

Extraordinary



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A BILL

FOR

AN ACT TO UPGRADE GOVERNMENT TECHNICAL SCHOOL ILODE ILE IFE,
OSUN STATE TO FEDERAL COLLEGE OF EDUCATION (TECHNICAL) ILE IFE,
OSUN STATE AND FOR RELATED MATTERS

Sponsored by Hon. Ajilesoro Taofeek Abimbola

[] Commencement

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

1 PART I - ESTABLISHMENT OF FEDERAL COLLEGE OF EDUCATION

2 (TECHNICAL) LIE-IFE, OSUN STATE

3 1.-(1) There is hereby established the Federal College of
4 Education (Technical) Ile-Ife, Osun State specified in the First Schedule to
5 this Act (in this Act referred to as "College") which shall have such powers
6 and exercise such functions as are conferred on them by this Act.

Establishment
of Federal College
of Education
(Technical) Ile-Ife,
Osun State

7 (2) The College shall be a body corporate with perpetual
8 succession and a common seal and shall have power to acquire and dispose
9 of interests in movable and immovable property and may sue and be sued in
10 its corporate name.

11 2.-(1) The governance of Federal College of Education
12 (Technical) Ile-Ife, Osun State and the direction of its affairs shall vest in the
13 Governing Council of the College concerned (in this Act referred to as "the
14 Council").

Governing Council
of Federal College
of Education
(Technical) Ile-Ife,
Osun State

15 (2) Without prejudice to the generally of subsection (1) of this
16 section, it shall be the responsibility of the Council to consider and approve:

17 (a) The plan of activities of the College;

18 (b) The programme of studies, courses, and research to be
19 undertaken by the Federal College of Education (Technical) Ile-Ife, Osun
20 State;

	1	(c) The annual estimates of the College; and
	2	(d) The investment plans of the College.
Membership of the Council of the College	3	3. The Council of Federal College of Education (Technical) Ile-Ife,
	4	Osun State shall consist of a chairman and the following other members, to be
	5	appointed by the president:
	6	(a) A representative of the Federal Ministry of Education;
	7	(b) A representative of the Nigerian Society of Engineers;
	8	(c) A representative of the universities of Technology who in the case
	9	of degree awarding Colleges, shall come from the university to which the
	10	Colleges are affiliated for the purpose of moderation;
	11	(d) Three person of note in the areas of science and of technical
	12	education, one of whom shall be a woman, to be appointed by the President;
	13	(e) A representative of the National Commission for Women;
	14	(f) A representative of the alumni association of the College;
	15	(g) Two representatives of the Academic Board of the College;
	16	(h) A representative of the National Commission for Colleges of
	17	Education; and
	18	(i) The provost of the college.
Tenure of office of members of the Council	19	4.-(1) A member of the Council (other than an ex-officio member)
	20	shall hold office for a term of three years and subject to the provisions of
	21	subsection (2) of this section, shall be eligible for re - appointment for a further
	22	period of three years.
	23	(2) The office of a member appointed under sections 3 (1) (d) and 3 (2)
	24	of this Act shall become vacant if-
	25	(a) The member resigns his office by notice in writing under his hand,
	26	addressed to the Minister, or
	27	(b) The Minister is satisfied that it is not in the interest of the College
	28	for the person appointed to continue in office and notifies the member in
	29	writing to the effect.

