects the name sent to it under subsection (3) of this
11 section, the Academic Board shall send the name of the other candidate on
12 the list forwarded to it by the Rector under subsection (2) of this section.

13 (5) The Deputy Rectors shall-

14 (a) assist the Rector in the performance of his functions;

15 (b) act in the place of the Rector when the post of Rector is vacant
16 or if the Rector is for any reason absent or unable to perform his functions as
17 Rector; and

18 (c) perform such other functions as the Rector or the Council may
19 assign to them.

20 (6) The Deputy Rectors shall hold office:

21 (a) For a single term of 4 years beginning from the effective date of
22 their appointment; and

23 (b) on such terms and conditions as may be specified in their letter
24 of appointment.

25 (7) Where a Deputy Rector-

26 (a) was appointed on 2-year term on the commencement of this
27 Bill, his term shall be extended for a period of 2 years to complete the single
28 term of 4 years in line with subsection (6) of this section; and

29 (b) is serving second term of two years on the commencement of
30 this Bill, he shall be deemed to have been serving his final term of office.

Other principal officers of the Polytechnic	1	10.-(1) There shall be for the Polytechnic the following other
	2	principal officers in addition to the Deputy Rectors-
	3	(a) the Registrar;
	4	(b) the Bursar; and
	5	(c) the Librarian,
	6	who shall all be appointed by the Council on the recommendation of the
	7	Selection Board constituted under section 12 of this Bill.
	8	(2) The Bursar shall be the Chief Financial Officer of the Polytechnic
	9	and be responsible to the Rector for the administration and control of the
	10	financial affairs of the polytechnic.
	11	(3) The Librarian shall be responsible to the Rector for the
Resignation of appointment of principal officers	12	administration of the Polytechnic library and the co-ordination of the library
	13	services in the teaching units of the Polytechnic.
	14	(4) The Bursar or Librarian shall hold office-
	15	(a) for a single term of 5 years beginning from the effective date of his
	16	appointment; and
	17	(b) on such terms and conditions as may be specified in his letter of
	18	appointment.
	19	(5) Where a Bursar or Librarian has held office for 5 years or less on
	20	the commencement of this Bill, he is deemed to have been serving his final
	21	term of office.
	22	11. A principal officer may resign his appointment-
	23	(a) in the case of the Rector, by notice to the Visitor; and
Selection board for other principal officers	24	(b) in any other case, by notice to the Council.
	25	12.-(1) There shall be, for the Polytechnic, a Selection Board which
	26	shall consist of-
	27	(a) the Chairman of the Council;
	28	(b) the Rector;
	29	(c) 4 members of the Council not being members of the Academic
	30	Board;

1 (d) 2 members of the Academic Board not being members of
2 Council and not below the rank of Chief Lecturer elected from among its
3 members; and

4 (e) 3 members of the congregation not below the rank of Principal
5 Lecturer or its equivalent elected from among its members in which one
6 shall be a non-teaching staff.

7 (2) The functions, procedure and other matters relating to the
8 Selection Board shall be as the Council may determine.

9 **13.**-(1) The Council may appoint such other persons to be Other employees
10 employees of the Polytechnic as the Council may determine to assist the of the Polytechnic
11 Rector and principal officers of the Polytechnic in the performance of their
12 functions under this Bill.

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

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

18 (b) in the case of junior employees, by the Rector on the
19 recommendation of the Junior Staff appointment and promotions committee
20 constituted under paragraph 3(2)(b) of the Schedule to this Bill.

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

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

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

1 the grant of a pension or gratuity in respect of service in that office.

2 (3) A law or rule requiring a person to retire from the Public Service
3 after serving for 35 years or having attained the age of 60 years in service, shall
4 not apply to staff of the Polytechnic.

5 (4) Notwithstanding anything to the contrary contained in the Pension
6 Reforms Act, the compulsory retirement age of staff of Polytechnic shall be 65
7 years.

Establishment
of the Academic
Board

8 **15.**-(1) There is established for the Polytechnic an Academic Board
9 (in this Bill referred to as "the Academic Board") which shall consist of-

10 (a) the Rector of the Polytechnic, as Chairman;

11 (b) the Deputy Rectors of the Polytechnic;

12 (c) all heads of academic departments and units;

13 (d) the Polytechnic Librarian;

14 (e) not more than 2 members of the academic staff who are not
15 members of the Board and not below the rank of Senior Lecturer elected from
16 among its members, such members shall serve for non- renewable term of 3
17 years;

18 (f) all Deans and academic Directors; and

19 (g) all Chief Lecturers.

20 (2) The Academic Board shall be responsible for the-

21 (a) direction and management of academic matters of the Polytechnic
22 including the regulation of admission of students, the award of certificates and
23 diplomas, scholarships, prizes and other academic distinctions;

24 (b) making to the Council of such periodic reports on such academic
25 matters as the Academic Board may deem fit or as the Council may direct; and

26 (c) discharge of any other function which the Council may delegate to
27 it.

Removal from
office of member
of Council

28 **16.**-(1) Where it appears to the Council that a member of the Council,
29 other than an ex-officio member or the Rector, should be removed from office
30 on the ground of misconduct or inability to perform the functions of his office,

1 the Council shall make a recommendation through the Minister to the
2 Federal Executive Council for approval and the Minister shall declare the
3 office of such member or Rector vacant.

4 (2) The Minister may recommend the removal of any member of
5 the Council or Rector to the Federal Executive Council, if he is satisfied that
6 it is not in the interest of the Public or of the Polytechnic that such a person
7 shall continue as a member of the Council.

8 (3) In case of vacancy in the office of the Rector, the Council shall
9 appoint an acting Rector who shall not be in office for more than 6 months.

10 (4) There shall be no sole administration in the Polytechnic.

11 17.-(1) If it appears to the Council that there are reasons for
12 believing that a person employed as a member of the academic,
13 administrative or technical staff of the Polytechnic, other than the Rector,
14 should be removed from office on the ground of misconduct or inability to
15 perform the functions of his office, the Council shall-

Removal of staff
from office

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

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

19 (c) if he or any 3 members of the Council so request within the
20 period of 1 month beginning with the date of the notice, make arrangements
21 for-

22 (i) a joint committee of the Council and the Academic Board to
23 investigate the matter where it relates to an academic staff and to report on it
24 to the Council,

25 (ii) a committee of the Council to investigate the matter, where it
26 relates to any other member of the staff of the Polytechnic and to report on it
27 to the Council, and

28 (iii) the person in question to be afforded an opportunity of
29 appearing before and being heard by the investigating committee with
30 respect to the matter, and if the Council, after considering the report of the

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

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

8 (3) For good cause, any member of staff may be suspended from
9 office or his appointment may be terminated by the Council and for the purpose
10 of this subsection,

11 "good cause" means-

12 (a) any physical or mental incapacity which the Council, after
13 obtaining medical advice, considers to be such as to render the person
14 concerned unfit for the performance of the functions of his office;

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

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

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

24 (4) Any person suspended under subsection (2) or (3) of this section,
25 shall be placed on half pay and the Council shall before the expiration of the
26 period of three months after the date of such suspension consider the case
27 against that person and come to a decision as to whether to-

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

30 (b) reinstate such person, in which case the Council shall restore his

1 full emoluments to him with effect from the date of suspension;
2 (c) terminate the appointment of the person in question, in which case such a
3 person, will not be entitled to the proportion of his emoluments withheld
4 during the period of suspension; or

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

13 (5) It is the duty of the person by whom an instrument of removal is
14 signed under subsection (1), to use his best endeavours to cause a copy of the
15 instrument to be served as soon as reasonably practicable on the person to
16 whom it relates.

17 (6) Nothing in this section shall prevent the Council from making
18 such regulations for the discipline of other categories of staff and workers of
19 the Polytechnic as it may deem fit

20 **18.-(1)** Subject to the provisions of this section, where it appears to
21 the Rector that any student of the Polytechnic has been guilty of misconduct,
22 the Rector may, without prejudice to any other disciplinary powers
23 conferred on him by this Bill or regulations made, direct that the-

Discipline of
students

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

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

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

3 (d) student be expelled from the Polytechnic.

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

8 (3) Where a direction is given under subsection (1) (c) or (d) in respect
9 of any student, the student may, within 21 days from the date of the letter
10 communicating the decision to him, appeal against the direction to the Council,
11 and where such an appeal is brought, the Council shall, after causing such
12 inquiry to be made in the matter as the Council considers just, either confirm or
13 set aside the direction or modify it in such manner as the Council may deem fit

14 (4) The fact that an appeal from a direction is brought in pursuance of
15 subsection (3) of this section does not affect the operation of the direction while
16 the appeal is pending.

17 (5) The Rector may delegate his power under this section to a
18 disciplinary committee consisting of such members of the Polytechnic as he
19 may nominate.

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

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

25 (8) In all cases under this section, the decision of the Council is final.

Discipline of
junior staff

26 **19.-(1)** If any junior staff is accused of misconduct or inefficiency, the
27 Rector may suspend him for not more than 3 months and shall direct the Junior
28 Staff Appointments and Promotions Committee to-

29 (a) consider the case; and

1 (b) make recommendations as to the appropriate action to be taken
2 by the Rector.

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

6 (3) The Rector may, after considering the recommendation made
7 under subsection (1) (b) of this section, dismiss, terminate, retire or down-
8 grade the officer concerned.

9 (4) Any person aggrieved by the Rector's decision under
10 subsection (3) of this section may, within 21 days from the date of the letter
11 communicating the decision to him, address a petition to the Council to
12 consider his case and the Council's decision thereon shall be final.

13 (5) In any case of gross misconduct on the part of a junior staff, the
14 Rector shall immediately suspend him and thereafter refer the matter to the
15 Junior Staff Appointments and Promotions Committee to be dealt with
16 according to the provisions of this section.

17 **20.**-(1) The Council shall keep proper accounts and proper records Accounts, etc.
18 in relation thereto and shall cause to be prepared, not later than 31st October
19 in each financial year, an estimate of its revenue and expenditure for the
20 ensuing financial year and when prepared, the estimate shall be submitted to
21 the National Board for Technical Education for approval.

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

25 (3) The statement of accounts referred to in subsection (2) of this
26 section shall, when certified by the Rector, be audited by a firm of auditors
27 appointed from the list and in accordance with the guidelines supplied by the
28 Auditor-General for the Federation and shall be published in the annual
29 report of the polytechnic.

Fund of the Polytechnic	1	21. -(1) There is established for the Polytechnic a fund (in this Bill
	2	referred to as "the Fund").
	3	(2) The Fund shall consist of-
	4	(a) fees charged by and payable to the Council in respect of students;
	5	(b) any other amounts due to or recoverable by the Council;
	6	(c) revenue from time to time accruing to the Council from the
	7	Federal Government by way of subvention, grant-in-aid, endowment or
	8	otherwise; and
	9	(d) donations and legacies accruing to the Council from any source
	10	for the special purpose of the Council.
Donation, gifts, etc.	11	22. -(1) Donations of money to be applied to any particular purpose
	12	shall be placed to the credit of a special reserve account approved by the
	13	Council until such time as they may be expended in fulfillment of such
	14	purpose.
	15	(2) The Council is not obliged to accept a donation for a particular
	16	purpose unless it approves the terms and conditions attached to such donation.
Banking	17	23. All sums of money received on account of the Council shall be
	18	paid into such bank for the credit of the Council as may be approved by the
	19	Council.
Annual reports	20	24. The Council shall, on or before 31 December in each year, prepare
	21	and submit to the President through the Minister, a report of the activities
	22	during the preceding financial year and shall include in the report, the audited
	23	accounts of the polytechnic in respect of that financial year and the auditor's
	24	comments on the account.
Bye-laws	25	25. -(1) The Council may make bye-laws relating to any matter within
	26	its competence under this Bill other than matters for which provision is to be
	27	made by standing orders under paragraph 7 of the Schedule to this Bill.
	28	(2) All such bye-laws shall be in writing and shall come into effect
	29	when sealed with the seal of the Council unless some other date for their
	30	commencement is prescribed therein.

1 (3) Nothing in subsection (2) of this section, shall make it
2 obligatory for the Council to publish any of the bye-laws in the Federal
3 Government Gazette but the Council shall bring such bye-laws to the notice
4 of all those affected by it.

5 **26.** A person shall not be required to satisfy requirements as to race
6 (including ethnic grouping), sex, place of birth or of family origin or
7 religious or political persuasion or as a condition of becoming or continuing
8 to be a student at the polytechnic or as a holder of any certificate of the
9 polytechnic, or of any appointment or employment at the polytechnic, or a
10 member of anybody established by virtue of this Bill, and no person shall be
11 subjected to any disadvantage or accorded any advantage in relation to the
12 polytechnic by reference to any of those matters:

Prohibition of
discrimination

13 Provided that, nothing in this section shall be construed as
14 preventing the Polytechnic from imposing any disability or restriction on
15 any of these persons where such person willfully refuses or fails on grounds
16 of religious belief to undertake any duty, having regard to its nature and the
17 special circumstances pertaining thereto is, in the opinion of the
18 Polytechnic, reasonably justifiable in the national interest.

19 **27.** Subject to paragraph 6(2) of the Schedule to this Bill and any
20 standing order or bye-law made under this Bill, the quorum and procedure of
21 any body of persons established by this Bill shall be such as may be
22 determined by that body.

Quorum

23 **28.** In this Bill, unless the context otherwise requires-
24 "Academic Board" means the Academic Board established under section 15
25 of this Bill;
26 "Appointments and Promotions Committee" means a body by that name
27 established under paragraph 3(2)(a) of the Schedule to this Bill;
28 "Junior Staff Appointments and Promotion Committee" means a body by
29 that name set up under paragraph 3(2)(b) of the Schedule to this Bill;
30 "Minister" means the Minister charged with responsibility for matters

Interpretation

1 relating to technical education;

2 "Polytechnic" means the Polytechnic set up under section 1 (1) of this Bill;

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

4 "Registrar" means the Registrar of the Polytechnic appointed under section
5 10(1)(a) of this Bill.

Citation

6 **29.** This Bill may be cited as the Federal Polytechnic, Okoloma Afam
7 (Establishment) Bill, 2022.

1 SCHEDULE

2 [Section 3(6)]

3 SUPPLEMENTARY PROVISION RELATING TO THE

4 GOVERNING COUNCIL, ETC.

5 *Terms of Service*

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

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

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

16 *Proceedings*

17 4.-(1) The Governing Council shall meet for the conduct of
18 business a such times, places and on such days as the Chairman may appoint
19 but shall meet not less than once every four months

20 (2) The Chairman may at any time and shall at the request in
21 writing of not less than six members, convene a meeting of the Governing
22 Council.

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

27 (4) The Quorum of the Governing Council shall be one half of the
28 total members of the Governing Council, at least one of whom shall be a
29 member appointed by the President.

30 (5) Decisions of the Governing Council shall be made on approval

1 by a simple majority of members.

2 *Miscellaneous*

3 5.-(1) The fixing of the seal of the Polytechnic shall be authenticated
4 by the signature of the Chairman, Rector and of some other members of the
5 Governing Council authorized generally or specially by the Governing
6 Council to act for that purpose.

7 (2) Any contract or instrument which, if made or executed by a person
8 other than a body corporate would not be required to be under seal may be made
9 executed on behalf of the Polytechnic by any person generally or specially
10 authorized to act for that purpose by the Governing Council.

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

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal Polytechnic, Okoloma Afam, Oyigbo Local Government Area of Rivers State to provide full and part time courses of instruction in different fields of studies.

