

Extraordinary



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NATIONAL FOOTBALL ACADEMY AHIARA (ESTABLISHMENT) BILL, 2022

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A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL FOOTBALL ACADEMY AHIARA,
AHIAZU MBAISE, IMO STATE AND FOR RELATED MATTERS

Sponsored by Hon. Emeka Marlins Chinedu

[] Commencement

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

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

2 **1.** There is hereby established a football academy, to be known as Establishment
3 the National Football Academy Ahiara, Ahiazu Mbaise.

4 **2.** The academy shall: Corporate status

5 (a) Have the status of a secondary institution with rights and
6 privileges; and

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

9 **3.** The objectives of the academy shall be: Objectives

10 (a) To provide training in general primary and secondary school
11 curricula, leading to the award of Senior School Certificates and other basic
12 certificates;

13 (b) To provide tactical grooming in football, fitness and wellbeing
14 to young football talents;

15 (c) To provide professional mentorship training on footballing
16 career within and outside Nigeria;

17 (d) To negotiate professional deals between academy graduates
18 and potential scouts and any other services that may be incidental to the
19 objectives of the academy.

20 **4.-(1)** The Academy shall be a teaching and examining body and Powers of the
21 shall subject to the provisions of this Bill and regulations of the academy, Academy

- 1 have powers to:
- 2 (a) Provide rules and conditions under which persons may be
- 3 admitted as students into the academy;
- 4 (b) Provide courses of instruction in the academic and professional
- 5 programmes and make provision for talent development;
- 6 (c) Establish departments and other such units for talent prospecting
- 7 and exposure as the objectives of the academy may require;
- 8 (d) Create such offices and posts as the purpose of the academy may
- 9 require and to appoint and remove persons in such offices and posts as their
- 10 conditions of service prescribe;
- 11 (e) Maintain physical infrastructure of the academy;
- 12 (f) Provide for residence, training pitches, fitness gymnasias, other
- 13 recreational facilities and welfare of staff and students of the institution as may
- 14 be needed;
- 15 (g) Scout for talented students attending other institutions from across
- 16 the country to enroll annually or as the institution may from time to time
- 17 determine;
- 18 (h) Prescribe rules for the discipline of students of the academy;
- 19 (i) Conduct examinations and arrange for award of certificates to
- 20 persons who are enrolled at the academy and who satisfy the conditions that
- 21 may from time to time be prescribed by the academy;
- 22 (j) Subject to specific limitations imposed by extant government
- 23 regulations may invest any fund apportioned to the academy by way of
- 24 endowment, whether for general or specific purposes and such monies may not
- 25 be immediately required for current expenditure in any investment or
- 26 securities;
- 27 (k) Play advisory and regulatory roles in the signing of contracts for
- 28 academy graduates in any way deemed consistent with the objectives of the
- 29 academy;
- 30 (l) Do such other things necessary under this Act, for the attainment of

1 the objectives of the academy, and;

2 (m) Carry out any general or special duties consistent with
3 government policy as the Minister for Youth and Sports may give in writing;

4 (2) Without prejudice to the generality of the provisions of section
5 2 of this Bill and subsection (1) of this section, the academy may by special
6 arrangement with the Nigeria Football Federation or other football bodies
7 prepare its students for award of certificates or other distinctions.

8 (3) Subject to the provisions of this Bill and any other statute, the
9 power conferred on the academy by subsection (1) of this section shall be
10 exercised on behalf of the academy by the board of governors and
11 committees established for the academy or by officers and other staff as may
12 be authorized under this Bill.

13 5.-(1) The Technical Director / Principal shall have custody of the Common seal
14 common seal of the academy and shall be responsible for affixing same to
15 documents.

16 (2) The common seal of the academy shall not be used, unless upon
17 the direction of the board and shall be authenticated by the signature of the
18 Manager

19 PART II - THE BOARD OF GOVERNORS

20 6.-(1) There shall be established for the academy a board of Board of governors
21 governors, to be known as the board of governors of the National Football and its functions
22 Academy Ahiara, Ahiazu Mbaise.

23 (2) The board shall consist of;

24 (a) A chairman, who shall be appointed by on a part time basis by
25 the Minister for Youth and Sports on the recommendation of the Secretary of
26 Sports;

27 (b) A representative of the Minister of Youth and Sports
28 Development;

29 (c) The Manager of the Academy

30 (d) A representative of the Nigeria Football Federation;

	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 Sports;
	3	(f) A representative of the Minister of Finance;
	4	(g) A representative of the footballers' association;
	5	(h) A representative of the Federal Ministry of Education;
	6	(i) Coach of the national male football team;
	7	(j) Coach of the national female football team;
	8	(k) Representative of host community.
Tenure of members of board of governors	9	7.-(1) Members of the board other than ex-officio members shall hold
	10	office for a period of four years from their date of first appointment and shall be
	11	eligible for reappointment for only one more term.
	12	(2) Any member of the board other than an ex-officio member, may by
	13	notice to the board resign his appointment.
	14	(3) Any vacancy occurring in the membership of the board shall be
	15	filled by the appointment of a successor, who shall perform the same functions
	16	as the predecessor.
Functions of board. technical and academic committees	17	8.-(1) Subject to the provisions of this Bill, the board shall:
	18	(a) Be the governing authority of this Academy;
	19	(b) Be charged with general control and superintendence of the
	20	policies, finances and properties of the academy;
	21	(c) Make regulations for the day to day management of the academy;
	22	and
	23	(d) Perform any other roles necessary for the attainment of the
	24	objectives of the academy.
	25	(2) Without prejudice to the provisions of subsection (1) of this
	26	section, the board shall:
	27	(a) Ensure that the courses and instructions provided by the Academy
	28	conform to standards laid down from time to time by the Federal Ministry of
	29	Education;
	30	(b) Regulate the teaching of courses offered by the Academy, and also

- 1 regulate the conduct of examinations with respect to the Academy;
- 2 (c) Approve contracts for the procurement of equipment, furniture
- 3 and properties required for the purpose of the Academy;
- 4 (d) Approve contracts for the maintenance of premises and other
- 5 properties of the Academy;
- 6 (e) Formulate policies in all fields of learning provided by the
- 7 Academy;
- 8 (f) Assess from time to time the subjects offered by the Academy;
- 9 (g) Design talent development plans;
- 10 (h) Supervise the implementation of talent hunts across the
- 11 country;
- 12 (i) Ensure professional development of enrolled students through
- 13 programmes;
- 14 (j) Ensure psycho-social wellbeing of students through feedback
- 15 and monitory exercises;
- 16 (k) Ensure proper implementation of contract agreements signed in
- 17 favour of Academy graduates; and
- 18 (l) Perform other such functions as may be necessary.
- 19 (3) The board may delegate any of its functions other than he power
- 20 to make regulations, to the chairman or any other person, board or
- 21 committee it deems fit in that regard, but no decision of such person or
- 22 committee shall take effect unless ratified by board.
- 23 **9.** The Dean of studies shall be the secretary to the board, and for
- 24 any particular meeting he or she may be absent, must send a representative to
- 25 act in that capacity;
- 26 **10.-(1)** The Minister for Sports and Youth Development may give
- 27 to the board, direction as to the discharge of its functions, with regards to
- 28 matters of public interest;
- 29 (2) The board shall avail the Minister, avenues for obtaining
- 30 information with regards to the property of the Academy and the functions

Secretary to the
board

Role of the
secretary of sports

1 of the board, and shall be furnished with returns, accounts and facilities for the
2 verification of information in such manner as may be required.

3 PART III - DEPARTMENTS UNITS WITHIN THE ACADEMY

Departments of
the academy

4 **11.**-(1) There shall be within the Academy, a Junior Secondary
5 Section and a Senior Secondary Section, a Professional Development Unit
6 (ages 9 -18) and such other units as the board shall with the advice of the
7 Nigeria Football Federation and the permission of the Federal Ministry of
8 Youth and Sports Development establish.

9 (2) Each section shall provide instruction for subjects and carry out
10 functions as may be described by the board with the approval of the Minister.

11 (3) The constitution of and other matters relating to each section may
12 be prescribed by the board with the approval of the Minister.

Establishment
of departments

13 **12.** In furtherance of the provisions of section 4(1)(c) of this bill, the
14 board shall with the approval of the Minister establish for each section of the
15 Academy such units as the Nigeria Football Federation may from time to time
16 prescribe.

Establishment
of other units

17 **13.** Subject to the provisions of this bill, the board may with the
18 approval of the Minister establish units for special purposes within the
19 Academy, and the name, constitution and function of such units shall be
20 prescribed by the chairman, board of governors.

21 PART IV - PRINCIPAL OFFICERS AND STAFF OF THE ACADEMY

Technical Director,
principal officers
and functions

22 **14.** There shall be for the Academy, a Technical Director/Principal
23 and other principal officers, the designations, qualifications and functions,
24 appointments and removal of whom shall be spelt out in section 16-23 of this
25 bill.

Principal officers
of the academy

26 **15.**-(1) The principal officers of the college shall be:

27 (a) Technical Director / Principal;

28 (b) The Dean of Studies in the Academy;

29 (c) The Chief Coach (Head, Talent Development Centre) of the
30 Academy;

1 (d) The Secretary;

2 (e) The Academy Librarian and;

3 (f) The Bursar.

4 (2) The principal officers of the Academy other than the Dean of
5 studies and Chief Coach shall be appointed by the Board of governors,
6 subject to the approval of the Minister through the Commissioner for Sports
7 of the host State.

8 (3) The Deans of Studies of the Academy shall be appointed by the
9 Secondary Education Management Board of the host State.

10 (4) The Chief Coach of the Academy shall be appointed by the
11 Minister on the recommendation of the Nigeria Football Federation.

12 **16.**-(1) The Technical Director/ Principal shall be appointed by the
13 Minister and shall be the chief executive and administrator of the Academy
14 and also answerable to the Board of governors for maintaining and
15 promoting discipline and efficiency in the Academy.

Appointment of
Technical Director/
Principal

16 (2) The Technical Director/ Principal shall hold a Degree in
17 Physical and Health Education and shall be a registered educator with no
18 less than fifteen years of teaching experience.

19 **17.**-(1) The Assistant Technical Director/ Vice Principal shall be
20 appointed by the Minister for each of the Junior Section and the Senior
21 Section and shall deputize the Technical Director in maintaining and
22 promoting discipline and efficiency in the Academy.