1	5. The functions of Federal College of Education (Technical) Ile-	Functions of Federal College of Education (Technical) Ile-Ife, Osun State
2	Ife, Osun State shall be:	
3	(a) To provide full-time courses in teaching, instruction and	
4	training-	
5	(i) in technology, applied Science, commerce, arts, social Science,	
6	humanities and management; and	
7	(ii) in such other fields of applied learning relevant to the needs of	
8	the development of Nigeria in the areas of industrial and agricultural	
9	production and distribution and for research in the development and	
10	adaptation of techniques as the Council may from time to time determine,	
11	(b) To conduct courses in education for qualified teachers;	
12	(c) To arrange conferences, seminars and workshops relative to the	
13	fields of learning specified in paragraph (a) of this section; and	
14	(d) To perform such other functions as in the opinion of the Council	
15	may serve to promote the objectives of the College.	
16	6.-(1) For the carrying out of the functions of the College, the	Powers of the Council
17	Council shall have power to-	
18	(a) Hold examination and grant diplomas, professional certificates	
19	and other distinctions to persons who have pursued a course of study	
20	approved and accredited by the National Commission for Colleges of	
21	Education;	
22	(b) Demand and receive from any student or any other person	
23	attending the College for the purpose of instruction such fees as the Council	
24	may, with the prior approval for the Minister, from time to time determine;	
25	(c) Hold public lectures and undertake printing, publishing and	
26	bookselling;	
27	(d) Make gifts for any charitable purpose;	
28	(e) Hold examinations in education for qualified teachers;	
29	(f) Provide amenities for and make such other provision for the	
30	welfare of the staff of the College;	

1 (g) Invest the funds of the College in securities specified by law or in
2 such other securities in Nigeria as may be approved by the Minister;

3 (h) Borrow money within Nigeria in such manner and upon such
4 security as the minister may from time to time authorize;

5 (i) Enter into such contracts as may be necessary or expedient for
6 carrying into effect the objectives of the College;

7 (j) Recruit staff of the right caliber and determine the career structure
8 of such staff;

9 (k) Establish and maintain such schools and other teaching units
10 within the College or extramural departments as the Council may, from time to
11 time, decide;

12 (l) Institute and award fellowships, medals, prizes and other titles;

13 (m) Mount exhibitions and displays designed to foster an
14 appreciation of trends in and the scope and requirements of education;

15 (n) Erect, provide, equip and maintain such educational recreational
16 and residential facilities as the College may require;

17 (o) Create lectureships and other academic posts and offices and to
18 make appointments thereto;

19 (p) Encourage and make provision for research in the College; and

20 (q) Do such acts and things whether or not incidental to the foregoing
21 powers as may advance the objects of the College.

22 (2) The power of the Council to establish further schools within the
23 College shall be exercisable by order and not otherwise.

Visitation

24 **7.-(1)** The Minister of Education shall be the Visitor of the College.

25 (2) The Visitor shall, not less than once in every five years, conduct a
26 visitation of the College or appoint a visitation panel consisting of not less than
27 five experts to conduct the visitation:

28 (a) For the purpose of evaluating the academic and administrative
29 performance of the College; or

30 (b) For such other purpose or in respect of any other affairs of the

1 College as the visitor may deem fit.

2 **8.-(1)** There shall be established for the College a board to be The Academic
3 known as the Academic Board which shall consist of the following Board and its
4 members: functions

5 (a) The Provost of the College who shall be the chairman;

6 (b) All heads of departments;

7 (c) The College Librarian; and

8 (d) Not more than two members of the academic staff other than
9 heads of departments to be appointed by the Council.

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

11 (a) the direction and management of academic matters of the
12 College including the regulation of admission of students, the award of
13 certificates, scholarships, prizes and other academic distinctions;

14 (b) Making periodic reports on such academic matters to the
15 Council as the Council may from time to time direct;

16 (c) Discharging any other functions which council may from time
17 to time delegate to it.

18 **9.** Subject to the provisions of this Act, the Minister may give to Power of Minister
19 the Council direction of a general character or relating generally to matters to give directions
20 of policy with regard to the exercise by the Council of its functions under to the Council
21 this Act and it shall be the duty of the Council to comply with such directions.

22 **10.-(1)** There shall be a Provost of the College (in this Act referred The Provost of
23 to as "the Provost") who shall be appointed by the President, in accordance the College
24 with the provisions of this section.

25 (2) Where a vacancy occurs in the post of Provost, the Council
26 shall:

27 (a) Advertise the vacancy in a reputable journals or a widely read
28 newspaper in Nigeria specifying:

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

30 (ii) The terms and conditions of service applicable to the post: and

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

2 (b) Constitute a search team consisting of:

3 (i) A member of the Council not being a member of the Academic
4 Board, as chairman;

5 (ii) Two members of the academic Board not below the rank of Chief
6 Lecturer;

7 (iii) Two members of the academic community of the College not
8 below the rank of chief lecturer to be selected by the Council to identify and
9 draw up a short list of suitable persons who are not likely to apply for the post
10 for any reason whatsoever.