FEDERAL MEDICAL CENTRE, OKOLOMA AFAM
(ESTABLISHMENT) BILL, 2022
ARRANGEMENT OF SECTIONS

Section:

PART I - ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE,
OKOLOMA AFAM, OYIGBO LOCAL GOVERNMENT AREA, RIVERS STATE

1. Establishment of the Federal Medical Centre, Okoloma Afam,
Oyigbo Local Government Area, Rivers State.
2. Establishment of the Board of the Federal Medical Centre,
Okoloma Afam
3. Composition of the Board
4. Tenure of Office
5. Cessation of membership
6. Remuneration

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

7. Functions of the Board
8. Powers of the Board

PART III - STAFF OF THE MEDICAL CENTRE

9. Appointment of the Chief Medical Director
10. Appointment of other staff
11. Pensions
12. Medical Advisory Committee

PART IV - FINANCIAL PROVISIONS

13. Fund of the Medical Centre
14. Application of the fund
15. Gifts, etc.
16. Accounts and estimates
17. Annual reports
18. Borrowing
19. Exemption from taxation

20. Exemption from customs duty, etc.

PART V - GENERAL

21. Discipline
22. Termination, etc. of appointment of staff
23. Discipline of junior staff

PART VI - MISCELLANEOUS

24. Regulations
25. Directions
26. Transitional provisions
27. Interpretation
28. Short title
Schedule

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE, OKOLOMA AFAM, OYIGBO LOCAL GOVERNMENT AREA, RIVERS STATE; AND FOR RELATED MATTERS

Sponsored by Hon. Chisom Promise Dike

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE,
2 OKOLOMA AFAM, OYIGBO LOCAL GOVERNMENT AREA, RIVERS STATE

3 1.-(1) There is hereby established the Federal Medical Centre,
4 Okoloma Afam, Oyigbo Local Government Area, Rivers State (in this Bill
5 referred to as "the Medical Centre").

Establishment
of the Federal
Medical Centre,
Okoloma Afam,
Oyigbo LGA,
Rivers State

6 (2) The Medical Centre:

7 (a) shall be a body corporate;

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

9 (c) shall have perpetual succession and a common seal.

10 2. There is hereby established for the management of the Medical
11 Centre a Board of Management (in this Bill referred to as "Board") which
12 shall be constituted and have the functions and powers set out in this Bill.

Establishment
of the Board of
the Federal Medical
Centre, Okoloma
Afam

13 3.-(1) The Board shall consist of:

Composition of
the Board

14 (a) a chairman;

15 (b) the Chief Medical Director of the Medical Centre;

16 (c) the Director of Clinical Services;

17 (d) Association of Medical Laboratory Scientists;

18 (e) one person to represent each Medical and Health Workers

19 Union;

	1	(f) one person to represent National Union of Allied Health
	2	Professional;
	3	(g) the representative of the Minister of Health who should not be
	4	below the rank of Assistant Director;
	5	(h) the Federal Ministry of Health;
	6	(i) the National Planning Commission;
	7	(j) one representative of Nigerian Medical Association;
	8	(k) the Pharmaceutical Society of Nigeria;
	9	(l) the Association of Medical Laboratory Scientists of Nigeria;
	10	(m) the Pediatrics Association of Nigeria; and
	11	(n) the National Association of Nigerian Nurses and Midwives.
	12	(2) The Director of Administration shall be the Secretary of the board.
	13	(3) The chairman and members of the Board, other than ex-officio
	14	members, shall be:
	15	(a) appointed by the President; and
	16	(b) persons of proven integrity and ability.
	17	(4) The supplementary provisions set out in the Schedule to this Bill
	18	shall have effect with respect to the proceedings of the Board and the other
	19	matters contained therein.
Tenure of Office	20	4. Subject to the provisions of section 5 of this Bill, a member of the
	21	Board, other than ex-officio members, shall each hold office:
	22	(a) for a term of 3 years in the first instance and may be re-appointed
	23	for a further term of 3 years and no more; and
	24	(b) on such terms and conditions as may be specified in his letter of
	25	appointment.
Cessation of membership	26	5.-(1) Notwithstanding the provisions of section 4 of this Bill a person
	27	shall cease to hold office as a member of the Board if:
	28	(a) he becomes bankrupt, suspends payment principal loan with his
	29	creditors;

1 (b) he is convicted of a felony or any offence involving dishonesty

2 or fraud;

3 (c) he becomes of unsound mind or is incapable of carrying out his

4 duties;

5 (d) he is guilty of a serious misconduct in relation to his duties; or

6 (e) in the case of a person possessed of professional qualifications,

7 he is disqualified or suspended, other than at his own request, from

8 practising his profession in any part of the world by an order of a competent

9 authority made in respect of that member; or

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

11 (2) If a member of the Board ceases to hold office for any reason

12 whatsoever, before the expiration of the term for which he is appointed,

13 another person representing the same interest as that member shall be

14 appointed to the Board for the unexpired term.

15 (3) A member of the Board may be removed by the President if he is

16 satisfied that it is not in the interest of the Medical Centre or the interest of

17 the public that the member continues in office.

18 **6.** There shall be paid to every member of the Board such Remuneration

19 allowances and expenses as the Revenue Mobilization Allocation and Fiscal

20 Commission may, from time to time, direct.

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

22 **7.-(1)** The Board shall:

23 (a) equip, maintain and operate the Medical Centre so as to provide

24 facilities for diagnosis, curative, preventive and rehabilitative services in

25 medical treatment;

26 (b) construct, equip, maintain and operate such training schools

27 and similar institutions as the Board considers necessary for providing the

28 Medical Centre at all times with a proper staff of the Medical Centre

29 technicians and nurses;

30 (c) construct, equip, maintain and operate such clinics, out-patient

Functions of the
Board

1 departments, laboratories, research or experimental stations and other like
 2 institutions as the Board considers necessary for the efficient functioning of the
 3 Medical Centre.

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

8 (3) Subject to this Bill, the Board shall perform such other functions
 9 which in its opinion are calculated to facilitate the carrying out of its functions
 10 under this Bill.

Powers of the
Board

11 **8.** The Board shall have power to:

12 (a) provide the general policies and guidelines relating to major
 13 expansion programmes of the Medical Centre;

14 (b) provide facilities for the training of medical students of associate
 15 universities;

16 (c) manage and superintend the affairs of the Medical Centre;

17 (d) subject to the provisions of this Bill, make, alter and revoke rules
 18 and regulations for carrying on the functions of the Medical Centre;

19 (e) fix terms and conditions of service, including remuneration of the
 20 employees of the Medical Centre subject to the approval of National Salaries
 21 Incomes and Wages Commission; and

22 (f) do such other things which in the opinion of the Board are
 23 necessary to ensure the efficient performance of the functions of the Medical
 24 Centre.

25 PART III - STAFF OF THE MEDICAL CENTRE

Appointment
of the Chief
Medical Director

26 **9.-(1)** There shall be for the Medical Centre a Chief Medical Director
 27 who shall be appointed by the President on the recommendation of Honourable
 28 Minister of Health on such terms and conditions as may be specified in his
 29 letter of appointment or as may be determined, from time to time, by the
 30 National Salaries Income and Wages Commission.

- 1 (2) The Chief Medical Director shall -
- 2 (a) be the chief executive and accounting officer of the Chief
- 3 Medical Centre;
- 4 (b) be responsible to the Board for the day-to-day administration of
- 5 the Medical Centre;
- 6 (c) be appointed for a term of 4 years in the first instance and may
- 7 be reappointed for a further term of 4 years subject to satisfactory
- 8 performance;
- 9 (d) be a person who is a medical practitioner and shall have been so
- 10 qualified for a period of not less than 15 years;
- 11 (e) have considerable administrative experience in matters of
- 12 health;
- 13 (f) hold a post-graduate specialist qualification obtained not less
- 14 than 10 years prior to the appointment as Chief Medical Director.
- 15 **10.-(1)** The Board shall appoint for the Medical Centre:
- 16 (a) a Director of Administration, who shall:
- 17 (i) be responsible to the Medical Director for the effective
- 18 functioning of all the administrative divisions of the Medical Centre,
- 19 (ii) conduct the correspondence of the Board and keep the records
- 20 of the Medical Centre, and
- 21 (iii) perform such other functions as the Board or the Chief Medical
- 22 Director, as the case may be, may, from time to time, assign to him;
- 23 (b) a Director of Clinical Services;
- 24 (c) a Director of Finance; and
- 25 (d) a Director of Maintenance.
- 26 (2) The Directors appointed under paragraphs (b), (c) and (d) of
- 27 subsection (1) of this section shall each be responsible to the Chief Medical
- 28 Director for the effective running of the clinical services, the finance and
- 29 accounts and the co-ordination of the maintenance of the Medical Centre, as
- 30 the case may be.

Appointment of
other staff

1 (3) The Board shall appoint for the Medical Centre such number of
2 employees as may in opinion of the Board expedient and necessary for the
3 proper and efficient performance of the functions of the Medical Centre for the
4 proper and efficient.

5 (4) Notwithstanding the provisions of subsections (1) and (2) of this
6 section the Board shall have power to appoint for the Medical Centre either
7 directly or on secondment from any public service in the Federation, such
8 number of employees as may, in the opinion of the Board, be required to assist
9 the Medical Centre in the discharge of any of its functions under this Bill.

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

13 (6) The terms and conditions of service of the employees of the
14 Medical Centre shall be as determined by the National Salaries Income and
15 Wages Commission.

Pensions

16 11.-(1) Service in the Medical Centre shall be approved service for the
17 purposes of the Pensions Reforms Act.

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

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

Medical Advisory
Committee

25 12.-(1) There shall be for the Medical Centre a Medical Advisory
26 Committee which shall:

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

29 (b) be responsible to the Medical Director for all the clinical and
30 training activities of the Medical Centre; and

1 (c) be appointed by the Board.

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

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

10 PART IV - FINANCIAL PROVISIONS

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

13 (a) all subventions and budgetary allocation from the Government
14 of the Federation;

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

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

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

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

23 14. The Medical Centre shall, from time to time, apply the funds at Application of
24 its disposal to: the fund

25 (a) the cost of administration and maintenance of the Medical
26 Centre;

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

28 (c) pay allowances, expenses and other benefits of members of the
29 Board and committees of the Board;

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

1 President, borrow money which exceeds, at any time, the limit set by the
2 President.

3 (3) Notwithstanding subsection (1) of this section, where the sum
4 to be borrowed is in foreign currency, the Medical Centre shall not borrow
5 the sum without the prior approval of the President

6 **19.**-(1) The Medical Centre shall not pay income tax on any income
7 derived by the Federal Medical Centre under this Bill or accruing to it from
8 any of its investments. Exemption from
taxation

9 (2) Accordingly, the provisions of any enactment relating to the
10 taxation of companies or trust funds shall not apply to the Board of the
11 Medical Centre.

12 **20.** The Medical Centre shall not pay customs duty on or be
13 restricted or prohibited from importing any equipment, material, supply and
14 any other thing required by the Medical Centre for the purposes of this Bill:
15 Provided that nothing in this section shall be construed as preventing the
16 Nigeria Customs Service from inspecting any equipment, or material
17 imported by the Centre. Exemption from
customs duty, etc.

18 PART V - GENERAL

19 **21.**-(1) Notwithstanding anything to the contrary contained in any
20 other enactment, where it appears to the Board that any student of the
21 Medical Centre has been guilty of misconduct, the Board may, without
22 prejudice to any other disciplinary powers conferred in it by regulations,
23 direct: Discipline

24 (a) that the student shall not, during such period as may be specified
25 in the direction, participate in such activities of the Medical Centre, or make
26 use of such facilities of the Medical Centre as may be so specified;

27 (b) that the activities of the student shall, during such period as may
28 be specified in the direction, be restricted in such manner as may be so
29 specified;

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

3 (d) that the student be expelled from the Medical Centre.

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

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

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

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

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

Termination, etc.,
of appointment
of staff

18 **22.-(1)** If it appears to the Board that there are reasons for believing
19 that any person employed as a member of the clinical, administrative or
20 technical staff of the Medical centre, other than the Medical Director, should be
21 removed from his office or employment, the Board shall require the Director of
22 Administration to:

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

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

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

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

29 and

30 (ii) the person in question to be afforded an opportunity of appearing

1 before and being heard by an investigating committee set up with respect to
2 the matter, and if the Board, after considering the report of the investigating
3 committee, is satisfied that the person in question should be removed as
4 aforesaid, the Board may so remove him by a letter signed on the direction of
5 the Board.

6 (2) The Medical Director may, in a case of misconduct by a
7 member of the staff which in the opinion of the Medical Director is
8 prejudicial to the interest of the Medical Centre, suspend any such member
9 and any such suspension shall forthwith be reported to the Board.

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

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

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

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

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

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

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

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

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

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

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

17 (6) Nothing in the foregoing provisions of this section shall preclude
18 the Board from making such regulations not inconsistent with the provisions of
19 this Bill for the discipline of students and all other categories of employees of
20 the hospital as the Board may prescribe.

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

Discipline of
junior staff

25 **23.**-(1) If any junior staff is accused of misconduct or inefficiency, the
26 Medical Director may suspend him for not more than a period of 3 months and
27 shall direct a Committee to:

28 (a) consider the case; and

29 (b) make recommendations as to the appropriate action to be taken by
30 the Medical Director.

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

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

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

11 PART VI - MISCELLANEOUS

12 **24.**-(1) The Board may, with the approval of the President, make Regulations
13 regulations:

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

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

19 (2) Regulations under this section shall not come into force until
20 they are confirmed (with or without modification) by the National Assembly
21 and published in such manner as he may direct

22 **25.** The Minister may give to the Board directions of a general Directions
23 character or relating generally to particular matters (but not to any individual
24 person or case) with regard to the exercise by the Board of its functions
25 under this Bill, and it shall be the duty of the Board to comply with the
26 directions; but no direction shall be given which is inconsistent with the
27 duties of the Board under this Bill.

28 **26.**-(1) On the commencement of this Bill, any person employed Transitional
29 by or serving in, the Medical Centre shall be deemed to have been employed provisions
30 or serving in the Medical Centre established under this Bill.

	1	(2) All Assets or liabilities belonging to the Medical Centre shall be
	2	deemed to belong to the Medical Centre established under this Bill.
Interpretation	3	27. In this Bill, unless the context otherwise requires:
	4	"associate universities" means the universities whose medical students receive
	5	aspects of their training from the Medical Centre;
	6	"Board" means the Board of Management of the Medical Centre;
	7	"chairman" means the chairman of the Board;
	8	"functions" include powers and duties;
	9	"Federal Medical Centre" means the Federal Medical Centre, Rivers State;
	10	"junior staff" means staff of such grade as may be determined, from time to
	11	time, by the Board;
	12	"medical student" means a student whose course of instruction is:
	13	(a) designed (either alone or in conjunction with other courses) to
	14	enable him to qualify as a medical practitioner; or
	15	(b) designed for the further training of medical practitioners;
	16	"Minister" means the Minister charged with responsibility for matters relating
	17	to health; and
	18	"student" means a person enrolled at an institution controlled by the Board for
	19	the purpose of pursuing a course of instruction at the institution.
Short title	20	28. This Bill may be cited as the Federal Medical Centre, Okoloma
	21	Afam (Establishment) Bill, 2022.

1 SCHEDULE

2 (Section 3(3))

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

4 *Proceedings of the Board*

5 1.-(1) Subject to this Bill and section 27 of the Interpretation Act,
6 the Board may make standing orders regulating its proceedings or those of
7 any committees.