Appointment of
Assistant Technical
Director/Vice
Principal

23 (2) The Assistant Technical Director/ Vice Principal shall hold a
24 Degree in any field and shall be a registered educator with no less than ten
25 years of teaching experience

26 **18.**-(1) The Deans of Studies in the Academy shall be answerable
27 to the Technical Director! Principal for the administration of the Junior and
28 Senior Sections of the Academy and shall perform the following functions:

Appointment of
Dean of Studies

29 (a) Liaise with school authorities to ensure that football
30 commitments do not affect student progress in school;

Appointment of
Chief Coach

- 1 (b) Ensure each student follows a formal educational programme to
- 2 fully achieve academic potentials;
- 3 (c) Offer advice on all aspects of the education programme;
- 4 (d) Plan academic timetable to accommodate the professional
- 5 development aspects;
- 6 (e) Establish an academic assessment template for the academy; and
- 7 (f) Develop a confidential student feedback assessment template.
- 8 (2) The Dean of Studies in the Academy shall hold a Degree in
- 9 Physical and Health Education and shall be a registered educator with a
- 10 teaching experience of not less than ten years.
- 11 **19.** The Chief Coach of the Academy shall be the Technical Assistant
- 12 to the Technical Director of the Academy and shall perform duties assigned by
- 13 the Director such as:
- 14 (a) Setting up and running the Professional Development Centre;
- 15 (b) Developing and implementing a coaching programme;
- 16 (c) Determining the contact times with students;
- 17 (d) Determining the number of coaching sessions;
- 18 (e) Planning student involvement in festivals, tours and tournaments
- 19 in the calendar;
- 20 (f) Implementing football association and FIFA rules and regulations;
- 21 (g) Player welfare;
- 22 (h) Ensuring the use of a Player Recognition System (PRS) to:
- 23 (i) Create a safe environment for players and staff;
- 24 (ii) Ensure games programme is monitored effectively in terms of
- 25 scouting and recruiting;
- 26 (iii) Allow recording of player game time and;
- 27 (iv) Ease club administrative duties.
- 28 (i) Developing a performance clock template for tracking personal
- 29 progress and achievement periodically and;
- 30 (j) Supervising the other technical team members such as other

1 coaches, Goal Keepers' Coach, the Scout and Medical team (Doctors,
2 Physiotherapists, Nurses, Medical Lab Scientists and Social Care Workers)

3 (2) The Chief Coach of the Academy shall hold a Degree in Sports
4 Administration or other relevant fields and shall be a football veteran with
5 proven relevance in contemporary football and not less than seven years'
6 experience as a licensed coach.

7 **20.**-(1) The Bursar of the Academy shall be the head of finance of Appointment of
8 the Academy and shall be answerable to the Technical Director / Principal. Bursar

9 (2) The Bursar must be a chartered Accountant with at least five
10 years' experience.

11 **21.**-(1) The Librarian shall be the chief custodian of the library of Appointment of
12 the Academy and shall be accountable to the Technical Director / Principal Librarian
13 for the day to day running of the library of the Academy.

14 (2) The Librarian shall have a Degree in Library science and a
15 minimum of five years' experience as librarian.

16 **22.**-(1) The Facility Manager shall be accountable to the Technical Facility Manager
17 Director / Principal for the maintenance of facilities in the Academy,
18 including hostels, kitchen, refectory, gymnasium and football pitches.

19 (2) The Facility Manager shall perform supervisory roles Manager
20 over electricians, horticulturists, cleaners, hostel wardens, gymnasium
21 instructors, cooks and refectory administrators.

22 (3) The Facility Manager shall have a Degree in Management and a
23 minimum of five years' experience as Facility Manager.

24 **23.** The Board may appoint such other persons to be staff of the
25 college for justifiable reasons on such terms and conditions as may be
26 specified.

27 **24.**-(1) The principal officers and other senior staff of the college Removal from
28 may be removed from office by the Minister on the basis of misconduct, office
29 incompetence or any other justifiable reason on the recommendation of the
30 board.

	1	(2) The Board shall have power to remove any junior staff of the
	2	Academy for justifiable reasons.
	3	PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES
Finance and General Purpose Committee	4	25. There shall be a committee of the board known as Finance and
	5	General purpose committee.
Composition of the Committee	6	26. -(1) The finance and General Purpose Committee shall consist of:
	7	(a) The chairman of the board of governors, who shall be the
	8	chairman;
	9	(b) The representative of the Minister;
	10	(c) The Technical Director / Principal;
	11	(d) The bursar;
	12	(e) The Chief Coach;
	13	(f) The representative of the host community;
	14	(g) The representative of commissioner for sports of host state;
	15	(h) One member of the academic committee to be appointed by the
	16	board of governors and;
	17	(i) The Dean of Studies, who shall be the secretary of the committee.
Functions of the Committee	18	27. The Finance and General Purpose Committee shall:
	19	(a) Exercise control over property, revenue and expenditure of the
	20	Academy;
	21	(b) Award contracts for the execution of projects of the Academy and;
	22	(c) Perform such other functions as the board of governors may
	23	delegate to it.
	24	28. -(1) Anybody of persons established by this bill shall, without
	25	prejudice to the generality of powers of that body have power to constitute sub-
	26	committees, which need not consist exclusively of members of that body, and
	27	to authorize a sub-committee established by it;
	28	(a) To exercise on behalf of it, such of its function as may be
	29	determined by it;
	30	(b) To co-opt members, and may direct the coopted members if any,

1 shall be entitled to vote in that committee.

2 (2) Any two of such bodies may arrange for a joint meeting of such
3 bodies, or for the appointment of sub- committees consisting of members of
4 such bodies for the purpose of considering matters within the competence of
5 such bodies, or any of them, or either of dealing with it, or of reporting on it
6 to those bodies or any of them.

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

11 **29.** There shall be for the Academy, a curriculum development and
12 implementation committee, which shall be responsible for the academic
13 work of the school.

Curriculum
Development and
Implementation
Committee

14 **30.** The curriculum development and implementation committee
15 be composed of:

- 16 (a) The Technical Director/ Principal of the academy as chairman;
17 (b) The Dean of studies as Deputy Chairman;
18 (c) The Chief Coach;
19 (d) All heads of Departments of the different subjects;
20 (e) A representative of the Commissioner of education of the host
21 state;
22 (f) The school librarian; and
23 (g) The Facility manager.

24 **31.** Subject to the overall control of the board of governors, the
25 Curriculum Development and Implementation Committee of the Academy
26 shall perform the following functions:

Functions of the
Committee

27 (1) Regulating and organizing the process of admissions, conduct
28 of examinations, award of certificates, and all formalities relating to the
29 registration and recommendation of graduates.

30 (2) Making recommendation to the board of governors on

1 appointment of staff of the Academy and the organization of departments,
2 libraries and other units of learning in the Academy;

3 (3) Making guidelines for the purpose of exercising any of the
4 functions conferred on it under the provisions of this section;

5 (4) Preparing curricula for the Academy in line with the guidelines of
6 the Ministry of Education;

7 (5) Liaising with the Academic and Technical Committee on effective
8 planning and time management and;

9 (6) Performing such other function that may be assigned to it by the
10 board of governors.

11 PART VII - SUPPLEMENTARY PROVISIONS

12 32. The supplementary provisions contained in the schedule shall
13 have effect in relation to the proceedings of the various bodies appointed under
14 the provisions of this bill.

15 33. In the absence of the board of governors and until it is constituted
16 for the Academy, the functions and powers of the Academy under this bill may
17 be exercised by the Commissioner of Youths and Sports Development of the
18 host state in consultation with the Minister.

19 PART VIII - PROPERTY AND FINANCE

Transfer of
property

20 34. The Minister for Sports and Youth development may by order
21 transfer any property, whether movable or immovable, to the Academy and
22 from the date of such transfer, any such property so transferred shall belong to
23 the Academy and shall be used for the purpose of the Academy.

Property of the
Academy

24 35. The Board of governors may, subject to the provisions of this Bill:

25 (a) Acquire and hold such movable or immovable property as may be
26 expedient in carrying out the provisions of this Bill;

27 (b) Invest the funds of the Academy in such manner and to such extent
28 as it may deem necessary or expedient; and

29 (c) Enter into contractual agreement on behalf of the Academy.

1	36. -(1) The Board of governors shall have power to approve of	Expenditure of the Academy
2	expenditure of over N100,000 but not exceeding N1,000,000 per unit	
3	transaction for the procurement of goods, works or services and shall refer	
4	procurements exceeding the amount to the Minister.	
5	(2) The Technical Director / Principal shall approve procurement	
6	of goods and services not exceeding N100,000.	
7	(3) The threshold stipulated in this section may be adjusted in case	
8	of:	
9	(a) Subsection (1) by the Minister;	
10	(b) Subsection (2) by the Board of governors.	
11	37. The revenue of the Academy shall include:	Revenue of the Academy
12	(a) Revenue from time to time accruing from the government by	
13	way of grants, subventions, endowment or other grant -in aid;	
14	(b) Fees charged by and payable in respect of students;	
15	(c) Any other charges or dues recoverable by the Academy;	
16	(d) Receipts for publications or services;	
17	(e) Fees and commissions received on the signing of academy	
18	graduates by professional football clubs;	
19	(f) Interests on investments;	
20	(g) Donations and legacies.	
21	38. Before the end of each financial year or such other time as may	Annual estimate
22	be required by the Board of governors, the Bursar or the Technical Director /	
23	Principal shall present to the board estimate of revenue and expenditure for	
24	the ensuring financial year and the accepted estimates shall be presented to	
25	the Minister for approval.	
26	39. -(1) The Academy shall prepare with respect to each financial	Statement of account
27	year, a statement of account as may be approved by the Minister, and the said	
28	annual statement shall be a fair and accurate statement of the financial	
29	position of the Academy for the financial year to which it relates.	

	1	(2) The said annual account shall be audited by Auditor appointed by
	2	the Minister.
Account audit	3	(3) The said audited statement of accounts, after verification by the
	4	Board of Governors shall together with the auditor's report be forwarded to the
	5	Minister.
Interpretation	6	40. In this Bill, unless the context otherwise requires, 'Board' means
	7	the board of governors established under this Bill;
	8	'Chairman' means the chairman of the board of governors of the Academy, or
	9	where the context requires, chairmen of the respective committees established
	10	by the Academy;
	11	'Minister' means the Federal Minister for Youth and Sports Development;
	12	'Junior staff' refers to staff on salary grade level 1-6;
	13	'Members' means members of the board and includes the chairman of the
	14	board;
	15	'Regulations' means any regulation formulated for the Academy by the board;
	16	'Secretariat' means Ministry of Youth and Sports Development secretariat of
	17	Imo State;
	18	'Secretary' means secretary to the board of governors of the Academy and
	19	otherwise means secretary to any committee established under this bill
	20	'Commissioner' means the Commissioner of the Ministry of Youth and Sports
	21	Development or such other official as may be from time to time designated as
	22	the head of the body responsible for Youth and Sports Development in Imo
	23	State;
	24	'Senior staff' means staff on salary grade level 7-17.
Citation	25	41. This Bill may be cited as the National Football Academy Ahiara
	26	(Establishment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the National Football Academy Ahiara, Ahiazu Mbaise L.G.A, Imo State, to provide training, talent development and career mentorship in football, as well as regular secondary academic curriculum.