11 (3) A joint council and Academic Selection Board consisting of:

12 (a) The chairman of the council;

13 (b) Two members of the Council not being members of the Academic
14 Board;

15 (c) Two members of the Academic Board not below the rank of Chief
16 lecturer, who were not members of the search team, shall consider the
17 candidates and persons on the short lists drawn up under subsection (2) of this
18 section through an examination of their curriculum vitae and interaction with
19 them and recommend through the Council to the President, three candidates for
20 his consideration.

21 (4) The President shall appoint as Provost one of the candidates
22 recommended to him under the provisions of subsection (3) of this section.

23 (5) Subject to this Act and the general control of the Council, the
24 Provost shall be the chief executive of the College and shall be charged with
25 general responsibility for matters relating to the day - to - day management
26 operations of the College.

27 (6) The Provost:

28 (a) shall hold office for a period of four year beginning with the
29 effective date of his appointment and on such terms and conditions as may be
30 specified in his letter of appointment; and

1 (b) May be reappointed for one further period of four years and no
2 more.

3 **11.-(1)** There shall be for the college a Deputy Provost. Deputy Provosts

4 (2) The council shall appoint the Deputy Provost from among the
5 chief lecturers in the College in one of the following ways, that is-

6 (a) From a list of three candidates in order of preference, submitted
7 by the Provost; or

8 (b) On the recommendation of a Selection Board constituted under
9 this section for that purpose; or

10 (c) On the nomination of the Provost.

11 (3) The Selection Board referred to in subsection (2) of this section
12 shall-

13 (a) Consist of:

14 (i) The chairman of the council,

15 (ii) The provost;

16 (iii) Two members of the council not being members of the
17 Academic Board;

18 (iv) Two members of the Academic Board, and

19 (b) Make such inquiries as it deems fit before making the
20 recommendation required under that section for that purpose; or

21 (c) On the nomination of the Provost.

22 (3) The Selection Board referred to in subsection (2) of this section
23 shall -

24 (a) Consist of:

25 (i) The chairman of the council;

26 (ii) The Provost;

27 (iii) Two members of Council not being members of the Academic
28 Board;

29 (iv) Two members of the Academic Board; and

30 (b) Make such inquiries as it deems fit before making the

1 recommendation required under that subsection.

2 (4) The Deputy Provost shall:

3 (a) Assist the Provost in the performance of his functions;

4 (b) Act in the place of the provost when the post of Provost is vacant or
5 if the Provost is, for any reason, absent or unable to perform his functions as
6 Provost; and

7 (c) Perform such other functions as the provost or the council may,
8 from time to time assign to him.

9 (5) The Deputy Provost:

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

13 (b) May be reappointed for one further period of two years and no
14 more.

The Registrar
and other staff
of the College

15 **12.-(1)** The Council of the College shall appoint a Registrar to such
16 College (hereinafter referred to as the Registrar") who shall keep the records
17 and conduct the correspondence of the Council and shall perform such other
18 duties as the Council and subject thereto as the Provost may from time to time
19 direct.

20 (2) The Registrar shall, in addition to other duties conferred on him by
21 or under this Act, be the secretary to the Council, the Academic Board and any
22 committee of the Council and in his absence, the Councilor any such
23 committee may appoint some other person to act as secretary, and he shall not
24 vote on any question before the Councilor count towards as quorum.

25 (3) A Registrar:

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

29 (b) May be reappointed for one further period of five years and no
30 more.

1 (4) Where, on the commencement of this section, a Registrar
2 appointed before the commencement of this section has held office-

3 (a) For five years or less, he shall be deemed to be serving his first
4 term of office and may be reappointed for a further term of five years;

5 (b) For more than five years but less than ten years, he shall
6 complete the maximum period for ten years and thereafter relinquish his
7 post and be assigned other duties in the Colleges;

8 (c) For ten years or more, the council may allow him to serve as
9 Registrar for a further period of one year only and thereafter he shall
10 relinquish his post and be assigned other duties in the College.