8 (2) The quorum of the Board shall be the chairman or the person
9 presiding at the meeting and 5 other members of the Board, 2 of whom shall
10 be ex-officio members, and the quorum of any Committee of the Board shall
11 be as determined by the Board.

12 2.-(1) The Board shall meet whenever it is summoned by the
13 chairman and if the chairman is required to do so by notice given to him by
14 not less than 8 other members, he shall summon a meeting of the Board to be
15 held within 14 days from the date on which the notice is given.

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

19 (3) Where the Board desires to obtain the advice of any person on a
20 particular matter, the Board may co-opt him to the Board for such period as it
21 deems fit, but a person who is in attendance by virtue of this "Sub-section"
22 shall not be entitled to vote at any meeting of the Board and shall not count
23 toward a quorum.

24 *Committees*

25 3.-(1) The Board may appoint one or more committees to carry out,
26 on behalf of the Board, such functions as the Board may determine.

27 (2) A committee appointed under this paragraph shall consist of
28 such number of persons as may be determined by the Board and a person
29 shall hold office on the committee in accordance with the terms of his
30 appointment

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

3 *Miscellaneous*

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

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

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

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

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

17 (b) a defect in the appointment of a member of the Board or
18 committee; or

19 (c) reason that a person not entitled to do so took part in the
20 proceedings of the Board or committee.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal Medical Centre,
Okoloma Afam, Oyibgo Local Government Area of Rivers State.

PETROLEUM TRAINING INSTITUTE, AGBONCHIA ELEME
(ESTABLISHMENT) BILL, 2022
ARRANGEMENT OF SECTIONS

Section:

PART I - ESTABLISHMENT, ETC. OF THE PETROLEUM TRAINING
INSTITUTE, AGBONCHIA ELEME

1. Establishment of the Petroleum Training Institute, Agbonchia Eleme
2. Establishment and Composition of the Council
3. General functions of the Council
4. Powers of the Institute to enter contracts, etc.
5. Secretary to the Council
6. Appointment of the Principal and other staff
7. Removal from office of members of the Council
8. Discipline of students

PART II - FINANCIAL PROVISIONS

9. Annual budgets and estimates
10. Fund of the Institute
11. Donations for particular purposes
12. Payment into bank

PART III - MISCELLANEOUS

13. Power to make regulations.
 14. Quorum and procedure of bodies established by this Bill
 15. Interpretation
 16. Short title
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE PETROLEUM TRAINING INSTITUTE, AGBONCHIA ELEME TO PROVIDE COURSES OF INSTRUCTION, TRAINING AND RESEARCH IN PETROLEUM TECHNOLOGY; AND TO PRODUCE TECHNICIANS AND OTHER SKILLED PERSONNEL REQUIRED TO RUN THE PETROLEUM INDUSTRY; AND FOR RELATED MATTERS

Sponsored by Hon. Chisom Promise Dike

[] Commencement

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

- 1 PART I - ESTABLISHMENT, ETC. OF THE PETROLEUM TRAINING
- 2 INSTITUTE, AGBONCHIA ELEME
- 3 1.-(1) There shall be established an institute to be known as the
- 4 Petroleum Training Institute, Agbonchia Eleme Local Government Area,
- 5 Rivers State (in this Bill referred to as "the Institute") which shall be a body
- 6 corporate with perpetual succession and a common seal.
- 7 (2) The functions of the Institute shall be to-
- 8 (a) provide courses of instruction, training and research in oil
- 9 technology and produce technicians and such skilled personnel normally
- 10 required for oil production;
- 11 (b) arrange conferences, seminars and study groups relative to the
- 12 field of learning specified in paragraph (a) of this subsection; and
- 13 (c) perform such other functions as in the opinion of the Council
- 14 may serve to promote the objectives of the Institute, including, without
- 15 prejudice to the generality of the foregoing, the making of such regulations
- 16 as may be necessary for entry into and type of courses approved by the
- 17 Institute, the duration of such courses and their academic standards, and the

Establishment
of the Petroleum
Training Institute,
Agbonchia Eleme
LGA, Rivers State

	1	recognized equivalents of such certificates and diplomas that the Institute may
	2	award.
Establishment and composition of the Council	3	2. -(1) There shall be established a body to be known as the Council of
	4	the Petroleum Training Institute, Agbonchia Eleme (in this Bill referred to as
	5	"the Council").
	6	(2) The Council shall consist of the following members-
	7	(a) a representative of the Minister, who shall be the chairman;
	8	(b) a representative each of the Federal Ministry of-
	9	(i) Power; and
	10	(ii) Finance;
	11	(c) a representative of the National Board for Technical Education;
	12	(d) the Principal of the Institute;
	13	(e) 2 representatives of the Ministry of Petroleum Resource;
	14	(f) 1 representative each of the Nigerian Mining, Geological and
	15	metallurgical Society; and
	16	(g) 3 representatives of other professional bodies engaged in the oil
	17	industry in Nigeria.
Schedule	18	(3) The provisions set out in the Schedule to this Bill shall apply in
	19	relation to the constitution of the Council and as to other matters therein
	20	specified.
General functions of the Council	21	3. Subject to the provisions of this Bill, the Council shall be the
	22	governing body of the Institute and shall have the general management of the
	23	affairs of the Institute, and in particular, the control of the property and the,
	24	finances of the Institute; and shall also have power to do anything which in its
	25	opinion is calculated to facilitate the carrying out of the functions of the
	26	Institute under this Bill.
Power of the Institute to enter into contracts, etc.	27	4. -(1) The Institute may enter into such contracts as may be necessary
	28	or expedient for Carrying into effect the provisions of this Bill.
	29	(2) The Institute may acquire and hold such movable or immovable
	30	property as may be necessary or expedient for carrying into effect the

1 provisions of this Act, and for the same purpose may sell, lease, mortgage, or
2 otherwise alienate or dispose of any property so acquired.

3 (3) Subject to section 11 (1) of this Bill, the Institute may invest its
4 funds in such manner and to such extent as it may think necessary or
5 expedient.

6 5.-(1) The Registrar of the Institute shall be the secretary to the
7 Council and shall attend all meetings of the Council and its committees.

Secretary to the
Council

8 (2) In the absence of the Registrar, the chairman of the Council
9 may, after consultation with the principal, appoint a suitable person to act as
10 secretary for any particular meeting.

11 (3) The secretary to the Council or a person appointed under
12 subsection (2) of this section shall not be entitled to vote on any question
13 before the Council unless he is so entitled as a member of the Council.

14 6.-(1) The Principal of the Institute, who shall be the chief
15 academic and administrative officer, shall be appointed by the Council on
16 such terms and conditions as it may think fit, and he shall have power to
17 exercise general authority over the staff, and shall be responsible for the
18 discipline of the Institute.

Appointment of
the Principal and
other staff

19 (2) The Vice-Principal, heads of departments, the Registrar, and
20 any other academic and senior administrative staff shall be appointed by the
21 Council on the recommendations of a committee appointed under paragraph

22 (3) of the Schedule to this Bill, to be known as the "Appointment
23 Committee" which shall be charged by the Council with responsibility for
24 the making of recommendations for the appointment of academic and senior
25 administrative staff.

26 (3) The power to appoint other categories of staff shall be exercised
27 by the Principal with the assistance of such committee as maybe constituted
28 by him for such purpose.

29 7.-(1) If it appears to the Council that a member of the Council who
30 is a member by virtue of section 2(2) of this Bill should be removed from

Removal from
office of members
of the Council, etc.

1 office on the grounds of misconduct or inability to perform the functions of his
2 office, the Council shall, after consultation with the interest represented by
3 such member, make a recommendation to that effect to the Minister; and if the
4 Minister approves the recommendation, he shall remove the member from the
5 membership of the Council.

6 (2) If it appears to the Council that the Principal; Vice-Principal or any
7 other member of the academic or senior administrative staff of the Institute
8 should be removed from office or employment on the grounds of misconduct or
9 inability to perform the functions of his office, the Council shall make a
10 recommendation to that effect to the Minister and, if the Minister approves the
11 recommendation, the Council shall remove the person concerned from his
12 office or employment.

13 (3) Nothing in subsection (2) of this section shall be construed as
14 precluding the Council from exercising disciplinary control (other than the
15 power of removal from office or employment) in relation to the persons to
16 whom that subsection applies; and in the operation of subsection (2) of this
17 section, the Council shall have power at any time to suspend the person
18 concerned from his office or employment until the decision of the
19 Minister on the recommendation made by the Council is known.

20 (4) Other categories of staff shall for the purposes of discipline be
21 subject to the authority of the principal, so however that no member of such
22 staff (except members who are daily paid) shall be removed from office
23 without the approval of the Council; and in exercise of his authority under this
24 section, the principal shall have power to appoint, in any case where he
25 considers it appropriate so to do, a disciplinary panel of such number of
26 members of the staff of the Institute as he may in his discretion determine for
27 the purpose of advising him on any particular matter relating to discipline.

Discipline of
students

28 8.-(1) Subject to the provisions of any regulation made under the
29 provisions of section 13 of this Bill, the principal shall have power to exclude
30 or suspend for such period as he may in his discretion determine any student

1 from attending the Institute for any course which the Principal considers
 2 adequate to warrant such action; and any such exclusion or suspension shall
 3 be reported to the Council so soon thereafter as may be convenient.

4 (2) A student may, with the approval of the Council, be expelled by
 5 the Principal for misconduct.

6 PART II - FINANCIAL PROVISIONS

7 **9.**-(1) As soon as may be after the end of March in any year after the
 8 commencement of this Bill, the Council shall cause to be prepared a
 9 statement of its income and expenditure during the previous financial year
 10 together with a statement of the assets and the liabilities of the Institute as at
 11 the last day of that financial year.

Annual budget
and estimates

12 (2) The statements referred to in subsection (1) of this section shall,
 13 when certified by the Principal, be audited by an independent firm of
 14 auditors appointed by the Council with the approval of the Minister, and
 15 shall be published within 6 months thereafter in the Federal Gazette.

16 (3) The Council shall cause to be prepared not later than 1st
 17 December in any year estimates of revenue and expenditure for the ensuing
 18 financial year and when prepared they shall be submitted to the Council for
 19 approval.

20 **10.** The revenue of the Institute shall include-

Fund of the
Institute

21 (a) fees charged by and payable to the Institute in respect of
 22 students;

23 (b) any other amounts, charges or dues recoverable by the Institute;

24 (c) revenue, from time to time, accruing to the Institute by way of
 25 subvention, grants-in-aid, endowment or otherwise;

26 (d) interests on investments; and

27 (e) donations and legacies accruing to the Institute from any source
 28 for the general or special purposes of the Institute.

29 **11.**-(1) Donations of money to be applied for any particular
 30 purpose shall be placed to the credit of a special reserve account and may be

Donations for
particular purposes

	1	invested in such securities or other investments as may be approved by the
	2	Minister until such time as they may be expended in fulfillment of such
	3	purposes:
	4	Provided that the Institute shall not be obliged to accept a donation for
	5	a particular purpose unless it approves of the terms and conditions attaching to
	6	such donation.
	7	(2) The interests derived from the investments referred to in
	8	subsection (1) of this section, unless the terms of the donation otherwise
	9	require, shall be deemed to be revenue of the Institute.
Payment into bank	10	12. All sums of money received on account of the Institute shall be
	11	paid into such bank as may be approved by the Council for the credit of the
	12	Institute's general, current or deposit account:
	13	Provided that the Council may invest, as it deems fit, any money not
	14	required for immediate use other than donations of money referred to in section
	15	11 (1) of this Bill.
	16	PART III - MISCELLANEOUS
Power to make regulations	17	13.-(1) The Council may, within the scope of its authority under this
	18	Act, make bye-laws relating to any internal and domestic matters placed by
	19	this Bill under its control and superintendence other than matters for which
	20	provision is to be made by standing orders under paragraph 7 of the Schedule or
	21	in pursuance of paragraph 8 of the said Schedule.
	22	(2) All such regulations shall be in writing and shall come into force
	23	when sealed with the seal of the Institute, unless some other date for
	24	commencement be therein prescribed.
Quorum and procedure of bodies established by this Bill	25	14. Subject to the provisions of this Bill and any standing orders or
	26	regulations made there under the quorum and procedure of any body of persons
	27	established by this Bill shall be such as may be determined by that body.
Interpretation	28	15. In this Bill, unless the context otherwise requires-
	29	"Council" means the governing body of the Institute established under section
	30	2 of this Bill;

1 "Government" means the Federal Government;

2 "Institute" means the Petroleum Training Institute, Agbonchia Eleme
3 established under section 1 of this Bill;

4 "Minister" means the minister charged with responsibility for matters
5 relating to Petroleum;

6 "property" includes rights, liabilities and obligations;

7 "Registrar" means the Registrar of the Institute;

8 "regulations" means regulations made under section 13 of this Bill; and

9 "staff" means all persons employed to the Council to serve at the Institute.

10 **16.** This Bill may be cited as the Petroleum Training Institute, Short title
11 Agbonchia Eleme (Establishment) Bill, 2022.

1 SCHEDULE

2 [Section 2(3).]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

4 *Term of office of members*

5 1.-(1) A member of the Council who is a member by virtue of section 2
6 (2) of this Bill shall hold office for a period of 3 years beginning with the date
7 on which he is appointed.

8 (2) A member of Council holding office as specified in sub-paragraph
9 (1) of this paragraph may, by notice to the council, resign his office.

10 (3) A person ceasing to hold office as a member of the Council
11 otherwise than by removal misconduct, shall be eligible for re-appointment

12 2.-(1) where a vacancy occurs in the membership of the Council that
13 vacancy shall be filled by the appointment of a successor to hold office for the
14 remainder of the term of office of his predecessor, so however that the
15 successor shall represent the same interest as his predecessor.

16 (2) The Council may act, notwithstanding any vacancy in its
17 membership or the absence of any member.

18 *Committee*

19 3.-(1) The Council may appoint one or more committee to which it
20 may delegate any of its function.

21 (2) No decision of a committee shall have effect unless confirmed by
22 the council. Meeting of the council

23 4.-(1) The council shall meet for the conduct of business at such times
24 and place as the Chairman may appoint but shall not meet less than twice in a
25 year.

26 (2) The chairman may at any time and shall at the request in writing of
27 not less than 4 members of the Council, summon a meeting.

28 (3) Particulars of the business to be transacted at any meeting shall be
29 circulated to members with the notice of the meeting.

Power to co-opt members

5.-(1) Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter.

(2) Such member shall not be entitled to vote nor shall he count towards a quorum.

Questions how decided

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

(2) Four members shall form a quorum at any meeting of the Council.

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

Standing orders

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

Absence of the Chairman

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

Contracts and instruments

9.-(1) Any contract or instrument which if, entered into, or executed by a person not being a body corporate would not be required to be under seal may in like manner be entered into or executed on behalf of the Institute by any person generally or specifically authorized by it for that purpose.

(2) Any member of the Council or of a committee thereof, who has

1 a personal interest in any contract or arrangement entered into or proposed to be
2 considered by the Council or a committee thereof, shall forthwith disclose his
3 interest to the Council and shall: not Vote on any question relating to such
4 contract or arrangement

5 *Seal of the Institute*

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

10 (2) The fixing of the seal of the Institute shall be authenticated by the
11 signature of the chairman or some other member authorized generally or
12 specifically by the Council to act for that purpose.