A BILL

FOR

AN ACT TO PROVIDE FOR THE CONTROL OF SMALL ARMS, LIGHT WEAPONS AND RESTITUTION OF VICTIMS OF KIDNAPPING, BANDITRY AND OTHER RELATED OFFENCES AND FOR RELATED MATTERS

Sponsored by Hon. Tajudeen Adeyemi Adefisoye

[] Commencement

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

1 PART I - ESTABLISHMENT, OBJECTIVES, FUNCTIONS AND POWERS OF
2 NATIONAL CENTER FOR THE CONTROL OF SMALL ARMS
3 AND LIGHT WEAPONS

4 1.-(1) There is established the National Centre for the Control of Establishment
5 Small Arms and Light Weapons (in this Act referred to as "the Centre").

6 (2) The Centre:

7 (a) is a body corporate with perpetual succession and a common
8 seal;

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

10 (c) may acquire, hold or dispose of property whether moveable or
11 immoveable.

12 (d) The Office of the National Security Adviser (ONSA) to the
13 President shall supervise and monitor the activities of the Centre and report
14 back to the President for further directives as the Commander-in-Chief of
15 the Armed Forces of Nigeria.

16 2. The objectives of the Centre are to:

Objectives of
the Centre

17 (a) be a leading Centre to control the possession, use and dealings
18 in small arms and light and also co-ordinating the restitution of victims of
19 abduction, kidnapping and banditry in Nigeria;

20 (b) promote the use or possession of small arms and light weapons

- 1 by citizens of Nigeria legally and within the ambit of the law only;
- 2 (c) provide strategic thinking or policy frameworks for the efficient
- 3 management and utilization of small arms and light weapons, seized or
- 4 forfeited to the Federal Government of Nigeria;
- 5 (d) ensure quick and efficient investigation, prosecution of offenders
- 6 and restitution of victims of abduction, kidnapping and banditry;
- 7 (e) serve as critical Centre for training, research and dialogue where
- 8 distinguished academics, policy initiators, captains of industries and resource
- 9 persons meet to brainstorm and mutually or confidentially exchange views or
- 10 ideas on national or global security issues; and
- 11 (f) promote or encourage the doing or conduct of any activity which
- 12 shall not be inconsistent with this Act towards the attainment of the objectives
- 13 of the Centre and the overall protection of Nigerian citizens not only from the
- 14 illegal use or possession of small arms and light weapons, but also the activities
- 15 of abductors, kidnappers and bandits.
- 16 **3. The Centre shall:**
- 17 (a) control the proliferation of small arms and light weapons in
- 18 Nigeria;
- 19 (b) ensure the use of small arms and light weapons by the citizens of
- 20 Nigeria legally and judiciously;
- 21 (c) co-ordinate the processes of forfeiting of monies or properties of
- 22 person(s) suspected to be an abductor, a kidnapper or bandit whether or not the
- 23 monies or properties are proceeds of the crime or not;
- 24 (d) investigate and prosecute any person suspected to be in illegal
- 25 possession of small arms or light weapons and may cause an agency of the
- 26 Government to investigate or prosecute, person(s) suspected of having
- 27 committed an offence under this Act and other Acts/Laws in relations to
- 28 Firearms, Arms, Ammunition or any military wares;
- 29 (e) investigate and prosecute any person suspected of acts of
- 30 abduction, kidnapping or banditry and may cause an agency of the

Functions of the
Centre

1 Government to investigate or prosecute, person(s) suspected of having
2 committed an offence under this Act and other Acts/Laws in relations to
3 abduction, kidnapping and banditry in Nigeria;

4 (f) restitute victims of acts of abduction, kidnapping and banditry
5 in Nigeria from the amounts of monies or properties of the offender(s)
6 forfeited to the Federal Government of Nigeria whether or not the monies or
7 properties are proceeds of the crime committed.

8 (g) take reasonable legal steps towards the forfeiture of the
9 properties of offenders and restituting the victims of abduction, kidnapping
10 and banditry;

11 (h) subject to the supervisory roles of the ONSA, establish
12 Directorates, Departments for efficient administration and arm squads (with
13 whatever nomenclature) for the control of small arms and light weapons.
14 Provided that the composition of personnel for the National Guards shall be
15 from the Armed Forces of Nigeria;

16 (i) train and equip the arm squads through the Armed Forces of
17 Nigeria or other security agencies within and outside Nigeria; and

18 (j) file an annual report not later than 30th September of each year
19 to the ONSA updating it on the activities of the Centre and other matters
20 ancillary thereto; and

21 (k) undertake any activity not inconsistent with this Act, calculated
22 towards achieving the objectives of this Act and national security.

23 **4. The Centre shall exercise the following powers:**

Powers of the
Centre

24 (a) Arrest and detain or cause an agency of the Government to
25 vested with powers to arrest and detain suspects to arrest and detain
26 person(s) suspected or reasonably suspected of having committed an
27 offence under this Act;

28 (b) Investigate and prosecute person(s) suspected of having
29 committed an offence under this Act;

30 (c) Cause an agency of the Government to investigate or prosecute,

- 1 person(s) suspected of having committed an offence under this Act;
- 2 (d) Search in accordance with global best practice, seize and
3 confiscate any item, property or monies found in possession of a person
4 suspected of committing an offence under this Act, pending the determination
5 of the case by a court of competent jurisdiction;
- 6 (e) Upon an ex parte order, freeze the accounts, attach the properties
7 or good(s) of a person under investigation or being prosecuted for an offence
8 under this Act pending the determination of the case;
- 9 (f) Liaise with relevant authorities to effect an arrest, detain and
10 prosecute a suspect;
- 11 (g) Use reasonable force to restrain a person(s) found in illegal
12 possession of small arms and light weapons, especially where the person(s)
13 resists arrest or attempts to avoid arrest or obstructs the Centre from
14 discharging its duties;
- 15 (h) Enter into an agreement or contract for effective administration,
16 control and realization of the objectives of this Act;
- 17 (i) Promote training, research and development in the areas of
18 national security, defence, peacekeeping and act in aid of the civil authority to
19 ensure peace and security in Nigeria;
- 20 (j) Engage in or undertake any activity not inconsistent with this Act,
21 calculated towards achieving the objectives of this Act and national security.
- 22 **5.-(1)** The Centre shall prepare an annual budget containing its
23 overhead, running costs and other incidental or miscellaneous expenses to the
24 National Assembly for approval and inclusion in the Appropriation Bill or Act.
- 25 (2) The National Assembly shall appropriate from the Consolidated
26 Revenue Account of the Federation, funds for the day to day running of the
27 Centre and other incidental or miscellaneous expenses thereto.
- 28 (3) The Centre shall administer its finances and other allocation from
29 the Consolidated Account of the Federation for its day to day running or other
30 incidental matters thereto.

PART II - STAFF OF THE CENTRE

6.-(1) For effective administration and control, subject to the Appointment of the Co-ordinator of the Centre approval of the President, the ONSA shall appoint a National Co-ordinator for the Centre.

(2) The National Co-ordinator shall be:

(a) a serving or retired Officer in the Armed Forces of Nigeria;

(b) of impeccable or unblemished character and must have held key strategic or tactical appointments as Principal Staff Officer, Commanding Officer or Corps Commander in the Nigerian Army.

(c) in the case of a retired Officer, must not be above 55 years of age.

(3) The National Co-ordinator shall hold office for a term of two years in the first instance and may be re-appointed for another term of two years and no more.

7. The National Co-ordinator shall:

(a) co-ordinate, administer and control the activities of the Centre;

(b) organise and direct troops of the arm squads for duties within and outside Nigeria;

(c) in liaison with the Armed Forces of Nigeria, appoints, employs and disengages military and civilian staff or troops of the arm squads and also exercise disciplinary powers over erring staff or troops of the arms squad in accordance with the extant Laws regulating the Armed Forces and the Public Service Rules in force for the time being;

(d) design the programmes, activities and forecast of events for the Centre;

(e) supervise and control the accounts and records as the Chief Administrative and Accounting Officer of the Centre; and

(f) propose, formulate policies for the Centre and also implement policies of the Federal Government of Nigeria towards the effective implementation of this Act.

Functions and
Powers of the
Co-ordinator

Appointment
and Functions
of Directors of
the Centre

1 **8.** The National Co-ordinator shall appoint a serving Officer in the
2 Armed Forces of Nigeria not below the rank of Brigadier General or its
3 equivalent as Director:

4 (a) Strategic Plans and Implementation, responsible for the
5 preparation, briefings and implementation of policies, plans and other
6 administrative actions of the Centre;

7 (b) Tactical Plans and Operations, responsible for field operations and
8 execution of orders;

9 (c) Administration and Finance; responsible for the management and
10 assisting the National Coordinator in releasing of funds;

11 (d) Legal Services; provision of legal advice to the National
12 Coordinator, vetting of policies, plans, operational orders and constructive
13 engagements with international governmental and non-governmental
14 organisations;

15 (e) Corporate Services and Civil-Military Engagements; responsible
16 in interfacing with the corporate world, media organisations and civil-military
17 relations or engagements;

18 (f) Liaison Services; responsible for the communicating and liaison
19 with the ONSA, other government agencies and the Armed Forces of Nigeria
20 on operations or activities of the
21 Centre;

22 (g) The Chief Registrar; responsible for the administration of the
23 Court, control and management of Registry of the Court and advising the
24 Centre on appointments of staff (excluding the Judges and Juries) of the Court;

25 (h) Restitution and Compensation of Victims; responsible for
26 processing, compilations, vetting and payments to eligible victims of
27 abduction, kidnapping and banditry; and

28 (i) Training, Research and Development; responsible of designing
29 training programmes, conducting research and advancing the courses for
30 future developmental projects or programmes.