11 **13.-(1)** There shall be for the College the following principal
12 officers in addition to the Registrar, that is: Other principal
officers of the
College

13 (a) The Bursar; and

14 (b) The College Librarian.

15 Who shall be appointed by the Council on the recommendation of the
16 Selection Board constituted under section 10D of this Act.

17 (2) The Bursar shall be the chief financial officer of the College and
18 be responsible to the Provost for the day - to day administration and control
19 of the financial affairs of the College.

20 (3) The College Librarian shall be responsible to the provost for the
21 administration of the College Library and the coordination of the library
22 services in the teaching units of the College.

23 (4) A Bursar or Librarian-

24 (a) Shall hold office for a period of five years beginning from the
25 effective date of his appointment and on such terms and conditions as may
26 be specified in his letter of appointment; and

27 (b) May be reappointed 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
	2	term of office and may be reappointed for a further term of five years;
	3	(b) For more than five but less than ten years, he shall complete the
	4	maximum period of ten years and thereafter relinquish his post and be assigned
	5	other duties in the College;
	6	(c) For tern years or more, the council may allow him to serve in that
	7	capacity for a further period of one year only and thereafter he shall relinquish
	8	his post and be assigned other duties in the College.
Resignation of appointment of principal officers	9	14. A principal officers may resign his appointment:
	10	(a) In the case of the Provost, by notice to the Visitor; and
	11	(b) In any other case, by notice to the Council.
Other employees of the College	12	15. -(1) The Council may appoint such other persons to be employees
	13	of the College as the Council may determine to assist the Provost and the
	14	principal officers of the College in the performance of their functions under this
	15	Act.
	16	(2) Subject to the provisions of this Act, the remuneration, tenure of
	17	office and conditions of service of the employees of the Council shall be
	18	determined by the Council in consultation with the Federal Civil Service
	19	Commission.
Selection Board for other principal officers	20	16. -(1) There shall be, for the College, a selection Board which shall
	21	consist of-
	22	(a) The chairman of the council;
	23	(b) The Provost;
	24	(c) Four members of the council not being members of the Academic
	25	Board; and
	26	(d) Two members of the Academic Board.
	27	(2) The functions, procedure and other matters relating to the
	28	Selection Board constituted under subsection (1) of this section shall be as the
	29	Council may, from time to time, determine.

1 **17.**-(1) It is hereby declared that service in the College shall be Pensions
 2 approved service for the purpose of the Pensions Act and accordingly,
 3 officers and other persons employed in each College shall in respect of their
 4 service in the College be entitled to pensions, gratitudes and other
 5 retirement benefits as are prescribed there under, so however that nothing in
 6 this Act shall prevent the appointment of a person to any office on terms
 7 which preclude the grant of a pension and gratuity in respect of that office.

8 (2) For the purposes of the application of the provisions of the
 9 Pensions Act, any power exercisable thereunder by a Minister or other
 10 authority of the Government of the Federation (other than the power to make
 11 regulations under section 23 thereof) shall be exercisable by the college and
 12 not by any other person or authority.

13 **18.**-(1) The Council shall establish and maintain a fund which shall Establishment
of fund of the
College
 14 be applied towards the promotion of the objectives specified in this Act.

15 (2) There shall be paid and credited to the fund established under
 16 subsection (1) of this section:

17 (a) Such sums as may from time to time be granted to the Council
 18 by the Federal Government through the National Commission for College
 19 of Education;

20 (b) All moneys raised for the purpose of the Council by way of
 21 gifts, grants - in-aid or testamentary disposition; and

22 (c) All subscriptions, fees and charges for services rendered by the
 23 council and all other sums that may accrue to the Council from any source.

24 (3) The Council shall submit to the Minister, through the National
 25 Commission for College of Education, not later than three months before the
 26 end of each financial year or at such other time as he may direct, and estimate
 27 of its revenue and expenditure for the next succeeding financial year.