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

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Petroleum Training Institute, Agbonchia Eleme Local Government Area, Rivers State to provide courses of instruction, training and research in petroleum technology and to produce technicians and other skilled personnel required to run the petroleum industry.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE
OF NURSING AND MIDWIFERY PANYAM, PLATEAU STATE AND FOR
RELATED MATTERS

Sponsored by Hon. Solomon Bulus Maren

[] Commencement

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

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

2 1.-(1) There is hereby established for the Federal College to be
3 known as the Federal College of Nursing and Midwifery Panyam, Plateau
4 State.

Establishment
of Federal College
of Nursing and
Midwifery Panyam,
Plateau State

5 (2) The College shall:

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

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

10 2. The object of College shall be:

Object

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

14 (b) To provide avenues for continuing education in Nursing,
15 Midwifery and other specialties of Nursing; and

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

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

Powers of the
College

1 (a) Provide rules and conditions under which persons may be
2 admitted as Student for any particular course of study provided by the College;

3 (b) Provide courses of instruction in the Academic and Professional
4 programmes for Students;

5 (c) Make provision for research and the dissemination of knowledge;

6 (d) Establish Department and such other units of learning and
7 research as the purpose of the College may require;

8 (e) Create such Offices and Posts as the purpose of the College may
9 require and to appoint persons to and remove person from such Office or Post
10 and prescribe their conditions of service;

11 (f) Maintain libraries, laboratories, workshops lecture halls, hostels,
12 dining halls, sport field and other building or facilities of the College;

13 (g) Provide for residence, recreation and welfare of members of staff
14 and students of the College as may be deemed necessary;

15 (h) Demand and receive from students and other persons attending the
16 College for the purpose of instruction such fees as the College may from time to
17 time determine;

18 (i) Prescribe rules for the discipline of student of the College;

19 (j) Conduct examination and arrange for award of certificates and
20 distinctions to persons who pursue courses of studies approved by the College
21 and who satisfy such other requirement as may from time to time be prescribe;

22 (k) Subject to specific limitations or conditions that may imposed by
23 extant Government regulations or circular, invest any fund apportioned to the
24 College by way of endowment, whether for general or special purpose and such
25 monies as may not immediately be required be require for current expenditure
26 in any investment or securities.

27 (l) Print or publish works or undertake service as may be deemed
28 consistent with the object of the College;

29 (m) Do such other acts and things necessary under this Acts for the
30 attainment of the object of the object of the College or incidental to the powers

1 of the College; and

2 (n) Carry out any special or general directive consistent with
3 Government policy as the Secretary of Health may give in writing.

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

9 (3) Subject to the provisions of this Bill and of any other statute.
10 The power conferred on the College by subsection (1) of this section shall be
11 exercise on behalf of the College by the Council and the Committees
12 established for the College or by such Officers and other Staff of the College
13 as may be authorize in that behalf and may also be exercised through
14 Schools established under this Act.

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

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

20 **PART II - GOVERNMENT COUNCIL OF THE COLLEGE**

21 **5.-(1)** There shall be establish for the College, a Government
22 Council to be known as the Governing Council of the Federal College of
23 Nursing and Midwifery Panyam, Plateau State.

Establishment
of Governing
Council of the
College

24 (2) The Council shall consist of:

25 (a) A Chairman who shall be appointed on part time basis by the
26 Commissioner on the recommendation of the Secretary of Health;

27 (b) A representative of the Secretary of Health;

28 (c) The Provost of the College;

29 (d) A representative of the Plateau State Chapter of National
30 Association of Nigeria Nurses and Midwives;

	1	(e) Two members to represent the interest of the public to be
	2	appointed by the Minister on the recommendation of the Secretary of Health;
	3	(f) A representative of Plateau State Treasury;
	4	(g) A representative of Plateau State Legal Service Secretariat;
	5	(h) A representative of Plateau State Education Secretariat;
	6	(i) The Director, Finance and Administration in the Secretariat;
	7	(j) The Director of Nursing in Plateau State Hospitals Management
	8	Board; and
	9	(k) The Director, Nursing Service of the Secretariat who shall also
	10	serve as the Secretary.
Tenure of Members	11	6.-(1) Members of the Council other than ex-officio members shall
	12	hold office for a period of four (4) years from the date of their appointment and
	13	shall be eligible for reappointment for one further term of four (4) years and no
	14	more.
	15	(2) Any member of the Council other than an ex officio member may
	16	by notice to the Council resign his appointment.
	17	(3) Any vacancy occurring in the membership of the Council shall be
	18	filled by the appointed of a successor who shall represent the same interest as
	19	his predecessor for the remainder of the term of the predecessor.
Functions of the Council	20	7.-(1) Subject to the provisions of this Act, the Council shall:
	21	(a) Be the Governing Authority of the College;
	22	(b) Be charged with general control and superintendence of the
	23	policies, finances and properties of the College;
	24	(c) Make regulations for the day to day management of the College;
	25	and
	26	(d) Do any other thing necessary or incidental to attainment of objects
	27	of the College.
	28	<i>Functions of the Academic Committee</i>
	29	(2) Without prejudice to the provisions of subsection (1) of this
	30	section, the Council shall:

1 (a) Ensure that the courses and instructions provided by the
2 College conform to the required standard laid down from time to time by the
3 Nursing And Midwifery Council of Nigeria;

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

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

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

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

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

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

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

18 **8.** The Director, Nursing Service of the Secretariat shall be the Secretary to the Council, and for any particular meeting that he may be
19 Secretary to the Council, and for any particular meeting that he may be
20 absent, he shall send a representative to act in that behalf.

Secretary to the
Council

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

Directives

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

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

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

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

8 (3) The constitution of and other matters relating to each Schools may
9 be prescribed by the council with the approval of the Secretary of Health

10 **11.** In furtherance of the provisions of section 3 (1) (c) of this Act, the
11 Council shall with the approval of the Secretary of Health establish for each
12 School such Department as the Nursing and Midwifery Council of Nigeria may
13 from time to time prescribe.

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

18 PART IV - PRINCIPAL OFFICER AND STAFF OF THE COLLEGE

Provost of the
College

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

Principal Officer
of the College

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

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

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

26 (d) The Registrar;

27 (e) The College Librarian; and

28 (f) The Bursar.

29 (2) The Principal Officers of the College other than Deans and Deputy
30 Deans of Schools in the College shall be appointed by the Council subject the

1 approval of the Minister through the Secretary of Health.

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

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

8 (2) The Provost shall hold a Degree in Nursing and shall be a
9 registered Education in Nursing, Midwifery or other specialty areas of
10 Nursing with not less than fifteen (15) years of teaching experience.

11 **16.-(1)** The Deans of Schools in the College shall be responsible to Deans
12 the Provost for the Administration of the Schools.

13 (2) The Deans of Schools in the College shall hold Degree in
14 Nursing and shall be registered Educators in the Nursing specialty related to
15 their respective Schools and with not less than Ten (10) years of teaching
16 experience.

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

20 (2) The Deputy Deans of schools in the College shall hold Degree
21 in Nursing and shall be Registered Educator in the Nursing specialty related
22 to their respective schools with less than seven (7) years teaching
23 experience.

24 **18.-(1)** The Registrar of the College shall be the Head of The Registrar
25 Administration of the College shall be responsible to the Provost. of the College

26 (2) The Registrar shall be an experienced Graduate of Humanities
27 with not less than fifteen (15) years' experience in Public Administration

28 (3) The person holding the office of the Registrar of the College
29 shall by virtue of that office be the Secretary to the Academic Board and the
30 Finance and General Purpose Committee.

The Bursar	1	19.-(1) The Bursar shall be the Chief Financial Officer of the College
	2	and shall be responsible to the Provost for the day to day administration of the
	3	financial affairs of the College.
	4	(2) The Bursar shall be a qualified Accountant with not less than Ten
	5	(10) years post qualification experience.
The Librarian	6	20.-(1) the Librarian shall be responsible to the Provost for the Co-
	7	ordination of Library Services in College.
	8	(2) The Librarian shall have a Degree in Library Sciences with not
	9	less than ten years post qualification experience as a Librarian.
	10	21. The Council may appoint such other persons to be Staff of the
Removal from Office	11	College as it may deems fit on such terms and conditions as may specified in
	12	their instructions of appointment.
	13	22.-(1) The Principal Officers and other Senior Staff of the College
	14	may be removed from office by the Commissioner for misconduct,
	15	incompetence or any other justifiable reason on the recommendation of the
	16	council.
	17	(2) The Council shall have power to remove any Junior Staff of the
	18	College for justifiable reasons.
	19	PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES
Finance and General Purpose	20	23. There shall be a Committee of the Council to known as the
	21	Finance and General Purpose Committee.
Composition of the Committee	22	24.-(1) The Finance and General Purpose Committee shall consist of:
	23	(a) The Chairman of the Governing Council who shall be the
	24	chairman;
	25	(b) The respective of the Secretary of Health;
	26	(c) The Provost of the College;
	27	(d) The Director of Finance and Administration in the Secretariat;
	28	(e) The Director of Nursing Services in the Secretariat;
	29	(f) One member of the Academic Committee to be appointed by the
	30	Council; and

1 (2) The Registrar shall be Secretary of the Committee.

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

Functions of the
Committee

3 (a) Exercise control over property, revenue and expenditure of the
4 College;

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

6 (c) Perform such other functions as the Council may delegate to it.

7 **26.-(1)** Anybody of persons established by this Act shall, without
8 prejudice to the generality of the powers of that body, have power to
9 constitute Committees, which need not consist exclusively of members of
10 that body, and to authorize a Committee established by it-

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

13 (b) To co-opt Members, and may direct whether or not co-opted
14 members if any, shall be entitle to vote in that Committee

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

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

24 **PART VI - ACADEMIC BOARD**

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

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

29 (a) The provost of the College, as Chairman;

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

- 1 (c) The Deputy of Dean of the School;
2 (d) All Heads of Department of the Schools;
3 (e) One Academic Staff not below the rank of Senior Lecturer to be
4 selected from each of the Department of the School;
5 (f) A representative of the Director, Nursing Service in the Secretariat;
6 (g) The School Librarian; and
7 (i) The Registrar who shall be the Secretary of the Board.

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

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

14 (2) Making recommendation to the council on appointment of
15 Academic Staff of the School and on the organization of Department, Libraries
16 and other Units of learning and Research in the School.

17 (3) Making guidelines for the purpose of exercising any of the
18 functions conferred on it under the provisions of this section.

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

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

23 PART VII - SUPPLEMENTARY PROVISIONS

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

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

1 PART VIII - PROPERTY AND FINANCE

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

6 **33.** The Council may, subject to the provision of this Act: Property of the
 7 (a) Acquire and hold such movable or immovable property as may College

8 be necessary or expedient for carrying into effect the provisions of this Act;

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

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

12 **34.**-(1) the Council shall have power to approve expenditure of Expenditure of
 13 over N100,000.00 but not exceeding N1,000,000.00 per unit transaction for the College
 14 the procurement of the goods, works and services and shall refer
 15 procurements exceeding the amount to the secretary of Health.

16 (2) The Provost shall approve procurement of works, goods and
 17 services not exceeding N100,000.00.

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

20 (a) Subsection (1), by the Secretary of Health; and

21 (b) Subsection (2), by the Council.

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

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

25 (b) Fees charges by and payable in respect of Students;

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

27 (d) Receipts for publications or services;

28 (e) Interest on investments;

29 (f) Donations and Legacies.

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

1 "Members" means members of the council and includes the chairman of the

2 Council:

3 "Provost" means the provost of the College;

4 "Regulations" means any regulation formulated for the College by the
5 council;

6 "Secretariat" means Health and Human Services Secretariat of Plateau
7 State;

8 "Secretary" means the Secretary to the council of the College and other-wise
9 means the Secretary of any Committees established under this Act;

10 "Secretary of Health" means the Secretary of Health and Human Services or
11 such other official as may be from time to time designation as head of the
12 body responsible for Health service under Plateau State;

13 "Senior staff" is a reference to staff on CONHESS 06-16 or salary Grade
14 Levels 07-17.

15 **39.** This Bill may be cited as the Federal College of Nursing and Citation
16 Midwifery Panyam, Plateau State Bill, 2022.

EXPLANATORY NOTE

This Bill seeks to provide for the establishment of the Federal College of Nursing and Midwifery Panyam, Plateau State, and to provide training and research in general Nursing, Midwifery and other specialties of Nursing.

A BILL

FOR

AN ACT TO AMEND THE PHARMACY COUNCIL OF NIGERIA ACT CAP P17 LFN 2004 TO MANDATE ANY NIGERIA TRAINED PHARMACIST TO PRACTISE IN NIGERIA FOR A MINIMUM OF FIVE (5) BEFORE GRANTED A FULL LICENCE BY THE COUNCIL IN ORDER TO MAKE QUALITY HEALTH SERVICES AVAILABLE TO NIGERIANS; AND FOR RELATED MATTERS

Sponsored by Hon. Ganiyu Abiodun Johnson

[] Commencement

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

- | | | |
|----|---|---------------------------------------|
| 1 | 1. The Pharmacists Council of Nigeria Act Cap P17 LFN 2004 (in | Amendment of
Cap. P17 LFN,
2004 |
| 2 | this Bill referred to as "the Principal Act") is amended as set out in this Bill. | |
| 3 | 2. Section 11(A) of the Principal Act is amended by insertion of a | Amendment of
Section 11 (a) |
| 4 | new Paragraph (vii) to the Section as follows, and renumbered accordingly- | |
| 5 | (vii) If attended any Nigeria educational institution, he has | |
| 6 | practised in Nigeria for the minimum of five (5) years after obtaining the | |
| 7 | Certificate of Experience issued in pursuance of Section 11 (a) (iv) of this | |
| 8 | Act. | |
| 9 | 3. This Bill may be cited as the Pharmacists Council of Nigeria Act | Citation |
| 10 | (amendment) Bill, 2022. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Pharmacists Council of Nigeria Act Cap P17 LFN 2004 to mandate any Nigeria trained Pharmacist to practise in Nigeria for a minimum of five (5) years before granted a Full Licence by the Council.

A BILL

FOR

AN ACT TO AMEND THE NATIONAL DIRECTORATE OF EMPLOYMENT ACT CAP.N28 LAWS OF THE FEDERATION OF NIGERIA 2004, TO AMONG OTHER THINGS EMPOWER THE DIRECTORATE TO ENSURE STRICT COMPLIANCE WITH THE PROVISIONS AND PRINCIPLES OF FEDERAL CHARACTER IN THE EMPLOYMENT AND VACANCIES IN THE COUNTRY AND FOR RELATED MATTERS

Sponsored by Hon. Ganiyu Abiodun Johnson

[] Commencement

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

- 1 **1.** The National Directorate of Employment Act Cap. N28 Laws of
2 the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal
3 Act") is amended as set out in this Bill. Amendment of
the Principal Act
- 4 **2.** Section 2 of the Principal Act is amended by inserting new Amendment of
Section 2
5 "paragraph (d) to read thus":
6 "(d) ensure that in implementing the process of providing
7 opportunity for the mass unemployment in the country, the principles and
8 provisions of Federal Character Commission Act is strictly followed to give
9 adequate opportunity to every section of the Country; and"
- 10 **3.** Subsection 2 (c) is hereby amended by deleting the word "and" Amendment of
Section 2 (c)
11 and the new subsection to read as follows:
12 (d) obtain and maintain a databank on employment and vacancies
13 in the country, with a view to acting as a clearing house to link job seekers
14 with vacancies, in collaboration with other government agencies;
- 15 **4.** Subsection 2(d) is now re-numbered as subsection 2(e) as Amendment of
Section 2 (d)
16 follows:
17 (d) implement any other policy as may be laid down, from time to

- Citation
- 1 time, by the Board established under section 3 of this Act.
- 2 **5.** This Bill may be cited as National Directorate of Employment
- 3 (Amendment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Directorate of Employment Act CAP. N28 Laws of the Federation of Nigeria 2004, to among other things empower the Directorate to ensure strict compliance with the provisions and principles of Federal Character in the employment and vacancies in the country and for related matters.