1 **9.-(1)** The National Coordinator shall appoint any fit and
2 competent person from either the civilian population or Armed Forces of
3 Nigeria to serve as Deputy Directors in the Centre.

Appointment of
Deputy Directors
and other staff of
the Centre and
secondment of
public

(2) The National Coordinator may accept Public Servants on secondment from Ministries, Departments and Agencies to serve in the Centre for the time being as Deputy Directors.

(3) The National Coordinator may appoint or employ other civilian or members of the Armed Forces of Nigeria as staff to serve in various capacities for the effective administration and control of the Centre.

10 **10.-(1)** No Officer whether serving or retired appointed from the
11 military, Ministries, Departments and Agencies or any Public Services as
12 National Coordinator, Director, Deputy Director or Staff of the Centre shall
13 be paid salary apart from the salary or pension the Officer is receiving from
14 his/her employer.

Remuneration
and allowances

(2) A person appointed to the position of Deputy Director or as a staff of the Centre from the civilian population shall be entitled to salary as may be considered or determined by the ONSA in liaison with the National Salaries and Wages Commission.

(3) Every staff (including the National Coordinator, Directors and Deputy Directors) of the Centre shall be entitled to allowances, bonuses for special tasks and assignments, honorariums, paid vacation/holiday travels within and outside Nigeria and yearly lump sums equivalent to 500/0 of the annual salary of the staff.

24 PART III - PROHIBITION AND CONTROL OF ILLEGAL POSSESSION OF
25 SMALL ARMS AND LIGHT WEAPONS, ABDUCTION, KIDNAPPING
26 AND BANDITRY

27 **11.-(1)** A person who without lawful order, permission or authority
28 possesses, uses or causes to be used any small arms or light weapons
29 commits an offence and shall be liable on conviction to life imprisonment;

Illegal possession
and use of small
arms and light
weapons

30 (2) Any person who:

	1	(a) without lawful authority sales, traffics or deals in whatever
	2	manner with small arms or light weapons commits an offence and shall on
	3	conviction be liable for a term of not less than 20 years imprisonment and a fine
	4	equivalent to the monetary value of the weapons found in the person's
	5	possession;
	6	(b) upon conviction under sub-section (a) above fails to pay or afford
	7	the fine awarded by the Court shall serve additional 10 years imprisonment.
Aiding and abetting the commission of an offence punishment thereof	8	(3) A person who either by act or omission assists, procures or
	9	encourages another to commit acts in violation of any provisions of this Act
	10	commits an offence and liable on conviction for a term not less than 10 years
	11	imprisonment without option of a fine.
Attempt to commit an offence under the Act and punishment thereof	12	(4) A person who by act or omission takes steps or attempt to commit
	13	an offence under this Act commits an offence and liable on conviction to the
	14	punishment prescribed for the substantive offence under this Act.
Abduction and punishment thereof	15	(5) A person who takes away another person(s) not above the age of
	16	18 years to another destination without the knowledge, permission or
	17	authorization of the parents, guardians of the child or government commits act
	18	of abduction and shall be liable on conviction to dead.
	19	Provided that a person who:
	20	(a) for the time being acts as parent or guardian of the victim(s) of an
	21	act of abduction shall not in whatever guise pay ransom for the rescue of the
	22	victim(s) without the consent, guidance and approval of the Centre first sought
	23	and obtained;
	24	(b) fails to comply with the provisions of this Act on payment of
	25	ransom to abductors shall be liable on conviction to imprisonment for a term
	26	not less than 5 years or fine of Five Million Naira (N5,000,000.00).
Kidnapping and punishment	27	(6) A person who takes away another person(s) to another destination
	28	without the knowledge, permission or authorization of the parents, guardians,
	29	relatives of the person or government commits act of kidnapping and shall be
	30	liable on conviction to dead.

1 Provided that a person who:

2 (a) for the time being acts as parent or guardian of the victim(s) of
3 the act kidnapping shall not in whatever guise pay ransom for the rescue of
4 the victim(s) without the consent, guidance and approval of the Centre first
5 and obtained;

6 (b) fails to comply with the provisions of this Act on payment of
7 ransom to kidnappers shall be liable on conviction to imprisonment for a
8 term not less than 5 years or fine of Five Million Naira (N5,000,000.00).

9 (7) A person who while armed with small arms and light weapons
10 gangs up, acts or connives with other group of persons to kill, rob, loot,
11 cheat, abduct, kidnap, destroy or burn properties and do any acts of violence
12 to an individual, a community or society at large commits act of banditry and
13 shall be liable on conviction to dead.

Act of Banditry
and punishment
thereof

14 Provided that a person who:

15 (a) for the time being acts as parent or guardian of the victim(s) of
16 the act banditry shall not in whatever guise pay ransom for the rescue of the
17 victim(s) without the consent, guidance and approval of the Centre first and
18 obtained;

19 (b) fails to comply with the provisions of this Act on payment of
20 ransom to bandits shall be liable on conviction to imprisonment for a term
21 not less than 5 years or fine of Five Million Naira (N5,000,000.00).

22 12.-(1) It shall be a duty on any citizen of Nigeria or person(s)
23 resident in Nigeria to report a suspected case of commission of acts
24 prohibited in Section 11 above by another to relevant authorities.

Reporting and
immunity for
reporting illegal
possession and
use of small arms
and light weapons
or acts of abduction,
kidnapping

25 (2) Any person who reports acts prohibited in Section 11 above
26 shall not be arrested, investigated or prosecuted for malicious prosecution or
27 any other forms of civil actions unless it was established by the Centre upon
28 a preliminary inquiry, that the person gave false information.

	1	PART IV - INVESTIGATION PROSECUTION OF SUSPECTS
	2	AND RESTITUTION OF VICTIMS OF ABDUCTION,
	3	KIDNAPPING AND BANDITRY
Powers of the Centre to investigate and prosecute	4	13.-(1) The Centre shall investigate the commission of acts of illegal
	5	possession of small arms and light weapons, acts of abduction, kidnapping and
	6	banditry or may cause an agency to investigate the commission of the above
	7	acts; and
	8	(2) The Centre shall prosecute the commission of acts of illegal
	9	possession of small arms and light weapons, acts of abduction, kidnapping and
	10	banditry or may cause an agency to prosecute the commission of the acts.
	11	(3) An Officer serving as a Legal Officer with the Centre must be a
	12	Legal Practitioner called to the Nigerian Bar and shall have powers to
	13	prosecute cases in any Court of Law in Nigeria.
Joint prosecution of offence or offenders	14	14. The Centre may jointly prosecute offenders for single separate or
	15	different offences and may in conjunction with any other agency collaborate to
	16	pursue the prosecution or the actual prosecution of an offence or offences under
	17	this Act.
Establishment of a Special Offences Court and Jurisdiction	18	15.-(1) There is established the Special Offences Court (herein before
	19	and after referred to as "the Court") for the trial of offences under this Act or any
	20	other Act or Laws of the National Assembly or States Houses of Assembly on
	21	offences bordering on illegal possession of arms, dangerous weapons or
	22	firearms, abduction, kidnapping, banditry, which may be referred to it from
	23	time to time.
	24	(2) The President shall appoint any fit and proper person(s) as Judge
	25	of the Special Offences Court upon recommendation from the National
	26	Judicial Council (NJC) and subject to ratification by the National Assembly.
	27	(3) The Court shall have and exercise judicial powers vested in the
	28	Federal or States High Courts of Nigeria and shall be duly constituted by a
	29	sitting judge alone and assisted by not less than two juries vast in the areas of
	30	subject matter of the jurisdiction.

1 (4) To be eligible for appointment as a Judge of the Court, a person
2 shall be a citizen of Nigeria and a Legal Practitioner of not less than 10 years
3 post call to Bar Experience in Nigeria.

4 (5) A person appointed as Judge of the Court may stay in the office
5 until retirement, promoted to the next higher bench of the judiciary when
6 due and shall be remunerated and regulated in like manner and
7 circumstances as a judge of the Federal or States High Courts in Nigeria.

8 (6) A jury shall be appointed by the Centre to assist the Judge of the
9 Court in dispensing justice and to be eligible as a jury of the Court, a person
10 shall:

11 (a) be a retired military officer not below the rank of a Colonel or its
12 equivalent and shall be vast in the field of the subject matter; and

13 (b) not be entitled to salary but remunerations in form of
14 allowances, bonuses, honorariums and paid vacations/holidays as
15 applicable to other staff of the Centre.

16 (7) The Court shall have one jurisdiction in the Federal Capital
17 Territory only, with at least 12 courtrooms and such number of Judges as
18 may be determined by the President but not less than 30 Judges and 200
19 Juries to be assigned cases and alternated. Provided that the Court shall sit
20 either in camera or open court as the condition may warrant.

21 (8) The Centre shall determine the location or premises of the
22 Court, provide other administrative staff and Registrars for the Court in line
23 with practice in Federal or States' High Court. Provided that the salaries and
24 allowances of the staff or Registrars of the Court shall be as applicable to
25 other staff under Part II of this Act.

26 (9) The Court shall apply the Evidence Act, Rules and Procedures
27 applicable to the Federal High Courts in Nigeria and may in appropriate
28 cases, apply Rules of Procedures of other Courts in Nigeria to attain
29 substantial justice.

30 (10) The Court shall sit every day except Weekends and Public

1 Holidays and shall record its proceedings like other superior courts of records
2 in Nigeria using electronic recording equipment adopted in standard
3 international courts.

4 (11) The Court may adjourn its proceeding as appropriate and shall
5 not grant an adjournment more than three times during the entire trial. Provided
6 that maximum period of the trial shall be 3 months from arraignment to
7 judgment.

8 (12) An appeal against the decision of the Court shall lie to the Court
9 of Appeal and thereafter, to the Supreme Court of Nigeria accordingly.

Restitution of the
victims of
kidnapping,
banditry and
related offences

10 **16.**-(1) The Court shall upon an exparte application by the Centre or
11 any person or agency entitled or authorised by the Centre, order the restitution
12 of victims of abduction, kidnapping and banditry or payment of compensation
13 to eligible victims as appropriate.

14 (2) The amount to be paid as compensation to restitute the victims
15 shall be vetted by the Centre and determined as appropriate by the Court upon
16 satisfaction that the victim(s) actually suffered from the acts of abductors,
17 kidnappers and bandits.

18 (3) A person shall not be entitled to be restituted or compensated for
19 the acts of abduction, kidnapping or banditry where it was found that the person
20 claiming the restitution is for the time being, an outlaw, a suspect or an enemy
21 of the state.