A BILL

FOR

AN ACT TO AMEND THE MEDICAL AND DENTAL PRACTITIONERS ACT CAP 379 LFN 2004 TO MANDATE ANY NIGERIA TRAINED MEDICAL OR DENTAL PRACTITIONER TO PRACTISE IN NIGERIA FOR A MINIMUM OF FIVE (5) BEFORE GRANTED A FULL LICENCE BY THE COUNCIL IN ORDER TO MAKE QUALITY HEALTH SERVICES AVAILABLE TO NIGERIANS; AND FOR RELATED MATTERS

Sponsored by Hon. Ganiyu Abiodun Johnson

[] Commencement

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

- | | | |
|----|---|----------------------|
| 1 | 1. The Medical and Dental Practitioners Act Cap M8 LFN 2004(in | Amendment of |
| 2 | this Bill referred to as "the Principal Act") is amended as set out in this Bill. | Cap. M8 LFN,
2004 |
| 3 | 2. Section 8(1) of the Principal Act is amended by insertion of a | Amendment of |
| 4 | new Paragraph (e) to the Section as follows, and renumbered accordingly- | Section 8(1) |
| 5 | (e) If attended any Nigeria educational institution, he has practised | |
| 6 | in Nigeria for a minimum of five (5) years after obtaining the Certificate of | |
| 7 | Experience pursuant to Section 11 of this Act. | |
| 8 | 3. Section 12(2) of the Principal Act is deleted and hereby replaced | Amendment of |
| 9 | with the new Section 12 (2) as follows, and renumbered accordingly- | Section 12(2) |
| 10 | (2) A person who is provisionally registered shall, for the purposes | |
| 11 | of his employment at any recognized institution with a view to obtaining a | |
| 12 | certificate of experience, and for the purpose of fulfilment of the condition | |
| 13 | in Section 8 (1) (e), but not for any other purposes, be deemed to be fully | |
| 14 | registered. | |
| 15 | 4. This Bill may be cited as the Medical and Dental Practitioners | Citation |
| 16 | Act (amendment) Bill, 2022. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Medical and Dental Practitioners Act Cap M8 LFN 2004 to mandate any Nigeria trained medical or dental practitioner to practise in Nigeria for a minimum of five (5) years before granted a Full Licence by the Council.

A BILL

FOR

AN ACT TO AMEND THE NURSING AND MIDWIFERY (REGISTRATION, ETC.) ACT CAP N143 LFN 2004 TO MANDATE ANY NIGERIA TRAINED NURSE OR MIDWIFE TO PRACTISE IN NIGERIA FOR A MINIMUM OF FIVE (5) BEFORE GRANTED A FULL LICENCE BY THE COUNCIL IN ORDER TO MAKE QUALITY HEALTH SERVICES AVAILABLE TO NIGERIANS; AND FOR RELATED MATTERS

Sponsored by Hon. Ganiyu Abiodun Johnson

[] Commencement

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

- | | |
|---|---|
| <p>1 1. The Nursing and Midwifery (Registration, etc.) Act Cap N143</p> <p>2 LFN 2004 LFN (in this Bill referred to as "the Principal Act") is amended as</p> <p>3 set out in this Bill.</p> | <p>Amendment of
Cap. N143, LFN
2004</p> |
| <p>4 2. Section 8(1) of the Principal Act is amended by insertion of new</p> <p>5 Paragraph (c) and (d) to the Section as follows, and renumbered</p> <p>6 accordingly-</p> <p>7 (c) If attended any Nigeria educational institution, shall only be</p> <p>8 entitled to Provisional Registration until after practising in Nigeria for a</p> <p>9 minimum of five (5) years after the Provisional Registration;</p> <p>10 (d) A person who is provisionally registered based on Paragraph C</p> <p>11 of this Section shall, for the purposes of his employment, his private practice</p> <p>12 or nurse tutoring in Nigeria, but not for any other purposes, be deemed to be</p> <p>13 fully registered.</p> | <p>Amendment of
Section 8</p> |
| <p>14 3. Section 9(1) of the Principal Act is amended by insertion of new</p> <p>15 Paragraph (c), (d) and (e) to the Section as follows, and renumbered</p> <p>16 accordingly-</p> <p>17 (c) If attended any Nigeria educational institution, shall only be</p> | <p>Amendment of
Section 9</p> |

1 entitled to Provisional Registration until after practising in Nigeria for a
2 minimum of five (5) years after the Provisional Registration;

3 (d) A person who is provisionally registered based on Paragraph C of
4 this Section shall, for the purposes of his employment, his private practice or
5 Midwife tutoring in Nigeria, but not for any other purposes, be deemed to be
6 fully registered;

7 (e) Paragraph C of this Section shall not be applicable to a person who
8 is/was caught by Paragraph C of Section 8 of this Act.

Citation

9 **4.** This Bill may be cited as the Nursing and Midwifery (Registration,
10 etc.) Act (Amendment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nursing and Midwifery (Registration, etc.) Act Cap N143 LFN 2004 to mandate any Nigeria trained Nurse or Midwife to practise in Nigeria for a minimum of five (5) years before granted a Full Licence by the Council.

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF SCIENCE AND HEALTH
TECHNOLOGY, UJUME IN EDUMOGA IN OJU LOCAL GOVERNMENT AREA,
BENUE STATE; AND FOR RELATED MATTERS

Sponsored by Hon. Samson Okwu

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE FEDERAL COLLEGE OF SCIENCE AND
2 HEALTH TECHNOLOGY, OJU, BENUE STATE AND
3 ITS GOVERNING COUNCIL

4 1.-(1) There is established the Federal College of Science and
5 Health Technology, Oju, Benue State (in this Bill referred to as the
6 "College") which shall have such powers and exercise such functions as are
7 conferred on it by this Bill.

Establishment
of the Federal College
of Science and Health
Technology, Oju,
Benue State

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

11 (3) The College may acquire, hold and dispose of movable and
12 immovable property for the purpose of its functions.

13 2. The objectives of the College shall be to:

Objectives of
the College

14 (a) Provide courses of study, training and research in science and
15 health technology leading to attainment or award of Certificates and
16 Professional Diploma as may be determined by the Governing Council;

17 (b) provide courses of instruction and other facilities for the pursuit
18 of learning in an health related subjects, and to make those facilities
19 available on proper terms to such persons as are equipped to benefit from
20 them;

	1	(c) provide avenues for research in science and health related subjects
	2	and continuing education in health related subjects;
	3	(d) provide the basis for curriculum development in the areas of
	4	disease prevention, health restoration, promotion and protection as well as
	5	science and health education, information and communication; and
	6	(e) undertake other activities appropriate for the highest standard of a
	7	college.
Functions of the College	8	3.-(1) For the carrying out of its objects as specified in clause 2 of the
	9	Bill, the College shall have power to:
	10	(a) make rules and regulations under which persons may be admitted
	11	as students for any particular course in the College;
	12	(b) provide courses of instruction in academic and professional
	13	subjects for students of the College;
	14	(c) make provision for research in science and health information,
	15	particularly at the community or grass-root level;
	16	(d) hold examinations and award certificates and other distinctions to
	17	persons who have pursued a course of study approved by the College and have
	18	satisfied such other requirements as the college may specify;
	19	(e) establish on the recommendation of the Governing Council
	20	campuses, departments and other units of learning and research as the College
	21	may require;
	22	(f) produce science and health professionals of both National and
	23	International standards;
	24	(g) subject to clause 22 of this Bill, to acquire, hold, grant, charge or
	25	otherwise deal with or dispose of movable and immovable property wherever
	26	situate;
	27	(h) accept gifts, grants and donations, but without obligation to accept
	28	the same for a particular purpose, unless it approves the terms and conditions;
	29	(i) enter into contracts, establish trusts, act as trustee, solely or jointly
	30	with any other person, and employ and act through agents;

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

5 (k) hold public lectures and undertake printing, publishing and
6 book selling;

7 (1) borrow, whether on interest or not, and indeed be, upon the
8 security of any or all of the property movable or immovable of the College,
9 such moneys as the Council may, from time to time in its discretion, find
10 necessary or expedient to borrow or to guarantee any loan, advance or credit
11 facility;

12 (m) make gifts for any charitable purpose;

13 (n) do anything which it is authorised or required by this Bill or by
14 any other Statute to do; and

15 (o) do all such acts or things, whether or not incidental to the
16 foregoing powers, as may advance the objects of the College.

17 (2) Subject to the provisions of this Bill and of the Statutes made
18 there under and without prejudice to Clause 9 (2) of this Bill, the powers
19 conferred on the College by sub-clause (1) of this Clause shall be
20 exercisable on behalf of the College by the Council or on any other manner
21 which may be authorised by this Bill.

22 PART II – GOVERNING COUNCIL AND MEMBERSHIP OF THE COLLEGE

23 4.-(1) The governance of the College and the direction of its affairs
24 shall vest in the Governing Council of the College (in this Bill referred to as
25 "the Council").

Governing Council
of the College

26 (2) Without prejudice to the generality of sub clause (1) of this
27 clause, it shall be the responsibility of the Council to consider and approve:

28 (a) the plan of activities of the College;

29 (b) the programme of studies, courses, and research to be
30 undertaken by the College;

	1	(c) the annual estimates and expenditures of the College; and
	2	(d) the investment plans of the College.
Membership of the Council of the College	3	5.-(1) The Council of the College shall consist of a chairman and the
	4	following members, to be appointed by the Minister:
	5	(a) a representative of the Federal Ministry responsible for Health;
	6	(b) a representative of the alumni association of the College;
	7	(c) three persons appointed on individual merit on a nationwide basis
	8	who should have wide experience of service in the public or private sector;
	9	(d) two representatives of the Academic Board of the College; and
	10	(e) the Provost of the College.
	11	(2) Persons to be appointed to the Council shall be persons of proven
	12	integrity, knowledgeable and familiar with the affairs and tradition of the
Tenure of office of members of the Council	13	College.
	14	6.-(1) A member of the Council (other than an ex-officio member)
	15	shall hold office for a term of three years and subject to the provisions of sub
	16	clause (2) of this clause, shall be eligible for reappointment for a further period
	17	of three years.
	18	(2) A member of the Council shall cease to hold office if:
	19	(a) the member resigns his office by notice in writing under his hand,
	20	addressed to the Minister; or
	21	(b) the Minister is satisfied that it is not in tile interest of the College
	22	for the person appointed to continue in office and notifies the member in
Powers of the Council	23	writing to that effect.
	24	7.-(1) For the carrying out of the functions of the College, the Council
	25	shall have power to:
	26	(a) provide amenities for and make such other provision for the
	27	welfare of the staff of the College;
	28	(b) make gifts for any charitable purpose;
	29	(c) invest the funds of the College in securities specified by law or in
	30	such other securities in Nigeria as may be approved by the Minister;

1 (d) borrow money within Nigeria in such manner and upon such
2 security as the Minister may from time to time authorise;

3 (e) enter into such contracts as may be necessary or expedient for
4 carrying into effect the objectives of the College;

5 (f) recruit staff of the right caliber and determine the career
6 structure of such staff;

7 (g) establish and maintain teaching units within the College or
8 departments as the Council may, from time to time, decide;

9 (h) institute and award fellowships, medals, prizes and other titles;

10 (i) mount exhibitions and displays designed to foster an
11 appreciation of trends in and the scope and requirements of education;

12 (j) erect, provide, equip and maintain such educational,
13 recreational and residential facilities as the College may require;

14 (k) create lectureships and other academic posts and offices and to
15 make appointments;

16 (l) encourage and make provision for research in the College; and

17 (m) do such acts and things whether or not incidental to the
18 foregoing powers as may advance the objects of the College.

19 **8.-(1)** The Minister of Health shall be the Visitor of the College. Visitation

20 (2) The Visitor shall, at least once in every five years, conduct a
21 visitation of the College or appoint a visitation panel consisting of not less
22 than five experts to conduct the visitation:

23 (a) for the purpose of evaluating the academic and administrative
24 performance of the College; or

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

27 **9.-(1)** There shall be established for the College a Board to be The Academic
Board and its
functions
28 known as the Academic Board which shall consist of the following
29 members:

30 (a) the Provost of the College who shall be the chairman;

1 (b) all heads of departments;
2 (c) the College Librarian; and
3 (d) not more than two members of the academic staff other than heads
4 of departments to be appointed by the Council.

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

6 (a) the direction and management of academic matters of the College
7 including the regulation of admission of students, the award of certificates,
8 scholarships, prizes and other academic distinctions;

9 (b) making periodic reports on such academic matters to the Council
10 as the Council may from time to time direct; and

11 (c) discharging any other functions which the Council may from time
12 to time delegate to it.

Power of Minister
to give directions
to the Council

13 **10.** Subject to the provisions of this Bill, the Minister may give to the
14 Council directions of a general character or relating generally to matters of
15 policy with regard to the exercise by the Council of its functions under this Bill
16 and it shall be the duty of the Council to comply with such directions.

The Provost of
the College

17 **11.-(1)** There shall be a Provost of the College (in this Bill referred to
18 as lithe Provost") who shall be appointed by the Minister, in accordance with
19 the provisions of this clause.

20 (2) Where a vacancy occurs in the office of Provost, the 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 person who may apply for the post;

24 (ii) the terms and conditions of service applicable to the post;

25 and thereafter draw up a short list of suitable candidates for consideration;

26 (b) constitute a search team consisting of:

27 (i) a member of the Council not being a member of the Academic
28 Board, as chairman;

29 (ii) two members of the academic Board not below the rank of chief
30 lecturer;

1 (iii) two members of the academic community of the College not
2 below the rank of chief lecturer to be selected by the Council, to identify and
3 draw up a short list of suitable persons who are not likely to apply for the post
4 for any reason whatsoever.

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

6 (a) the chairman of the Council;

7 (b) two members of too Council not being members of the
8 Academic Board;

9 (c) two members of the Academic Board not below the rank of
10 chief lecturer, who were not members of the search team, shall consider the
11 candidates and persons on the short lists drawn up under sub clause (2) of
12 this clause through an examination of their curriculum vitae and interaction
13 with them and recommend through the Council to the Minister, three
14 candidates for his consideration.

15 (4) The Minister shall appoint as Provost one of tile candidates
16 recommended to him under the provisions of sub clause (3) of this clause.

17 (5) The Provost:

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

21 (b) may be reappointed for one further period of four years and no
22 more.

23 **12.-(1)** There shall be for the college a Deputy Provost. Deputy Provost

24 (2) The Council shall appoint the Deputy Provost from among the
25 chief lecturers in the College in one of the following ways, that is:

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

28 (b) on the recommendation of a Selection Board constituted under
29 this clause for that purpose; or

30 (c) on the nomination of the Provost.

1 (3) The Selection Board referred to in sub clause (2) of this clause
2 shall:

3 (a) consist of:

4 (i) the chairman of the Council;

5 (ii) the Provost;

6 (vii) two members of the Council not being members of the Academic
7 Board;

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

9 (b) make such inquiries as it deems fit before making the
10 recommendation required under that sub clause.

11 (4) The Deputy Provost shall:

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

13 (b) act in the place of the Provost when the office of Provost is vacant
14 or if the Provost is, for any reason, absent or unable to perform his functions as
15 Provost; and

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

18 (5) The Deputy Provost:

19 (a) shall hold office for two years from the date of appointment and on
20 such terms and conditions as may be specified in the letter of appointment; and

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

The Registrar
and other staff
of the College

23 **13.-(1)** The Council of the College shall appoint a Registrar to the
24 College (hereinafter referred to as the Registrar") who shall keep the records
25 and conduct the correspondence of the Council and shall perform such other
26 duties as the Council and the Provost may from time to time direct.

27 (2) The Registrar shall, in addition to other duties conferred on him by
28 or under this Bill, be the secretary to the Council, the Academic Board and any
29 committee of the Council and in his absence, the Council or any such
30 committee may appoint some other person to act as secretary, and he shall not

1 vote on any question before the Councilor count towards a quorum.

2 (3) A Registrar:

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

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

8 (4) Where, on the commencement of this clause, a Registrar
9 appointed before the commencement of this clause has held office:

10 (a) for five years or less, the person shall be deemed to be serving
11 the first term of office and may be reappointed for a further term of five
12 years;

13 (b) for more than five years but less than ten years, the person shall
14 complete the maximum period of ten years and thereafter relinquish the
15 post; and

16 (c) for ten years or more, the Council may allow the person to serve
17 as Registrar for a further period of one year only and thereafter he shall
18 relinquish the office.

19 **14.** A principal officer may resign the appointment:

Resignation of
appointment of
principal officers

20 (a) in the case of the Provost, by notice to the Visitor; and the
21 Bursar; and

22 (b) in any other case, by notice to the Council.

23 **15.** The Council may appoint such other persons to be employees
24 of the College as the Council may determine to assist the Provost and the
25 principal officers of the College in the performance of their functions under
26 this Bill.

Other staff of
the College

27 **16.-(1)** There shall be, for the College, a Selection Board which
28 shall consist of:

Selection Board
for other principal
officers

29 (a) the chairman of the Council;

30 (b) the Provost;

1 (c) four members of the Council not being members of the Academic
2 Board; and

3 (d) two members of the Academic Board.

4 (2) The functions, procedure and other matters relating to the
5 Selection Board constituted under sub clause (1) of this clause, shall be as the
6 Council may, from time to time, determine.

Pensions

7 **17.-(1)** Service in the College shall be approved service for the
8 purposes of the Pensions Act and, accordingly, officers and other persons.
9 employed in the College shall in respect of their service in the College be
10 entitled to pensions, gratuities and other retirement benefits as are prescribed in
11 the Act, however nothing in this Bill shall prevent the appointment of a person
12 to any office on terms which preclude the grant of a pension and gratuity in
13 respect of that office.

14 (2) For the purposes of the application of the provisions of the
15 Pensions Act, any power exercisable by a Minister or other authority of the
16 Government of the Federation (other than the power to make regulations under
17 clause 23) shall be exercisable by the College and not by any other person or
18 authority.

19 **PART III - FINANCIAL PROVISIONS**

Establishment
of fund of the
College

20 **18.-(1)** The Council shall establish and maintain a fund which shall be
21 applied towards the promotion of the objectives specified in this Bill.

22 (2) There shall be paid and credited to the fund established under sub
23 clause (1) of this clause:

24 (a) such sums as may from time to time be granted to the Council by
25 the Federal Government through the National Commission for Colleges of
26 Education;

27 (b) all moneys raised for the purposes of the Council by way of gifts,
28 grants-in-aid or testamentary disposition; and

29 (c) all subscriptions, fees and charges for services rendered by the
30 Council and all other sums that may accrue to the Council from any source.

1 (3) The Council shall submit to the Minister, through the National
2 Commission for Colleges of Education, not later than three months before
3 the end of each financial year or at such other time as he may direct, an
4 estimate of its revenue and expenditure for the next succeeding financial
5 year.

6 **19.**-(1) he Council may accept gifts of land, money or other Power to accept
7 property upon such terms and conditions if any, as may be specified by the gifts
8 person making the gift.

9 (2) The Council shall not accept any gift if the conditions attached
10 by the person making the gift are inconsistent with the functions of the
11 Council.

12 **20.** The Council shall keep proper accounts of its receipts, Accounts and
13 payments, assets and liabilities and shall in respect of each year cause the audit
14 accounts to be audited.

15 **21.** The Council shall as soon as may be after the expiration of each Annual reports
16 financial year, prepare and submit to the Minister a report of its activities
17 during the immediately preceding financial year and shall include in the
18 report a copy of the audited accounts of the College for that year and of the
19 auditor's report on the accounts.

20 PART IV - MISCELLANEOUS AND SUPPLEMENTARY

21 **22.**-(1) For the purpose of providing offices and premises Offices and
22 necessary for the performance of its functions, the Council may: premises

23 (a) purchase any interest in or take on lease any land; and

24 (b) build, equip and maintain offices and premises.

25 (2) The Council may, with the approval of the Minister, sell any
26 interest in or lease any land, offices or premises held by it and no longer
27 required for the performance of its functions.

28 **23.**-(1) The Council may make rules providing for the Provost to Discipline of
29 conduct enquiries into alleged breaches of discipline (including lack of students
30 diligence) by students and such rules may make different provisions for

1 different circumstances.

2 (2) The rules shall provide for the procedure and rules of evidence to
3 be followed at enquiries under this clause.

4 (3) Subject to the provisions of sub clause (1) of this clause, where it is
5 proved during the enquiry that any student of the College has been guilty of
6 misconduct, the Provost may, without prejudice to any other disciplinary
7 powers conferred on him by this Bill or any regulations made there under
8 direct:

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

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

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

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

17 (4) Where there is temporarily no Provost or where the Provost
18 refuses to apply any disciplinary measures, the Council may, either directly or
19 through some other staff, apply such disciplinary actions as are specified in sub
20 clause (3) of this clause to any student of the College who is guilty of
21 misconduct.

22 (5) Where a direction is given under sub clause (3) (c) or (d) of this
23 clause in respect of any student, the student may, within 21 days from the date
24 of the letter communicating the decision to him, appeal against the direction to
25 the Council, and where such an appeal is brought, the Council shall, after
26 causing such inquiry to be made in the matter as the Council considers just,
27 either confirm or set aside the direction or modify it in such manner as the
28 Council may think fit.

29 (6) The fact that an appeal Oil a direction is brought in pursuance of
30 sub clause (5) of this clause shall not affect the operation of the direction while

1 the appeal is pending.

2 (7) The Provost may delegate his powers under this clause of a
3 disciplinary committee consisting of such members of the College as he may
4 nominate.

5 (8) Nothing in this clause shall be construed as preventing the
6 restriction or termination of a student's activities at the College otherwise
7 than on the ground of misconduct.

8 (9) the direction under sub clause (3) (a) of this clause may be
9 combined with a direction under sub clause (3) (b) of this clause,

10 (10) In all cases under this clause, the decision of the Council shall
11 be final unless reversed by the Minister on appeal by the student.

12 **24.** In this Bill:

Interpretation

13 "Appropriate authority" means any person, body or authority authorized by
14 law to act in a specific or general capacity in relation to a subject matter;

15 "Campus" means any campus which may be established by the College;

16 "Chairman" means the chairman of the Council;

17 "Council means the Governing Council of the College established by clause
18 4 of this Bill;

19 "Provost" means the Provost of a College appointed under clause 9 of this
20 Bill;

21 "Functions" includes powers and duties;

22 "Minister" means the Minister charged with responsibility for matters
23 relating to health;

24 "College" means the Federal College of Science and Technology, Oju,
25 Benue State;

26 "Member" means a member of the Council including the chairman.

27 **25.** This Bill may be cited as the Federal College of Science and
28 Health Technology, Oju, Benue State (Establishment) Bill, 2022.

Citation

1 SCHEDULE

2 [Clause 4]

3 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC

4 *Terms of Service*

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

8 2. Where a vacancy occurs in respect of the membership specified in
9 clause 3 (1) (d) and 3 (2) (d), it shall be filled by the appointment of a successor
10 to hold office for the remainder of the term of office of his predecessor in office
11 and such successor shall represent the same interest as his predecessor.

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

15 *Proceedings*

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

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

21 (3) At any meeting of the Council the chairman shall preside; but in
22 his absence, members present shall elect one of their members to preside at the
23 meeting.

24 (4) Where the Council desires to obtain the advice of any person on
25 any particular matter, the Council may co-opt persons who are not members of
26 the Council but persons co- opted shall not be entitled to vote at a meeting of the
27 Council

28 (5) The quorum of the Council shall be one half of the total members
29 of the Council, at least one of whom shall be a member appointed by the
30 Minister.

1 (6) Decisions of the Council shall be made on approval by a simple
2 majority of members.

3 *Miscellaneous*

4 5.-(1) The fixing of the seal of the College shall be authenticated by
5 the signature of the chairman, Provost and of some other members of the
6 Council authorised generally or specially by the Council to act for that
7 purpose.

8 (2) Any contract or instrument which, if made or executed by a
9 person other than a body corporate would not be required to be under seal
10 may be made or executed on behalf of the College by any person generally or
11 specially authorised to act for that purpose by the Council.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Science and Health Technology, Oju, Benue State, to ensure access to education in science and health technology, to provide full-time courses of teaching, instruction and training in science and health technology; and also make provision for the appointment of a Provost and the officials of the College to carry out the administration of the College.

A BILL

FOR

AN ACT TO AMEND THE NIGERIAN MINERALS AND MINING ACT, 2007 AND
FOR RELATED MATTERS, 2022

Sponsored by Hon. Francis Agbo

[] Commencement

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

- | | |
|---|---|
| <p>1 1. The Nigerian Minerals and Mining Act, 2007 in this Bill</p> <p>2 referred to as "the Principal Act" is amended as set out in this Bill.</p> | <p>Amendment of
the Nigerian
Minerals and
Mining Act, 2007</p> |
| <p>3 2. Section 3(1)(e) of the principal Act is amended by Substituting</p> <p>4 section 3(1)(e) with the words "areas of high conservation value and high</p> <p>5 carbon stocks or endangered ecological communities and areas of critically</p> <p>6 endangered species" and the old section 3(1)(e) becomes a new subsection</p> <p>7 3(1)(f).</p> | <p>Amendment of
Section 3(1)(e)
by inserting a new
subsection (f)</p> |
| <p>8 3. Section 19(2) of the Act is amended by inserting three new</p> <p>9 subsections of (i),(j) and (k):</p> <p>10 (a) subsection 19(2)(i)-reads "a representative of community-</p> <p>11 based organizations";</p> <p>12 (b) Subsection 19(2)(j)- reads "a representative of the private</p> <p>13 sector";</p> <p>14 (c) Subsection 19(2)(k)- reads "a representative of Civil Society</p> <p>15 Organizations".</p> | <p>Amendment of
subsection 19(2)</p> |
| <p>16 4. Section 60(1)(h) of the Principal Act is amended by deleting the</p> <p>17 words "take timber" after the word "exploration" and substituting the this</p> <p>18 with the words "shall not take any economic tree without permit".</p> | <p>Amendment of
Section 60</p> |
| <p>19 5. Section 78(3)(b) of the Principal Act is amended by substituting</p> <p>20 the words "shall not take any protected tree except with the consent of the</p> <p>21 proper Forest Officer" with the words which reads-</p> | <p>Amendment of
Section 78(3)(b)</p> |

	1	"a lessee under a quarry lease shall not take a protected tree without a permit
	2	issued by a competent Forest Officer in the services of the State Government
	3	where the Mining operation is taking place and under an obligation to
	4	undertake offset planting."
Amendment of Section 98 subsection 3	5	6. Section 98 (3) of the principal Act is amended by inserting the
	6	words-
	7	"and in the case of trees shall undertake and nurture replacement planting of the
	8	indigenous trees species in a site determined by the community or
	9	concerned group".
Creation of new subsection of 98(4)	10	7. Section 98(3) is further amended by creating a new subsection of
	11	98(4) which reads thus-
	12	"When a licensee or lessee whose operational activities requires rehabilitation
	13	and reclamation actions, has to undertake offset planting in alternative sites
	14	when the need arises".
Amendment of Section 164	15	8. Section 164 (Interpretation) is amended by including the
	16	interpretation of "Forest Officer"-
	17	It means "an Officer so designated by the State Government's Ministry
	18	responsible for sustainable forest management, utilization, conservation and
	19	regeneration of forests related matters in the concession area where the
	20	minerals and mining activities are taking place".
Citation	21	9. This Bill may be cited as the Nigerian Minerals and Mining Act
	22	(Amendment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Minerals and Mining Act, 2007.

FEDERAL COLLEGE OF AVIATION AKURE SOUTH, ONDO STATE

(ESTABLISHMENT ETC.) BILL, 2022

ARRANGEMENT OF SECTIONS SECTION

Establishment of the Federal-College of Aviation

1. Establishment of Federal College of Aviation Akure South, Ondo State
2. Functions of the College
3. Establishment and constitution of each Council, etc.
4. Visitation
5. Register of the College
6. Tenure of office of the Registrar
7. General Functions of the Council

Staff

8. The Rector of the College
9. Deputy Rector
10. Other principal officers of the College
11. Resignation of appointment of principal officers
12. Selection Board for other principal officers
13. Other employees of the College
14. Application of the Pensions Act
15. Establishment of the Academic Board
16. The Academic Board

Tenure of Office

17. Removal from office of members of the Council and the Rector
18. Removal and discipline of academic, administrative and technical staff
19. Discipline of students
20. Discipline of junior staff
20. Audit of accounts
21. Funds of each Council

22. Donations for particular purposes

23. Payment into bank

24. Annual report

Miscellaneous and Supplemental

25. Power to make bye-laws

26. Prohibition of discrimination on account of race, religion, etc.

27. Quorum and Procedure of bodies established under this Act

28. Interpretation

29. Short Title

Schedule - Supplementary Provisions relating to the Council

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AVIATION TECHNOLOGY AKURE SOUTH, ONDO STATE, TO PROVIDE FULL-TIME COURSES IN VARIOUS SPECIALIZATIONS IN THE AVIATION INDUSTRY AND TO MAKE PROVISION FOR THE GENERAL ADMINISTRATION OF THE COLLEGE AND FOR RELATED MATTERS

Sponsored by Hon. Mayokun Lawson Alade

[] Commencement

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

1 *Establishment of the Federal College of Aviation Akure South, Ondo State*

2 **1.** There is hereby established the Federal College of Aviation
3 Akure South, Ondo State specified in the First Schedule to this Act (in this
4 Act severally referred to as "the College") which shall have such powers and
5 exercise such functions as are specified in this Act.

Establishment of
Federal College
of Aviation Akure

6 **2.-(1)** The functions of The College shall be:

Functions

7 (a) to provide the highest quality full-time courses and training in
8 the various aspects of expertise needed in Aviation industry, and in particular
9 to award all classes of pilot certification in-

10 (i) Aircraft maintenance;

11 (ii) Air traffic control;

12 (iii) Aeronautical technology;

13 (iv) Cabin crew training;

14 (v) Private and Commercial Pilot license training;

15 (vi) Crew resource management;

16 (vii) Safety/operation and risk management.