Order of forfeiture
of all monies,
assets or properties
to the Centre and
application thereof

22 **17.**-(1) The Court shall upon an exparte application by the Centre or
23 any person or agency entitled or authorised by the Centre, order the forfeiture
24 of monies in an account with a bank within or outside Nigeria or attach
25 properties of a person convicted of illegal possession/use of small arms and
26 light weapons, an abductor, kidnapper or bandit whether or not the monies or
27 properties are proceeds of crimes or not.

28 (2) The monies so forfeited shall be applied to restitute victims of
29 abduction, kidnapping and banditry or payment of compensation to eligible
30 victims as appropriate.

(3) The Court shall upon an exparte application by the Centre or any person or agency entitled or authorised by the Centre, order a Post No-debit to be placed on account(s) with a bank within or outside Nigeria of a person in illegal possession/use of small arms and light weapons, an abductor, kidnapper or bandit under investigation or being prosecuted whether or not the monies in the account(s) are proceeds of crimes or not.

(4) The Court shall upon an exparte application by the Centre or any person or agency entitled or authorised by the Centre, order the attachment or placing of lien on the properties within or outside Nigeria of a person in illegal possession of small arms and light weapons, an abductor, kidnapper or bandit under investigation or being prosecuted whether or not the properties are proceeds of crimes or not.

13 PART V - MISCELLANEOUS

14 **18.** The Seals of the Centre shall be kept at the Office of the
15 National Coordinator and Director, Legal Services respectively.

Seal and instrument
of authority of the
Centre

16 **19.** In this Bill, unless the context otherwise requires: "Abductor"
17 means a person who engages in the abduction or procurement of another
18 person to abduct someone;

Interpretation

19 "Act" means any action, conduct or steps taken to commit an offence;

20 "Agency" means any agency of the Federal Government of Nigeria;

21 "Authority" means either an agency or legal power issued by the Centre or
22 the government;

23 "Bandit" means a person who joins other group members to commit act of
24 banditry;

25 "Government" means the Federal Government of Nigeria or State
26 Government as appropriate;

"Honourarium" means compensation for services arising from exigencies, emergency, unexpected or foreseen circumstances;

29 "Kidnapper" means a person who kidnaps another person within the context
30 of this Act;

1 "Light weapons" means any self-loading rifle, AK-47 (7.62mm Special), FN
2 Rifle (7.62 mm NATO), Tavor Assault Rifle, Improvised Explosive Devices
3 (IEDs) and other weapons used by the Armed Forces of Nigeria, Nigeria
4 Police, Department of State Services and other Law Enforcement Agencies in
5 combats;

6 "Military" means the Armed Forces of Nigeria and that of other countries as
7 appropriate;

8 "Small Arms" means non-self-loading rifles, pump action rifles, double barrel
9 rifle, knives, daggers, axes, bows and arrows, tear gas, soft skin vehicles and
10 any dangerous weapons.

Citation

11 **20.** This Bill may be cited as the Control of Small Arms, Light
12 Weapons and Restitution of Victims of Abduction, Kidnapping, Banditry and
13 Related Matters Bill, 2022.

EXPLANATORY NOTES

This Bill seeks to control the proliferation and illegal use of Small Arms and Light Weapons within Nigeria, prohibits acts of abduction, kidnapping and banditry and restitution of the victims of the crimes to protect the territorial integrity of Nigeria and for effective defence and fight against abduction, kidnapping, banditry and other related matters. The Bill is cost effective as the proposed staff or personnel that would serve in the Centre are mostly on the payroll of the Federal Government of Nigeria either as salary earners or pensioners. The personnel are to be drawn from the Armed Forces of Nigeria to enforce the provisions of the Bill.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL
POLYTECHNIC OF TECHNOLOGY, IGBESA, TO TAKE OVER THE ASSETS AND
LIABILITIES, INCLUDING STAFF OF OGUN STATE INSTITUTE OF
TECHNOLOGY, IGBESA TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY,
APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO
MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF SUCH
POLYTECHNICS AND FOR RELATED MATTERS

Sponsored by Hon. Jimoh Ojugbele

[] Commencement

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

Establishment,
Composition and
Functions of the
Federal Polytechnic
of Technology,
Igbesa, Ogun State

1 **1.-(1)** There is established the Federal Polytechnic of Technology,
2 Igbesa, Ogun State, specified in the First Schedule to this Act (in this Act
3 severally referred to as "the Polytechnic") which shall have such powers and
4 exercise such functions as are specified in this Act.

5 **2.-(1)** The functions of the polytechnic shall be:

6 (a) to provide full-time or part-time courses of instruction and
7 training:
8 (i) in technology, applied science, commerce and management;
9 and
10 (ii) in such other fields of applied learning relevant to the needs of
11 the development of Nigeria in the area of industrial and agricultural
12 production and distribution and for research in the development and
13 adaptation of techniques as the Council may from time to time determine;
14 (b) to arrange conferences, seminars and study groups relative to
15 the fields of learning specified in paragraph (a) of this subsection (1);
16 (c) to perform such other functions as in the opinion of the Council

Functions

Establishment
and constitution
of each Council,
etc.

1 may serve to promote the objectives of the polytechnic.

2 (2) Nothing in this section shall preclude the government of a State or
3 any of its agencies from setting up a polytechnic similar to any polytechnic
4 established under this Act.

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

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

11 (a) one person to represent the universities;

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

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

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

17 (e) one person of standing in the community where the polytechnic is
18 situate;

19 (f) the Rector of the polytechnic;

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

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

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

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

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

30 (3) The Chairman and members of the Council other than ex-officio

1 members shall be appointed by the President.

2 (4) The provisions set out in the Second Schedule to this Act shall
3 apply in relation to the constitution of the Council and the other matters
4 therein specified.

5 4.-(1) The Minister of Education shall be the Visitor to each Visitation
6 Polytechnic.

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

10 (a) for the purpose of evaluating the academic and administrative
11 performance of the polytechnic;

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

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

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

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

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

29 6.-(1) A Registrar: Tenure of office
of the Register

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

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

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

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

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

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

General functions
of each Council

15 7.-(1) Subject to provision of this Act, each Council shall be the
16 governing body of the polytechnic concerned and shall have the general
17 management of the affairs of the polytechnic, and in particular, the control of
18 the property and finances of the polytechnic; and shall also have power to do
19 anything which in its opinion is calculated to facilitate the carrying out of the
20 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 Act, and for the same purpose may sell, lease, and mortgage
24 or 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 Act.

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

1

Staff

2

8. -(1) There shall be a Rector of the polytechnic ("the Rector") The Rector

3

who shall be appointed by the President in accordance with the provisions of

4

this section.

5

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

6

(a) advertise the vacancy in a reputable journal or widely read

7

newspaper in Nigeria, specifying:

8

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

9

(ii) the terms and conditions of service applicable to the post, and

10

thereafter, draw up a short list of suitable candidates for consideration;

11

(b) constitute a Search Team consisting of:

12

(i) a member of the Council, not being a member of the Academic

13

Board, as Chairman; (ii) two members of the Academic Board, not below the

14

rank of Chief Lecturer;

15

(iii) two members of the Academic Community of the college not

16

below the rank of Chief Lecturer, to be selected by Council, to identify and

17

draw up a short list of persons who are not likely to apply on their own

18

volition because they feel that it is not proper to do so.

19

(3) A Joint Council and Academic Board Selection Board

20

consisting of:

21

(a) the Chairman of the Council;

22

(b) two members of the Council not being members of the

23

Academic Board;

24

(c) two members of the Academic Board not below the rank of

25

Chief Lecturer, who were not members of the Search Team, shall consider

26

the candidates on the short list drawn up under subsection (2) of this section

27

through an examination of their curriculum vitae and interaction with them

28

and recommend, through the Council, to the President, three candidates for

29

his consideration.

30

(4) The President shall appoint, as Rector, one of the candidates

1 recommended to him under the provisions of subsection (3) of this section.

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

6 (6) The Rector:

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

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

Deputy Rector

11 9. -(1) There shall be for each polytechnic a Deputy Rector:

12 (a) the Council shall appoint the Deputy Rector from among the chief
13 lecturers in the polytechnic in one of the following ways; from a list of three
14 candidates, in order of preference, submitted by the Rector; or

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

17 (c) on the nomination of the Rector.

18 (2) The Selection Board referred to in subsection (2) of this section
19 shall:

20 (a) consist of:

21 (i) the Chairman of the Council;

22 (ii) the Rector;

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

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

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

28 (3) The Deputy Rector:

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

30 (b) act in the place of the Rector when the post of Rector is vacant or if

1 the Rector is for any reason absent or unable to perform his functions as
2 Rector; and

3 (c) perform such other functions as the Rector may, from time to
4 time, assign to him.

5 (4) The Deputy Rector:

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

9 (b) may be re-appointed for one further period of two years and no
10 more.

11 10.-(1) There shall be for each polytechnic the following other
12 principal officers in addition to the Registrar, that is:

Other principal
officers of each
Polytechnic

13 (a) the Bursar; and

14 (b) the polytechnic Librarian, who shall be appointed by the
15 Council on the recommendation of the Selection Board constituted under
16 section 9 (b) of this Act.

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

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

23 (4) The Bursar or Librarian:

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

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

29 (5) Where on the commencement of this section, a Bursar or
30 Librarian has held office:

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

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

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

9 **14.** -(1) The Federal Civil Service Commission may by order
10 published in the Federal Gazette declare the office of the Rector or any other
11 person employed by the Council to be a pensionable office for the purposes
12 of the Pensions Act.

Application of
the Pensions Act

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

16 *Establishment of the Academic Board*

17 **15.**-(1) There shall be established for each polytechnic a board to
18 be known as the Academic Board which shall consist of the following
19 members:

The Academic
Board

20 (a) the Rector of the polytechnic, as the Chairman;
21 (b) the Deputy-Rector of the polytechnic;
22 (c) all Heads of Departments;
23 (d) the polytechnic Librarian; and
24 (e) not more than two members of the academic staff, other than
25 heads of departments, who may be appointed by the Academic Board.

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

27 (a) the direction and management of academic matters of the
28 polytechnic including the regulation of admission of students, the award of
29 certificates and diplomas, scholarships, prizes and other academic
30 distinctions;

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

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

6 *Tenure of Office*

Removal from
office of members
of the Council
and the Rector

7 **16.-(1)** If it appears to the Council that a member of the Council (other
8 than an ex- officio member) or the Rector should be removed from office on the
9 ground of misconduct or inability to perform the functions of his office, the
10 Council shall make a recommendation to that effect to the President, and if the
11 President, after making such inquiries as he considers necessary, approves the
12 recommendation, the President, shall, in writing, declare the office of such
13 member vacant.