17 (b) Be a centre of excellence that will provide opportunities for:

18 (i) Refresher courses for pilots;

- 1 (ii) Research and development in the aviation industry;
- 2 (iii) to arrange conferences, seminars and study groups relative to the
- 3 fields of learning specified in section 2;
- 4 (c) to make suitable arrangement for the application of the research
- 5 findings by the Governments and private sector for the economic development
- 6 of Nigeria;
- 7 (d) to involve in such other fields of applied engineering and
- 8 technological training relevant in the sector in furtherance of Aviation and
- 9 economic development of Nigeria; and
- 10 (e) to perform such other functions as in the opinion of the Council
- 11 that may serve to promote the objectives of the College.
- 12 **3.-(1)** There shall be established for the College a Council (hereafter
- 13 in this Act referred to as "the Council") which shall be a body corporate with
- 14 perpetual succession and a common seal and may sue and be sued in its
- 15 corporate name.
- 16 (2) The Council shall consist of a Chairman and the following other
- 17 members, that is:
- 18 (a) one person to represent the Civil Aviation department of Federal
- 19 ministry of Aviation;
- 20 (b) one representative of Federal ministry of Education;
- 21 (c) one person to represent the Federal Ministry of Science and
- 22 Technology;
- 23 (d) one person with requisite knowledge and training in Aviation
- 24 industry;
- 25 (e) one person to represent professional bodies whose disciplines are
- 26 taught at the college;
- 27 (f) one representative from a the state ministry in-charge of transport
- 28 and or aviation;
- 29 (g) one person of good standing in the community where the college is
- 30 Situate;

Establishment
and Constitution
of each Council,
etc.

- 1 (h) the Rector of the college;
- 2 (i) one representative of the academic board of the college;
- 3 (j) one representative of the State Commissioner of Education;
- 4 (k) five other persons, at least one of whom shall be a woman, to be
- 5 selected each on his personal merit based on his contribution to either the
- 6 development of Aviation or special interest in Aviation education.

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

9 (4) The provisions set out in the Second Schedule to this Act shall Second Schedule
10 apply in relation to the constitution of the Council and the other matters
11 therein specified.

12 **4.-(1)** The Minister of Education shall be the Visitor to the College. Visitation

13 (2) The Visitor shall, not less than once in every five years, conduct
14 a visitation of the college or appoint a Visitation Panel, consisting of not less
15 than five experts to conduct the visitation:

16 (a) for the purpose of evaluating the quality of research, academic
17 and administrative performance of the college;

18 (b) for such other purpose or in respect of any other affairs of the
19 college as the Visitor may deem fit.

20 **5.-(1)** There shall be a Registrar of the college who shall be Registrar of
College
21 responsible to the Rector and the day-to-day administration of the college
22 and shall perform such other duties from time to time as may be required of
23 him.

24 (2) The Registrar shall be the secretary to the Council, the
25 Academic Board and any committee of the Council and shall attend the
26 meetings of those bodies unless excused for good reason by the chairman of
27 the Council.

28 (3) In the absence of the Registrar, the Chairman of the Council
29 after consultation with the Rector, appoint a suitable person to act as
30 secretary for any particular meeting of the Council.

	1	(4) The secretary to the Council who is appointed to act under
	2	subsection (3) of this section, shall not vote on any question before the
	3	Councilor count towards a quorum unless he is so entitled as a member of the
	4	Council.
Tenure of office of Registrar	5	6.-(1) To Register:
	6	(a) shall hold office for a period of five years beginning from the
	7	effective date of his appointment and on such terms and conditions as may be
	8	specified in the letter of his appointment; and
	9	(b) may be re-appointed for one further period of five years and no
	10	more.
	11	(2) Where on the commencement of this section, a Registrar has held
	12	office:
	13	(a) for five years or less, he shall be assumed to be serving his first
	14	term of office and may be re-appointed for a further term of five years;
	15	(b) for more than five years but less than ten years, he shall complete
	16	the maximum period of ten years and thereafter relinquish his post and be
	17	assigned other duties in the College;
	18	(c) for ten years or more, the Council may allow him to serve Register
	19	for a further period of one year only and thereafter shall relinquish his post and
	20	be assigned other duties in the college.
General function of the Council	21	7.-(1) Subject to provision of this Act, the Council shall be governing
	22	body of the College concerned and shall have the general management of the
	23	affairs of the college, and in particular, the control of the property and finances
	24	of the college; and shall also have power to do anything which in its opinion is
	25	calculated to facilitate the carrying out of the activities of the college and
	26	promote its best interests.
	27	(2) The Council may acquire and hold such movable or immovable
	28	property as may be necessary or expedient for carrying into effect the
	29	provisions of this Act, and for the same purpose may sell, lease, and mortgage
	30	or otherwise alienate or dispose of any property so acquired.

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

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

7 *Staff*

8 **8.-(1)** There shall be a Rector of the College who shall be appointed The Rector
9 by the President in accordance with the provisions of this section.

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

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

13 (i) the qualities of the person who may apply for the post, and

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

16 (b) constitutes a Search Team consisting of:

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

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

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

25 (3) A Joint Council and Academic Board Selection Board
26 consisting of:

27 (a) the Chairman of the Council;

28 (b) two members of the Council not being members of the
29 Academic Board;

30 (c) two members of the Academic Board not below the rank of

1 Chief Lecturer, who were not members of the Search Team, shall consider the
2 candidates on the short list drawn up under subsection (2) of this section
3 through an examination of their curriculum vitae and interaction with them and
4 recommend, through the Council, to the President, three candidates for his
5 consideration.

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

8 (5) Subject to this Act and the general control of the Council, the
9 Rector shall be the Chief Executive of the College and shall be charged with
10 responsibility for matters relating to the day-to-day management operations of
11 the College

12 (6) The Rector:

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

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

Deputy Rector

17 9.-(1) There shall be for the College a Deputy Rector.

18 (2) The Council shall appoint the Deputy Rector from among the
19 chief lecturers in the College in one of the following ways:

20 (a) from a list of three candidates, in order of preference, submitted by
21 the Rector; or

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

24 (c) on the nomination of the Rector.

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

27 (a) consists of:

28 (i) the Chairman of the Council,

29 (ii) the Rector,

1 (iii) two members of the Council not being members of the
2 Academic Board,

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

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

6 (4) The Deputy Rector:

7 (a) shall assist the Rector in the performance of his functions;

8 (b) act in the place of the Rector when the post of Rector is vacant
9 or if the Rector is for any reason absent or unable to perform his functions as
10 Rector; and

11 (c) perform such other functions as the Rector may, from time to
12 time, assign to him.

13 (5) The Deputy Rector:

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

17 (b) may be re-appointed for one further period of two years and no
18 more.

19 **10.-(1)** There shall be for the College the following other principal
20 officers in addition to the Registrar, that is:

Other Principal
Officers of the
College

21 (a) the Bursar;

22 (b) the college Librarian, who shall be appointed by the Council on
23 the recommendation of the Selection Board constituted under section 9 (b)
24 of this Act.

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

28 (3) The college Librarian shall be responsible to the Rector for the
29 administration of the college library and the co-ordination of the library
30 services in the teaching units of the college.

	1	(4) The Bursar or Librarian:
	2	(a) shall hold office for a period of five years in the first instance and
	3	on such terms and conditions as may be specified in his letter of appointment:
	4	(b) may be re-appointed for a further period of five years and no more
	5	(5) Where on the commencement of this section, a Bursar or Librarian
	6	has held office:
	7	(a) for five years or less, he shall be considered to be serving his first
	8	term of office and may be reappointed for a further term of five years;
	9	(b) for more than five years but less than ten years, he shall complete
	10	the maximum period of ten years and thereafter relinquish his post and be
	11	assigned other duties in the college;
	12	(c) for ten years or more, the Council may allow him to serve as
	13	(d) Registrar for a further period of one year only and thereafter he
	14	shall relinquish his post and be assigned other duties in the college.
Resignation of appointment of Principal Officers	15	11. A principal officer may resign his appointment:
	16	(a) in the case of the Rector, by notice to the Visitor;
	17	(b) in any other case, by notice to the Council. Chief Officers.
Selection board for other officers	18	12.-(1) There shall be, for each college, a Selection Board which
	19	Selection shall consist of Board for other:
	20	(a) the chairman of the Council; Chief Officers;
	21	(b) the Rector;
	22	(c) four members of the Council not being members of the Academic
	23	Board; and
	24	(d) two members of the Academic Board.
	25	(2) The functions and procedure and other matters relating to the
	26	Selection Board constituted under subsection (1) of this section shall be as the
	27	Council may, from time to time, determine.
Other employees of the College	28	13.-(1) The Council may appoint such other persons to be employee
	29	of the College as the Council may determine to assist the Rector and the

1 principal officers of the College in the performance of their functions under
2 this Act.

3 (2) The power to appoint all other employees of the college shall be
4 exercised:

5 (a) in the case of senior employees, by the Council on the
6 recommendation of the Appointment and Promotions Committee set up
7 under the provisions of paragraph 3 (2) (a) of the Second 24 Schedule to this
8 Act;

9 (b) in the case of junior employees, by the Rector on the
10 recommendation of the Junior Staff Appointments and Promotions
11 Committee constituted under paragraph 3 (2) (b) of the Second 28 schedule
12 to this Act.

13 (3) Subject to the provisions of this Act, the remuneration, tenure of
14 office and conditions of service of the employees of the Council shall be
15 determined by the Council in consultation.

16 **14.**-(1) The Federal Civil Service Commission may by order
17 published in the Federal Gazette declare the office of the Rector or any other
18 person employed by the Council to be a pensionable office for the purposes
19 of the Pensions Act.

Application of
the Pension Act

20 (2) Nothing in the provisions of subsection (1) of this section shall
21 prevent the appointment of any person to any office on terms which
22 precludes the grant of a pension or gratuity in respect of service in that
23 office.

24 *Establishment of the Academic Board*

25 **15.**-(1) There shall be established for each college a board to be
26 known as the Academic Board which shall consist of the following
27 members:

The Academic
Board

28 (a) the Rector of the College, as the Chairman;

29 (b) the Deputy-Rector of the college;

30 (c) all Heads of Departments;

- 1 (d) the college Librarian; and
- 2 (e) not more than two members of the academic staff, other than 61
- 3 heads of departments, who may be appointed by the Academic Board.
- 4 (2) The Academic Board shall be responsible for:
- 5 (a) the direction and management of academic matters of the college
- 6 including the regulation of admission of students, the award of certificates and
- 7 diplomas, scholarships, prizes and other academic distinctions;
- 8 (b) the making to the Council of such periodic reports on such
- 9 academic matter as the Academic Board may think fit or as a Council may from
- 10 time to time direct; and
- 11 (c) the discharge of any other functions which the Council may
- 12 delegate to it.

Tenure of Office

Removal from
office of members
of the Council
and Rector

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

21 (2) The President may remove any member of the Council if he is
22 satisfied that it is not in the public interest or in the interest of the college that
23 such member should continue as a member of the Council.

Removal and
discipline of
academic,
administration
and technical staff

24 **17.**-(1) If it appears to the Council that there are reasons for believing
25 that any person employed as a member of the academic, administrative or
26 technical staff of the college, other than the Rector, should be removed from
27 office on the ground of misconduct or inability to perform the functions of his
28 office, the Council shall:

- 29 (a) give notice of those reasons to the person in question;
- 30 (b) afford him an opportunity of making representations in person on

1 the matter to the Council; and

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

5 (i) if he is an academic staff, for a joint committee of the Council
6 and the Academic Board to investigate the matter and to report on it to the
7 Council, or

8 (ii) for a committee of the Council to investigate the matter, where
9 it relates to any other member of the staff of the college and to report on it to
10 the Council, and

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

17 (2) The Rector may, in a case of misconduct by a member of the
18 staff which in the opinion of the Rector is prejudicial to the interests of the
19 college, suspend such member and any such suspension shall forthwith be
20 reported to the Council (3) For good cause, any member of staff may be
21 suspended from office or his appointment may be terminated by the
22 Council, and for the purpose of this subsection, "good cause" means:

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

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

29 (c) conduct of a scandalous or other disgraceful nature which the
30 Council considers to be such as to render the person concerned unfit to

1 continue to hold his office; or

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

5 (4) Any person suspended pursuant to sub section (2) or (3) of this
6 section, shall be placed on half pay and the Council shall before the expiration
7 of the period of three months after the date of such suspension consider the case
8 against that person and come to a decision as to:

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

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

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

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

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

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

1 *Discipline*

2 **18.-(1)** Subject to the provisions of this section, where it appears to Discipline of
 3 the Rector that any student of the college has been guilty of misconduct, the students
 4 Rector may, without prejudice to any other disciplinary powers conferred on
 5 him by this Act or regulations made hereunder direct:

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

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

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

14 (d) that the student be expelled from the college.

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

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

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

30 (5) The Rector may delegate his power under this section to a

1 disciplinary committee consisting of such members of the college as he may
2 nominate.

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

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

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

Discipline of
Junior Staff

11 **19.-(1)** If any junior staff is accused of misconduct or inefficiency, the
12 Rector may suspend him for not more than three months and forthwith shall
13 direct the Junior Staff Appointments and Promotions Committee:

14 (a) to consider the case; and

15 (b) to make recommendations as to the appropriate action to be taken
16 by the Rector.

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

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

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

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

Financial Provisions

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

Accounts, Records
and audit

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

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

21. The funds of the Council shall include:

Funds of the
Council

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

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

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

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

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

Donation for
particular purposes

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

Payment into bank 1 **23.** All sums of money received on account of the Council shall be
2 paid into such bank for the credit of the Council as may be approved by the
3 Council.

Annual report 4 **24.** The Council shall on or before 31 December in each year
5 prepare and submit to the President through the Minister, a report of the
6 activities during the preceding financial year and shall include in the report,
7 the audited accounts of the college in respect of that financial year and the
8 auditors' comments on the account.

9 *Miscellaneous and Supplemental*

Power to make bye-laws 10 **25.-(1)** The Council may make bye-laws relating to any matter
11 within its competence under this Act other than matters for which provision
12 is to be made by standing orders pursuant to paragraph 7 of the Schedule to
13 this Act.

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

17 (3) Nothing in subsection (2) of this section, shall make it
18 mandatory for the Council to publish any of the said bye-laws in the Federal
19 Gazette but the Council shall bring such bye-laws to the notice of all affected
20 thereby.

Exclusion of discrimination on account of race, religion etc. 21 **26.** No person shall be required to satisfy requirements as to any of
22 the following matters, that is to say race (including ethnic grouping), sex,
23 place of birth or of the family origin or religious or, political persuasion or as
24 a condition of becoming or continuing to be a student at the College or as a
25 holder of any certificate of the college, or of any appointment or
26 employment at the College, or a member of anybody established by virtue of
27 this Act; and no person shall be subjected to any disadvantage or accorded
28 any advantage in relation to the college by reference to any of those matters:
29 Provided that, nothing in this section shall be construed as preventing the
30 College from imposing any disability or restriction on any of the

1 aforementioned persons where such a person willfully refuses or fails on
2 grounds of religious belief to undertake any duty generally and uniformly
3 imposed on all such persons or any group of them which duty, having regard
4 to its nature and the special circumstances pertaining thereto, in the opinion
5 of the college reasonably justifiable in the national interest.

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

Quorum and
procedure of bodies
established under
this Act

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

Interpretation

11 "The Academic Board" means the board establish under section 10 of this
12 Act;

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

15 "College" means the Federal college of Aviation Akure South, Ondo State;

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

18 "The Minister" means the Minister charged with responsibly for matters
19 relating to technical education;

20 "The Registrar" means the Registrar of Federal college of Aviation Akure
21 South, Ondo State appointed under section 4 (1) of this Act.

22 **29.** This Bill may be cited as the Federal College of Aviation Akure
23 South, Ondo State (Establishment, etc.) Bill, 2022.

Short title

1 SCHEDULE

2 [Section 7]

3 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

4 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5 *Terms of office of members*

6 1.-(1) A member of the Council other than an ex-officio member shall
7 hold office for a period of three years beginning with the date on which he was
8 appointed and shall be eligible for re-appointment for a further term of three
9 years and thereafter he shall no longer be eligible for re-appointment.

10 (2) Members of the Council holding office as specified in paragraph 1
11 (1) of this Schedule, shall be paid remuneration or allowance in accordance
12 with rates specified from time to time by the National Council of Ministers.

13 (3) A member of the Council holding office as specified in paragraph
14 1 (1) of this Schedule may by notice in writing to the Minister resign his office.

15 2.-(1) Where a vacancy occurs in the membership of the Council, that
16 vacancy shall be filled by the appointment of a successor to hold office for the
17 remainder of the term of office of his predecessor; so however that the
18 successor shall represent the same interest as his predecessor.

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

22 *Committees*

23 3.-(1) The Council may assign one or more committees to which it
24 may delegate any of its functions.

25 (2) Without prejudice to the generality to sub-paragraph (1) of this
26 Schedule, the Council shall assign the following committees, that is:

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

29 (i) consists of a chairman to be appointed by the Rector from members
30 of the senior staff of the College and four other members who shall be

1 appointed by the Council:

2 (ii) be charged with the responsibility for making
3 recommendations to the Council on the appointment and promotion of the
4 academic and senior staff of the college and have a quorum of three
5 members:

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

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

12 (i) a chairman who shall be appointed by the Rector from among
13 the senior employees of the college;

14 (ii) one member of the Council;

15 (iii) two members of the academic staff of the college; and

16 (iv) four students of the college, and the Committee on Students'
17 Affairs shall be charged with the duty of:

18 (a) considering any matter which relates to the welfare of students;

19 (b) any other matter referred to it by either the Council or students
20 of the college;

21 (c) any matter which the students wish to refer to the Council shall
22 be referred to the Committee on Student's Affairs in the first instance.

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

25 *Proceedings of the Council*

26 4.-(1) The Council shall meet for the conduct of business at such
27 times as the chairman of the Council may appoint but shall meet not less than
28 twice in a year.

29 (2) The chairman of the Council may at any time and shall at the
30 request in writing of not less than five members of the Council summon a

1 meeting of the Council.

2 (3) Individuals of the business to be transacted shall be circulated to
3 members with the notice of the meeting at least two weeks before the date of the
4 meeting.

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

9 6.-(1) Every question put before the Council at a meeting shall be
10 decided by a simple majority of the members present and voting.

11 (2) Seven members shall form a quorum at any meeting of the Council

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

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

18 8. If the Chairman of the Council is absent from a meeting of the
19 Council, the members present shall elect one of their number to act as chairman
20 for the purposes of that meeting.

21 *Miscellaneous*

22 9. Any contract or instrument which if entered into by a person not
23 being a body corporate would not be require to be under seal, may n like
24 manner be entered into or executed on behalf of the Council by any person
25 generally or specifically authorized by it for that purpose.

26 10.-(1) The common seal of the Council shall not be used or affixed to
27 any document except in pursuance of a resolution duly passed at a properly
28 constituted meeting of the Council and recorded in the minutes of such
29 meeting.

30 (2) The fixing of the seal of the Council shall be authenticated by the

1 signature of the chairman of the Council and some other members
2 authorized generally or specifically by the Council to act for that purpose.

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

6 11. Any member of the Council or a committee itself who has a
7 personal interest in any contract or arrangement entered into or proposed to
8 be considered by the Council or a committee thereof, shall forthwith
9 disclose his interest to the Council and shall not vote on any question
10 relating to such contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Aviation Akure South, Ondo State to provide full-time courses leading to award of certificates in the various fields of Aviation Management and development in Nigeria, and to make provisions for the general administration of the College.

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL MEDICAL CENTER ILUTITUN, ONDO STATE OF NIGERIA, TO BE RESPONSIBLE FOR PROVIDING ALL KINDS OF HEALTHCARE TO ALL NIGERIANS IN ALL ITS RAMIFICATIONS, TO UNDERTAKE ASSESSMENT AND CERTIFICATION OF HEALTH STATUS, PROGNOSTICATION, SEGREGATION OF THE ILL TO LIMIT COMMUNICATION OF ILLNESS, AND HELPING TO COPE WITH THE PROBLEMS OF ILLNESS AND FOR RELATED MATTERS

Sponsored by Hon. Gboluga Dele Ikengboju

[] Commencement

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

1 1-(1) There is established Federal Medical Center Ilutitun, Ondo
2 State (in this Bill referred to as "the Centre").

Establishment of Federal Medical Center Ilutitun, Ondo State and its objectives

3 (2) The Centre:

(a) shall be a body Corporate with perpetual succession and a common seal and may sue and be sued in its corporate name; and

6 (b) acquire, hold, mortgage, purchase and deal with property,
7 whether movable or immovable, real or personal.

8 (3) The main objective of the Centre is to provide medical services
9 in all its ramifications.

10 **2.-(1)** The Centre may accept gifts upon such terms and conditions,
11 if any, as may be specified by the person or organization making the gift.

Power to accept gifts

(2) The Centre shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the objectives of the Centre under this Bill.

15 3.-(1) There is established for the Centre a Governing Board, to be
16 constituted by the President of the Federal Republic of Nigeria, (in this Bill

Establishment of the Board

1 referred to as "the Board").

2 (2) The Board shall consist of:

3 (a) a Chairman, who shall be a person with proven integrity who shall
4 not be below the age of 50 years;

5 (b) a representative of:

6 (i) Federal Ministry responsible for Health,

7 (ii) Federal Ministry responsible for Finance,

8 (iv) Medical and Dental Council of Nigeria, and

9 (v) each of the six geo-political zones of Nigeria.

10 (c) the Chief Medical Director of the Centre, who shall also serve as
11 the Secretary of the Board.

12 (3) The Board shall meet whenever the need arises or for the conduct
13 of its ordinary meetings for at least 4 times in a calendar year.

14 (4) Notwithstanding the provision of sub-clause (3) of this clause, the
15 Board may meet to conduct such other business as exigency demands in line
16 with the supplementary provisions contained in the Schedule to this Bill which
17 shall have effect with respect to the proceedings of the Board and other matters.

Resignation,
cessation or removal
from membership
of the Board

18 4.-(1) A member of the Board other than the ex-officio may resign his
19 appointment by notice in writing addressed to the Chairman of the Board.

20 (2) A member of the Board shall cease to be a member if the member:

21 (a) lacks physical or mental capacity to perform his functions;

22 (b) becomes of unsound mind;

23 (c) becomes bankrupt; and

24 (d) is convicted of a felony, misconduct or of any offence involving
25 dishonesty.

26 (3) A member of the Board may be removed from office by the
27 President if he is satisfied that it is not in the interest of the Centre or public that
28 the member should continue in that office.

29 (4) Where a vacancy occurs in the membership of the Board, it shall
30 be filled by the appointment of a successor to hold office for the remainder of

1 the term of office of his predecessor, so that the successor shall represent the
2 same interest.

3 **5.** The Board shall:

Functions of
the Board

4 (a) generally superintends the functions of the Centre;
5 (b) consider and approve policy and programmes of the Centre;
6 (c) consider and approve appointments of the senior staff of the
7 Centre;
8 (d) consider and approve establishment of departments, divisions
9 and units of the Centre;
10 (e) consider and approve quarterly reports of the Centre; and
11 (d) do any other thing that is incidental to the objectives of the
12 Centre.

13 **6.-(1)** The Centre shall be responsible for:

Functions of
the Centre

14 (a) diagnosing, preventing and treating of medical challenges in all
15 its ramifications;
16 (b) recommending to the Federal, State and Local Governments or
17 ways of improving healthcare services to the people;
18 (c) recommending to the Board establishment of Departments
19 Divisions and Units for the Centre;
20 (d) recommending to the Board general policy and administration
21 of the Centre;
22 (e) preparation of annual and long term research strategic
23 development plan of the Centre; and
24 (f) carrying out such other activities that are incidental to the
25 attainment of its objectives under this Bill.

26 **7.** There is established the office of the Chief Medical Director of
27 the Centre who shall hold office for the term of four years and renewable,
28 subject to satisfactory performance, for further term of four years and no
29 more.

Establishment
of the office of
the Chief Medical
Director of the
Centre

Functions of the Chief Medical Director	1	8. The Chief Medical Director shall be:
	2	(a) the Chief Executive and accounting officer of the Centre and shall
	3	be charged with matters relating to day-to-day management and operation of
	4	the Centre, and
	5	(b) answerable to the Centre.
Resignation or removal of the Chief Medical Director of the Centre	6	9.-(1) The Chief Medical Director may resign from office by notice in
	7	writing addressed to the Chairman of the Board.
	8	(2) The Chief Medical Director may be removed, at any time, from
	9	office by the Centre with the approval of the Board, if the Board is satisfied that
	10	it is not in the interest of the Centre or the public that the Chief Medical Director
	11	continue to hold office.
Staff of the Centre	12	10.-(1) The staff of the Centre:
	13	(a) shall be employed according to the procedure stipulated by the
	14	Centre;
	15	(b) may be on permanent or temporary appointment, on the terms
	16	which precludes the grant of pension and gratuity;
	17	(c) who qualify as a legal practitioner, within the meaning of Legal
	18	Practitioners Act, shall in addition to other function, enter appearance to
	19	prosecute or defend any matter in any court involving the Centre; and
	20	(d) shall be paid such salary and allowances as may be determined by
	21	the Board with approval of salaries and wages commission.
Departments of the Centre	22	11.-(1) There shall be established for the Centre, such number of
	23	Departments, Divisions and Units as the Centre may, with the approval of the
	24	Board, deem necessary.
	25	(2) Each Department shall be headed by a Director who shall be
	26	professionally qualified to hold the office appointed through competitive
	27	process.
	28	(3) Subject to the approval of the Board the Centre may create
	29	additional departments, divisions and units as it may deem necessary to
	30	achieve the objective of the Centre.

1	12. -(1) The Centre shall establish and maintain a fund which shall	Establishment
2	be paid and credited:	of the fund for
3	(a) all subventions and budgetary allocation from the Government	the Centre
4	of the Federation;	
5	(b) all sums accruing to the Centre by way of fees, gifts,	
6	endowments, bequests, grants or other contributions by persons and	
7	organisations;	
8	(c) returns on investments;	
9	(d) foreign aid and assistance; and	
10	(e) all other sums which may, from time to time, accrue to the	
11	Centre.	
12	(2) The Centre shall manage and apply its Fund in accordance with	
13	the general guidelines made by the Centre, particularly on:	
14	(a) general operations of the Centre;	
15	(b) cost of payment of allowances to the cost of administration of	
16	the Centre;	
17	(c) payment of salaries and other allowances for the staff of the	
18	Centre;	
19	(d) maintenance of any property vested in the Centre; and	
20	(e) payment of the Centre fees payable for procurement and	
21	consultancy for the benefits of the Centre.	
22	13. The Centre shall not later than 30th September each year or	Annual budget
23	other date stipulated by law or policy, submit to the Federal Ministry of	of the Centre
24	Health an estimate of expenditure or income of the Centre as approved by	
25	the Board, for the next fiscal year, for incorporation into the National	
26	budget.	
27	14. The Chief Medical Director shall submit to the Board quarterly	Report
28	report of the activities of the Centre and the Board shall submit annual report	
29	of its activities to the Minister.	

Limitation of
suits against the
Centre, etc.
Cap. P41 LFN,
2004

1 **15.**-(1) A suit shall not be filed against any member of the Board, or
2 any other officer or employee of the Centre for any act done in pursuance or
3 execution of this Bill or any other law in respect of any alleged neglect or
4 default in the execution of this Bill or such law or enactment, duty or authority,
5 shall lie in any court unless:

6 (a) it is commenced within 3 months next after the act, neglect or
7 default complained of; or

8 (b) in the case of a continuation of damage or injury, within 6 months
9 next after the ceasing thereof.

10 (2) A suit shall not commence against a member of the Board, the or
11 employee of the Centre before the expiration of a period of one month after
12 written notice of intention to commence the suit has been served upon the
13 Centre.

14 (3) The notice referred to in sub clause (2) of this Clause, shall clearly
15 state the cause of action, the particulars of the claim, the name and place of
16 abode of the intending plaintiff and the reliefs.

Service of
process

17 **16.** Any document, summons, notices, process or any other thing
18 required or authorized to be served on the Centre shall be served by delivering
19 same at the office of the Chief Medical Director of the Centre.

Restriction on
execution against
property of the
Centre

20 **17.**-(1) In any action or suit against the Centre, no execution or
21 attachment of process in the nature thereof shall be issued against the Centre.

22 (2) Any sum of money which may, by the judgment of any court, be
23 awarded against the Centre shall, subject to any direction given by the court,
24 where notice of appeal of the said judgment has not been given, be paid from
25 the general reserve fund of the Centre.

Indemnity of
members etc.

26 **18.** Every member of the Board, agents or employees of the Centre
27 shall be indemnified from fund of the Centre against any liability incurred in
28 defending any proceeding brought against the persons under this Bill, in the
29 person's capacity as member, agent or employee of the Centre.

19 This Bill may be cited as Federal Medical Centre, Ilutitun Citation
(Establishment) Bill, 2022.

SCHEDULE

Clause 3(4)

SUPPLEMENTARY PROVISIONS RELATING TO THE CENTRE

PROCEEDINGS OF THE BOARD

1-(1) Subject to the provisions of this Bill and other applicable laws, the Board may make standing orders regulating its proceedings.

(2) The Board shall meet whenever summoned by the Chairman, or if required to do so, by at least 3 members of the Board and shall meet for a minimum of 4 times in a year.

(3) The Chairman shall preside over the meetings of the Board and in his absence, the members of the Board shall appoint a member, from among themselves, to act as the Chairmen for that meeting.

Committees

2.-(1) The Board may appoint committees or sub-committees to carry out, on its behalf, such functions that the Committee shall legitimately carryout.

(2) The decision of the sub-committee appointed under paragraph 2(1) shall have no effect until it is approved by the Main Committee.

Miscellaneous

3.-(1) The Secretary of the Board shall be the custodian of the seal of the Board.

(2) Fixing of the common seal of the Board shall be authenticated by the signature of the Chairman of the Board or some other persons authorized to do so.

(3) Any contract or instrument, which if made or executed by a person not being a body corporate, shall not be required to be made under seal, shall be executed on behalf of the Board by the Managing Director of the Centre or any other person authorized to do so.

1 (4) Where the Board desires to obtain an expert opinion from a person
2 not being a member of the Board, the Board may co-opt such person for such
3 period the Board may determine, but the co-opted person shall not have the
4 right to vote or to count in forming a quorum.

5 (5) The validity of any proceeding of the Board or of a committee
6 shall not be adversely affected by any vacancy in the membership of the Board
7 or Committee or by any defect in the appointment of a member of the Board.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal Medical Center Ilutitun, Ondo State of Nigeria, to be responsible for providing all kinds of healthcare to all Nigerians in all its ramifications, to undertake assessment and certification of health status, prognostication, segregation of the ill to limit communication of illness, and helping to cope with the problems of illness.