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

Removal and
discipline of
academic,
administration
and technical
staff

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

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

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

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

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

29 (ii) for a committee of the Council to investigate the matter, where it

1 relates to any other member of the staff of the polytechnic and to report on it
2 to the Council; and

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

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

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

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

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

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

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

28 (4) Any person suspended pursuant to subsection (2) or (3) of this
29 section, shall be placed on half pay and the Council shall before the
30 expiration of the period of three months after the date of such suspension

1 consider the case against that person and come to a decision as to:

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

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

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

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

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

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

23 *Discipline*

Discipline of
students

24 **18.-(1)** Subject to the provisions of this section, where it appears to
25 the Rector that any student of the polytechnic has been guilty of misconduct,
26 the Rector may, without prejudice to any other disciplinary powers conferred
27 on him by this Act or regulations made hereunder direct:

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

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

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

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

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

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

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

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

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

28 (7) It is hereby declared that a direction under subsection (1) (a) of
29 this section may be combined with a direction under subsection (1) (b) of
30 this section.

Discipline of
junior staff

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

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

6 (a) to consider the case; and

7 (b) to make recommendations as to the appropriate action to be taken
8 by the Rector.

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

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

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

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

23 *Financial Provisions*

Audits of accounts

24 **20.**-(1) Each Council shall keep proper accounts and proper records in
25 relation thereto and shall cause to be prepared, not later than 1 October in each
26 financial year, an estimate of its revenue and expenditure for the ensuing
27 financial year and when prepared, the estimate shall be submitted to the
28 National Board for Technical Education for approval.

29 (2) At the end of each financial year but not later than 30 June the
30 Council shall cause to be prepared a statement of its income and expenditure

1 during the previous financial year.

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

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

Funds of the
Council

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

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

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

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

16 **22.**-(1) Donations of money to be applied to any particular purpose
17 shall be placed to the credit of a special reserve account approved by the
18 Council until such time as they may be expended in fulfillment of such
19 purpose.

Donations for
particular purposes

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

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

Payment into
bank

26 **24.** The Council shall on or before 31 December in each year
27 prepare and submit to the President through the Minister, a report of the
28 activities during the preceding financial year and shall include in the report,
29 the audited accounts of the polytechnic in respect of that financial year and
30 the auditors' comments on the account.

Annual report

	1	Miscellaneous and Supplemental
Power to make bye-laws	2	25. -(1) The Council may make bye-laws relating to any matter within
	3	its competence under this Act other than matters for which provision is to be
	4	made by standing orders pursuant to paragraph 7 of the Schedule to this Act.
	5	(2) All such bye-laws shall be in writing and shall come into force
	6	when sealed with the seal of the Council unless some other date for their
	7	commencement is prescribed therein.
	8	(3) Nothing in subsection (2) of this section shall make it obligatory
	9	for the Council to publish any of the said bye-laws in the Federal Gazette but
	10	the Council shall bring such bye-laws to the notice of all affected thereby.
Exclusion of discrimination on account of race, religion, etc.	11	26. No person shall be required to satisfy requirements as to any of the
	12	following matters, that is to say race (including ethnic grouping), sex, place of
	13	birth or of the family origin or religious or political persuasion or as a condition
	14	of becoming or continuing to be a student at the polytechnic or as a holder of
	15	any certificate of the polytechnic, or of any appointment or employment at the
	16	polytechnic, or a member of anybody established by virtue of this Act; and no
	17	person shall be subjected to any disadvantage or accorded any advantage in
	18	relation to the polytechnic by reference to any of those matters:
	19	Provided that, nothing in this section shall be construed as preventing
	20	the polytechnic from imposing any disability or restriction on any of the
	21	aforementioned persons where such a person willfully refuses or fails on
	22	grounds of religious belief to undertake any duty generally and uniformly
	23	imposed on all such persons or any group of them which duty, having regard to
	24	its nature and the special circumstances pertaining thereto is, in the opinion of
	25	the polytechnic, reasonably justifiable in the national interest.
Quorum and procedure of bodies established under this Act	26	27. Subject to the provisions of paragraph 6 (2) of the Schedule to this
	27	Act and any standing orders or bye-law made under this Act, the quorum and
	28	procedure of any body of persons established by this Act shall be such as may
	29	be determined by that body.

1	28. In this Act, unless the context otherwise requires:	Interpretation
2	"The Academic Board" means the board establish under section 10 of this	
3	Act;	
4	"The Appointments and Promotions Committee" means a body by that	
5	name established under paragraph 3 (2) (a) of the Schedule to this Act;	
6	"Polytechnic" means the respective polytechnics set up under section 1 of	
7	this Act;	
8	"The Junior Staff Appointments and Promotion Committee" means a body	
9	by that name set up under paragraph 3 (2) (b) of the Schedule to this Act;	
10	"The Minister" means the Minister charged with responsibility for matters	
11	relating to technical education;	
12	"The Registrar" means the Registrar of each polytechnic appointed under	
13	section 4 (1) of this Act.	
14	29. This Bill may be cited as the Federal Polytechnic, Igbesa	Short title
15	(Establishment, etc) Bill, 2022.	

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 appoint 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 appoint 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) consist of a chairman to be appointed by the Rector from members
30 of the senior staff of the polytechnic 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 polytechnic 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 polytechnic;
- 14 (ii) one member of the Council;
- 15 (iii) two members of the academic staff of the polytechnic; and
- 16 (iv) four students of the polytechnic, and the Committee on
- 17 Students' Affairs shall be charged with the duty of:
- 18 (i) considering any matter which relates to the welfare of students;
- 19 (ii) any other matter referred to it by either the Council or students
- 20 of the polytechnic;
- 21 (iii) any matter which the students wish to refer to the Council shall
- 22 be referred to the Committee on Students' 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) Particulars 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 shall be entitled to vote or shall count towards
9 quorum.

10 6.-(1) Every question put before the Council at a meeting shall be
11 decided by a simple majority of the members present and voting.

12 (2) Seven members shall form a quorum at any meeting of the
13 Council.

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

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

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

23 *Miscellaneous*

24 9. Any contract or instrument which if entered into by a person not
25 being a body corporate would not be required to be under seal, may in like
26 manner be entered into or executed on behalf of the Council by any person
27 generally or specifically authorised by it for that purpose.

28 10.-(1) The common seal of the Council shall not be used or affixed to
29 any document except in pursuance of a resolution duly passed at a properly

1 constituted meeting of the Council and recorded in the minutes of such
2 meeting.

3 (2) The fixing of the seal of the Council shall be authenticated by
4 the signature of the Chairman of the Council and some other member
5 authorised generally or specifically by the Council to act for that purpose.

6 (3) Any document purporting to be a document duly executed
7 under the seal of the Council shall be received in evidence and shall, unless
8 the contrary is proved, be deemed to be so executed.

9 11. Any member of the Council or a committee thereof who has a
10 personal interest in any contract or arrangement entered into or proposed to
11 be considered by the Council or a committee thereof, shall forthwith disclose
12 his interest to the Council and shall not vote on any question relating to such
13 contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic of Technology, Igbesa, Ogun State and to provide full-time courses in technology, applied science management and other fields of studies and to make provisions for the general administration of such Polytechnics.

FOR

Sponsored by Hon. Ademorin A. Kuye

[] Commencement

1 **1. The Bank Employee Etc (Declaration of Asset) Act, 2004**
2 (hereinafter called "the Principal Act") is amended as set out below.

Amendment of the Bank Employee (Declaration of Asset) Act 2004

3 **2.** Section 1 of the Principal Act is amended to read thus-

(1) Every employee of a Bank shall, within seven days of the commencement of this Act, make a full disclosure of all his assets.

Employees to
make full disclosure
of assets within
seven days

(2) In the case of a new employee, he shall within seven days of assuming duty with the Bank make a full disclosure of all his assets at the time of his assuming duty; and for the purpose of this subsection, a transfer or secondment from one Bank to another shall be treated as a new employment

11 **3.** Insert a new section 5 and re-numbering of the subsequent
12 sections:

13 "5 (1) A bank employee shall not maintain or operate a personal
14 bank account in any country outside Nigeria.

(Prohibition of Foreign Accounts)

(2) In the case of an existing account before his employment, he shall notify the appropriate banks, in writing, of closure of the account and a copy attached to his assets declaration form.

18 **4.** Section 8 of the Principal Act now Section 9 is amended to read
19 thus;

Offences relating
to assets declaration
punishments

1 9. Offences relating to assets declaration (1) Any employee affected
2 by this Act who:
3 (a) knowingly fails to make full disclosure of the assets and liabilities
4 required to be made under this Act; or
5 (b) knowingly makes a declaration that is false, knowing same to be
6 false in part or in whole; or
7 (c) fails to answer any question contained in the appropriate form
8 under this Act; or
9 (d) fails, neglects or refuses to make a declaration or furnish
10 information as required by the provisions of this Act, commits an offence under
11 this Act and shall be liable on conviction to imprisonment for a term of fifteen
12 years or a twenty five million naira fine.

13 5. Section 12 (2) of the Principal Act now section 13 is amended and
14 new subsection 3 to read thus;

Application of
Act to other persons
and institutions

15 (2) The President may direct by an instrument published in the
16 Federal Gazette that the provisions of this Act be applied to any other person,
17 class of employees, financial institutions or any other body either in the private
18 or public sector of the Nigerian economy.

19 (3) Where the President directs as provided in subsection (2) of this
20 section, the Act shall apply subject to such contextual modification as may be
21 necessary for its execution

Amendment of
Section 14

22 6. Section 14 of Principal Act is Now Section 15 amended by:
23 deleting the existing meaning of the [words 'appropriate authority and inserting
24 instead the words 'appropriate authority' means the. Central Bank of Nigeria in
25 the case of bank, and the regulatory bodies in the case of other financial
26 institutions; and
27 inserting the following;
28 “other Financial Institution means any individual, body, association or group
29 of persons, whether corporate or Unincorporated, other than the banks licensed
30 under the banks and other financial institution Act Cap 81 2004 or any relevant

1 Law, which carries on the business of a discount house, finance company
2 and money brokerage and whose principal objects including factoring,
3 project financing, equipment leasing, debt administration, fund
4 management, private ledger services, investment management, local
5 purchases, project consultancy, pension fund management and such other
6 business as the Central Bank of Nigeria may from time to time designate”.

7 7. This Bill may cited as the Bank Employee Etc (Declaration of Citation
8 Assets)(Amendment) Bill, 2022.

EXPLANATORY NOTES

This Bill seeks to amend the Bank Employee Etc (Declaration of Asset) Acts
Cap, B1 Laws of the Federation of Nigeria 2004 to reflect the current
realities in the country and provide stiffer punishment for non-compliance.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL MEDICAL,
BALI, TARABA STATE; AND FOR RELATED MATTERS, 2022

Sponsored by Hon. Abdulsalem Gambo Mubarak

[] Commencement

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

PART I - ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE,
BALI, TARABA STATE

3 **1.**-(1) There is hereby established the Federal Medical Centre,
4 Bali, Taraba State (in this Bill referred to as "the Medical Centre").

Establishment
of the Federal
Medical Centre,
Bali, Taraba State

5 (2) The Medical Centre:
6 (a) shall be a body corporate;
7 (b) may sue and be sued in its corporate name; and
8 © shall have perpetual succession and a common seal.

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

Establishment
of the Board of
Management of
the Medical Centre

12 **3.-(1)** The Board shall consist of: Membership of

13 (a) a chairman; the Board

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

15 (c) the Director of Clinical Services;

16 (d) Association of Medical Laboratory Scientists;

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

18 Union;

19 (f) one person to represent National Union of Allied Health

20 Professional;

21 (g) the representative of the Minister of Health who should not be

	1	below the rank of Assistant Director;
	2	(h) the Federal Ministry of Health;
	3	(i) the National Planning Commission;
	4	(j) one representative of Nigerian Medical Association;
	5	(k) the Pharmaceutical Society of Nigeria;
	6	(l) the Association of Medical Laboratory Scientists of Nigeria;
	7	(m) the Pediatrics Association of Nigeria; and
	8	(n) the National Association of Nigerian Nurses and Midwives.
	9	(2) The Director of Administration shall be the Secretary of the board.
	10	(3) The chairman and members of the Board, other than ex-officio
	11	members, shall be:
	12	(a) appointed by the President; and
	13	(b) persons of proven integrity and ability.
Schedule	14	(4) The supplementary provisions set out in the Schedule to this Bill
	15	shall have effect with respect to the proceedings of the Board and the other
	16	matters contained therein.
Tenure of office	17	4. Subject to the provisions of section 5 of this Bill, a member of the
	18	Board, other than ex-officio members, shall each hold office:
	19	(a) for a term of three years in the first instance and may be re-
	20	appointed for a further term of three years and no more; and
	21	(b) on such terms and conditions as may be specified in his letter of
	22	appointment.
Cessation of Membership	23	5.-(1) Notwithstanding the provisions of section 4 of this Bill a person
	24	shall cease to hold office as a member of the Board if:
	25	(a) he becomes bankrupt, suspends payment principal loan with his
	26	creditors;
	27	(b) he is convicted of a felony or any offence involving dishonesty or
	28	fraud;
	29	(c) he becomes of unsound mind or is incapable of carrying out his
	30	duties;

1 (d) he is guilty of a serious misconduct in relation to his duties; or
 2 (e) in the case of a person possessed of professional qualifications,
 3 he is disqualified or suspended, other than at his own request, from
 4 practising his profession in any part of the world by an order of a competent
 5 authority made in respect of that member; or

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

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

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

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

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

18 7.- (1) The Board shall:

19 (a) equip, maintain and operate the Medical Centre so as to provide Function of the
 20 facilities for diagnosis, curative, preventive and rehabilitative services in Board
 21 medical treatment;

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

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

30 (2) The Board shall ensure that the standards of teaching provided

Power of the
Board

1 at all establishments under its control and the standards of treatment and care
2 provided for patients at those establishments do not fall below those usually
3 provided by similar establishments of international repute.

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

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

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

10 (b) provide facilities for the training of medical students of associate
11 universities;

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

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

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

18 (f) do such other things which in the opinion of the Board are
19 necessary to ensure the efficient performance of the functions of the Medical
20 Centre.

21 PART III - STAFF OF THE MEDICAL CENTRE

Medical Director
of the Medical
Centre

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

27 (2) The Medical Director shall:

28 (a) be the chief executive and accounting officer of the Medical
29 Centre;

30 (b) be responsible to the Board for the day-to-day administration of

1 the Medical Centre;

2 (c) be appointed for a term of four years in the first instance and
3 may be reappointed for a further term of four years subject to satisfactory
4 performance;

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

7 (e) have considerable administrative experience in matters of
8 health;

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

11 **10.-(1)** The Board shall appoint for the Medical Centre:

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

13 (i) be responsible to the Medical Director for the effective
14 functioning of all the administrative divisions of the Medical Centre;

15 (ii) conduct the correspondence of the Board and keep the records
16 of the Medical Centre; and

17 (iii) perform such other functions as the Board or the Medical
18 Director, as the case may be, may, from time to time, assign to him.

19 (b) a Director of Clinical Services;

20 (c) a Director of Finance;

21 (d) a Director of Maintenance.

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

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

Appointment of
Director of
administration
and recruitment
of other staff of
the Medical
Centre

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

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

9 (6) The terms and conditions of service of the employees of the
10 Medical Centre shall be as determined by the National Salaries Income and
11 Wages Commission".

Service in the
Medical Centre
to be pensionable

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

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

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

Establishment
of the Medical
Advisory Committee,
etc.

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

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

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

27 (c) be appointed by the Board.

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

1 regard to the approved personnel establishment of the Medical Centre.

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

6 PART IV - FINANCIAL PROVISIONS

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

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

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

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

16 (d) foreign aid and assistance from bilateral agencies; and all other
17 sums which may, from time to time, accrue to the Medical Centre.

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

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

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

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

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

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

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

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

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

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

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

11 Provided that nothing in this section shall be construed as
12 preventing the Nigeria Customs Service from inspecting any equipment, or
13 material imported by the Centre.

14 PART V - GENERAL

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

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

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

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

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

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

1 while the appeal is pending.

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

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

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

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

Removal and
discipline of
clinical
administrative
and technical staff

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

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

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

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

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

24 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Discipline of
junior staff

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

23 (a) consider the case; and

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

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

29 (3) The Medical Director may, after considering the recommendation
30 made pursuant to subsection (1) (b) of this section, dismiss, or take such other

1 disciplinary action against the officer concerned.

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

6 PART VI - MISCELLANEOUS

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

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

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

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

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

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

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

28 **27.** In this Bill: Interpretation
29 "associate universities" means the universities whose medical students
30 receive aspects of their training from the Medical Centre;

- 1 "Board" means the Board of Management of the Medical Centre;
2 "chairman" means the chairman of the Board;
3 "functions" include powers and duties;
4 "Federal Medical Centre" means the Federal Medical Centre Bali;
5 "junior staff" means staff of such grade as may be determined, from time to
6 time, by the Board;
7 "medical student" means a student whose course of instruction is:
8 (a) designed (either alone or in conjunction with other courses) to
9 enable him to qualify as a medical practitioner; or
10 (b) designed for the further training of medical practitioners;
11 "Minister" means the Minister charged with responsibility for matters relating
12 to health; and
13 "student" means a person enrolled at an institution controlled by the Board for
14 the purpose of pursuing a course of instruction at the institution.
- 15 **28.** This Bill may be cited as the Federal Medical Centre, Bali
16 (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 establish the Federal Medical Centre, Bali, Taraba State, to equip, maintain and operate the Medical Centre so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF SCIENCE AND TECHNOLOGY, REMO, OGUN STATE (FUSTRO) TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION AND RELATED MATTERS

Sponsored by Hon. Adewunmi Oriyomi Onanuga

[] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
2 FEDERAL UNIVERSITY OF SCIENCE AND TECHNOLOGY, REMO, OGUN
3 STATE. (FUSTRO)

4 1.-(1) There is hereby established a Federal University of Science
5 and Technology, Remo, Ogun State. (FUSTRO) (in this Bill referred to as
6 the University).

Establishment
and Objects of
the Federal University
of Science and
Technology, Remo,
Pgun State (FUSTRO)

7 (2) The University:

8 (a) Shall be a body corporate with perpetual succession and a
9 common seal; and

10 (b) May sue or be sued in its corporate name.

11 2. The objectives of the University shall be to:

Objectives of the
University

12 (a) Encourage the advancement of learning and to hold out to all
13 persons without distinction of race, creed, sex or political conviction the
14 opportunity of acquiring higher education in the area of science;

15 (b) To develop and offer academic and professional programmes
16 leading to the award of diplomas, first degrees, post-graduate research and
17 higher degrees with emphasis on planning, adaptive, technical,
18 maintenance, developmental and productive skills the engineering,
19 scientific, and allied professional disciplines relating to science and

1 technology with the aim of producing socially mature men and women with
2 capability not only to understand, use and adapt existing technologies in
3 science but also to improve on them and develop new ones;

4 (c) To act as agents and catalysts, through post-graduate training,
5 research and innovation for the effective and economic utilization, exploitation
6 and conservation of the country's technological resources;

7 (d) To offer to the people as a form of public service, the results of
8 training and research, and to foster the practical applications of these results;

9 (e) To establish appropriate relationships with other national
10 institutions involved in training, research and development of technologies in
11 the areas of science;

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

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

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

19 (i) To undertake any other activity appropriate for a university of the
20 highest standard.

Constitution of
the University
and its Constituents
Bodies, etc.

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

22 (a) A Chancellor;

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

24 (c) A Vice Chancellor and a Senate;

25 (d) A Deputy Vice-Chancellor;

26 (e) A body to be called Congregation;

27 (f) A body to be called Convocation;

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

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

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

4 (j) All graduates and undergraduates; and

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

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

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

11 (a) The Council;

12 (b) The Senate;

13 (c) The Congregation; and

14 (d) The Convocation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (o) Make gifts for any charitable purpose;

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

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

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

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

Functions of the
Chancellor and
Pro-Chancellor

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

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

Establishment
and Composition
of Council

24 (a) The Pro-Chancellor;

25 (b) The Vice-Chancellor;

26 (c) The Deputy Vice-Chancellor;

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

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

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

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

3 (h) One person appointed by Convocation from among its members.

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

Functions of the
Council and its
Finance and General
Purpose

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

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

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

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

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

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

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

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

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

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

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

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

Functions of the
Senate

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

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

1 branches of learning;

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

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

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

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

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

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

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

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

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

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

1 in some other university of high repute.

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

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

Functions of the
Vice-Chancellor

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

18 PART II - TRANSFER OF PROPERTY

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

Transfer of Property
to the University

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

26 PART III - STATUTES OF THE UNIVERSITY

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

Power of the
University to
make Statutes

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

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

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

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

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

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

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

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

Mode of exercising
the power to make
Statutes

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

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

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

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

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

1 bodies in no particular order.

2 (4) A Statute which:

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

5 (b) provides for the establishment of a new campus or college or for
6 the amendment or revocation of any Statute whereby a campus or college is
7 established; shall not come into operation unless it has been approved by the
8 Visitor.

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

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

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

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

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

1 with the Constitution.

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

9 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

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

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

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

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

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

Removal of certain
Members of the
Council

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

29 (2) It shall be the duty of the Minister to use his best endeavors to
30 cause a copy of the instrument embodying a direction under subsection (1) of

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

3 **17.-(1)** If it appears to the Council that there are reasons for
4 believing that any person employed as a member of the academic,
5 administrative or professional staff of the University, other than the Vice-
6 Chancellor, should be removed from office or on grounds of misconduct or
7 inability to perform the functions of his office Council shall:

Removal and
discipline of
Academic,
Administrative
and Professional
Staff

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

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

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

17 (b) the person in question to be afforded an opportunity to appear
18 before and be heard by an investigating committee with respect to the
19 matter; and if the Council after considering the report of the investigating
20 committee, is satisfied that the person in question should be removed, the
21 Council may so remove him by an instrument in writing signed on the
22 directions of the Council.

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

27 (4) Any member of staff may be suspended from duty or his
28 appointment may be terminated by Council for a good cause and for the
29 purposes of this subsection "good cause" means:

30 (a) conviction for any offence which the Council considers to be

1 such as to render the person concerned unfit for the discharge of the functions
2 of his office;

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

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

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

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

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

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

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

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

26 (6) Where the Council, pursuant to this section, decides to continue a
27 person's suspension or decides to take further disciplinary action against the
28 person, the Council shall, before the expiration of three months from such
29 decision come to a final determination in respect of the case concerning such a
30 person.

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

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

8 **18.**-(1) If, on the recommendation of the Vice-Chancellor, it Removal of
9 appears to the Senate that a person appointed as an examiner for any Examiners
10 examination of the University ought to be removed from his office or
11 appointment, then, the Senate may, after affording the examiner an
12 opportunity of making representations in person on the matter, direct the
13 Vice-Chancellor to remove the examiner by an instrument in writing signed
14 by the Registrar.

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

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

23 **19.**-(1) Subject to the provisions of this section, where it appears to Discipline of
24 the Vice-Chancellor that any student is guilty of misconduct, the Vice- Students
25 Chancellor may, without prejudice to any other disciplinary powers
26 conferred on him by Statute or regulations, direct that the:

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

30 (b) activities of the student shall, during such period as may be

1 specified in the direction, be restricted in such manner as may be so specified;

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

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

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

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

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

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

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

24 **PART V - MISCELLANEOUS AND GENERAL PROVISIONS**

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

25 **20.-(1)** No person shall be required to satisfy requirements as to any of
26 the following matters, that is to say, race (including ethnic grouping) sex, place
27 of birth, family origin, religious or political persuasion, as a condition for
28 becoming or continuing to be a:

29 (a) student in the University;

1 (b) Holder of any degree, appointment or employment in the
2 University; or

3 (c) member of any body established by virtue of this Act.

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

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

14 **21.**-(1) For the purpose of the Land Use Act (which provides for the
15 compulsory acquisition of land for public purposes) any purpose of the
16 University shall be the same as that of the Federation.

Transfer of land
to the University

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

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

Restriction on
disposal of land
by University

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

29 **23.** Except as may be otherwise provided by Statute or by
30 Regulation, the quorum and procedure of any body of persons established

Quorum and
procedure of
bodies established
by this Act

Appointment of
Committees, etc.

1 by this Act shall be such as may be determined by that body.

2 **24.-(1)** Anybody of persons established by this Act shall, without
3 prejudice to the generality of the powers of that body, have power to appoint
4 committees, which need not consist exclusively of members of that body and
5 authorize a committee established by it to:

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

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

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

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

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

24 (5) Nothing in the foregoing provisions of this section shall be
25 construed as enabling:

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

28 (b) the Senate to empower any other body to make Regulations or to
29 award degrees or other qualifications.

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

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

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

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

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

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

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

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

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

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

29 (b) regulation by a subsequent Statute or Regulation as the case
30 may be;

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

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

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

Interpretation

8 **26.-(1)** In this Act:

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

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

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

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

15 "gross misconduct" means any act of misconduct and improper behavior that
16 may be designated as gross misconduct by any Statute or Regulation made,
17 pursuant to this Act;

18 "Minister" means the Minister charged with responsibility for education;

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

22 "notice" means notice in writing;

23 "officer" does not include the Visitor;

24 "prescribed" means prescribed by Statute or Regulation made under this Act;

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

27 "property" includes rights, liabilities and obligations;

28 "the provisional Council" means the provisional Council appointed for the
29 University by the President with effect from September 2020;

30 "regulations" means regulations made by the Senate or Council;

1 "Senate" means the Senate of the University established by the Act;
2 "Statute" means a law made by the University under section 11 of this Act
3 and in accordance with the provisions of section 12 of this Act;
4 "the Statutes" means all such laws as are in force from time to time;
5 "teacher" means a person holding a full time appointment as a member of the
6 teaching or research staff of the University;
7 "President" means the President of the Federal Republic of Nigeria;
8 "Constitution" means the Constitution of the Federal Republic of Nigeria;
9 "undergraduate" means a person in the University, other than:
10 (a) a graduate; and
11 (b) a person of such description as may be prescribed for the
12 purposes of this definition.
13 "the University" the Federal University of Science and Technology, Remo,
14 Ogun State incorporated and constituted by this Act; and
15 "the Act" means the Federal University of Science and Technology, Remo,
16 Ogun State Act.

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

24 **27.** This Bill may be cited as the Federal University of Science and Short title
25 Technology, Remo, Ogun State. (FUSTRO) (Establishment) Bill, 2022.

1 SCHEDULES

2 FIRST SCHEDULE

3 *Section 3 (2)*

4 PRINCIPAL OFFICERS OF THE UNIVERSITY

5 *The Chancellor*

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

8 *The Pro-Chancellor*

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

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

13 *The Vice-Chancellor*

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

17 *Deputy Vice-Chancellor*

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

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

24 (3) A Deputy Vice-Chancellor shall:

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

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

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

Office of the Registrar, Bursar and University Librarian

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

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

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

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

(a) the Bursar; and

(b) the University Librarian.

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

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

(4) The Bursar and the University Librarian:

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

Other Officers of the University

7. There shall be for the University, a Director of Works, who shall

1 be responsible to the Vice Chancellor for the administration of the Works
2 Department. He shall be responsible for all works, services and maintenance of
3 University facilities.

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

8 *Resignation and re-appointment*

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

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

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

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

18 **SECOND SCHEDULE**

19 *Section 10 (2)*

20 **TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.**

21 *Transfer of Property to the University*

22 1. without prejudice to the generality of Section 10 (1) of this Act:

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

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

29 2.-(1) All agreements, contracts, deeds and other instruments to
30 which the provisional Council was a party shall, SD far as possible and subject

1 to any necessary modifications, have effect as if the University established
2 by this Act had been a party to it in place of the provisional Council.

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

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

10 *Registration of Transfers*

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

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

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

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

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

30 (4) The persons who were members of the Senate immediately

1 before the coming into force of this Act shall be deemed to constitute the Senate
2 of the University until the date when the Senate as set up under the Third
3 Schedule of this Act must have been duly constituted.

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

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

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

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

20 **THIRD SCHEDULE**

21 *Section 11 (3)*

22 **FEDERAL UNIVERSITY OF SCIENCE AND TECHNOLOGY, REMO, OGUN STATE**

23 **STATUTE NO.1**

24 *Articles:*

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

1 7. Faculty Board

2 8. The Dean of the Faculty

3 9. Selection of Certain Principal and other key officers

4 10. Creation of Academic Post

5 11. Appointment of Academic Staff.

6 12. Appointment of Administrative and Technical Staff

7 *The Council*

8 (1) Any member of Council holding office pursuant to section 6 (e)

9 (f) (g) or (h) of this Act may, by notice to the Council, resign his office.

10 (2) A member of Council holding office pursuant to section 6 (e) (f)

(g) or (h) of this Act shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.

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

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

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

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

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

(8) The Council constituted by this Act shall have a four year tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.

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

9 *The Finance and General Purpose Committee*

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

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

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

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

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

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

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

24 *The Senate*

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

26 (a) the Vice-Chancellor;

27 (b) the Deputy Vice-Chancellor;

28 (c) all Professors of the University;

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

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

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

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

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

16 *Congregation*

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

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

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

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

1 or fifty, whichever is less.

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

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

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

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

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

15 *Convocation*

16 5.-(1) Convocation shall consist of:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 *Organization of Faculties and Branches*

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

28 7.-(1) There shall Be established in respect of each Faculty, a
29 Faculty Board, which, subject to the provisions of this Act, and subject to the
30 directions of the Vice-Chancellor, shall:

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

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

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

7 (2) Each Faculty Board shall consist of:

8 (a) the Vice-Chancellor;

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

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

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

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

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

18 *The Dean of the Faculty*

19 8.-(1) The Dean of a faculty shall be a professor elected by the Faculty
20 Board and such Dean shall hold office for a term of two years. He will be
21 eligible for re-election for another term of two years after which he may not be
22 elected again until two years have elapsed.

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

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

30 (4) The Dean of a faculty shall exercise general superintendence over

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

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

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

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

18 *Selection of Certain Principal and other key Officers*

19 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,
20 the University Librarian, Director of Works or Director of Health Services, a
21 Selection Board shall be constituted by the Council and shall consist of:

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

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

1 may make an appointment to that office.

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

5 *Creation of Academic Post*

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

9 *Appointment of Academic Staff*

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

13 *Appointment of Administrative and Technical Staff*

14 12.-(1) The administrative and technical staff of the University, other
15 than those mentioned in paragraph 9 of this schedule shall be appointed by the
16 Councilor on its behalf by the Vice-Chancellor or the Registrar in accordance
17 with any delegation of powers made by the Council in that behalf.

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

21 *Short Title*

22 13. This Bill may be cited as the Federal University of Science and
23 Technology, Remo, Ogun State. (FUSTRO) (Establishment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Science and Technology,
Remo, Ogun State to make comprehensive provisions for its due management
and administration.