28 **19.**-(1) The Council may accept gifts of land, money or other Power to accept
gifts
 29 property upon such terms and conditions if any, as may be specified by the
 30 person making the gift.

	1	(2) The Council shall not accept any gift if the conditions attached by
	2	the person making the gift are inconsistent with the functions of the Council.
Accounts and audit	3	20. The Council shall keep proper accounts of its receipts, payments,
	4	assets and liabilities and shall in respect of each year cause the account to be
	5	audited.
Annual reports	6	21. The Council shall as soon as may be after the expiration of each
	7	financial year, prepare and submitted to the Minister a report of its activities
	8	during the immediately preceding financial year and shall include in the report
	9	a copy of the audited accounts of the College for that year and of the auditor's
	10	report on the accounts.
Offices and premises	11	22. -(1) For the purpose of providing offices and premises necessary
	12	for the performance of its functions, the Council may-
	13	(a) Purchase any interest in or take on lease any land; and
	14	(b) Build, equip and maintain offices and premises.
	15	(2) The council may, with the approval of the Minister, sell any
	16	interest in or lease any land, offices or premises held by it and no longer
	17	required for the performance of its functions.
Discipline of students	18	23. -(1) The Council may make rules providing for the Provost to
	19	conduct enquires into alleged breaches of discipline (including lack of
	20	diligence) by students and such rules may make different provisions for
	21	different circumstances.
	22	(2) The rules shall provide for the procedure and rules of evidence to
	23	be followed at enquires under this section.
	24	(3) Subject to the provisions of subsection (1) of this section, where it
	25	is proved during the enquiry that any student of the College has been guilty of
	26	misconduct, the provost may, without prejudice to any other disciplinary
	27	powers conferred on him by this Act or any regulations made.
	28	Thereunder, direct-
	29	(a) That the student shall not, during such period as may be specified
	30	in the direction, participate in such activities of the College, or make use of

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

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

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

7 (d) That the student be expelled from the College.

8 (4) Where there is temporarily no Provost or where the Provost
9 refuses to apply any disciplinary measures, the Council may, either directly
10 or through some other staff, apply such disciplinary actions as are specified
11 in subsection (3) of this section to any student of the College who is guilty of
12 misconduct.

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

20 (6) The first that an appeal from a direction is brought in pursuance
21 of subsection (5) of this section shall not affect the operation of the direction
22 while the appeal is pending.

23 (7) The Provost may delegate his powers under this section to a
24 disciplinary committee consisting of such members of the College as he may
25 nominate.

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

29 (9) It is hereby declared that the direction under subsection (3) (a)

	1	of this section may be combined with a direction under subsection (3) (b) of this
	2	section.
	3	(10) In all cases under this section, the decision of the Council shall be
	4	final unless reversed by the Minister on appeal by the student.
Interpretation	5	24. In this Act, unless the context otherwise requires:-
	6	"Chairman" means the chairman of the Council;
	7	"College" means the Federal College of Education (Technical Ile-Ife, Osun
	8	State specified in the First Schedule to this Act and "Colleges" shall be
	9	construed accordingly;
	10	"Council" means the Governing Council of any of the Colleges established by
	11	or pursuant to section 2 of this Act;
	12	"Provost" means the Provost of a College appointed under section 9 of this Act;
	13	"Functions" includes powers and duties;
	14	"Minister" means the Minister charged with responsibility for matters relating
	15	to education;
	16	"Members" means a member of the Council including the chairman.
Short title	17	25. This Bill may be cited as the Federal College of Education
	18	(Technical) Ile-Ife, Osun State Bill, 2022.

1 FIRST SCHEDULES

2 PRINCIPAL OFFICERS OF THE COLLEGE

3 *The Provost of the college*

4 1. There shall be the Provost of the College who shall be the
5 Chief Accounting Officer of the college and be appointed by the President
6 in accordance to the section (9) of this Act.

7 *The Deputy Provost of the college*

8 2. There shall be the Deputy Provost of the College who shall be
9 responsible for the following:

10 (a) Assist the Provost in the performance of his function;

11 (b) Act in place of provost when the post of provost is vacant or
12 if the provost is for any reason absent or unable to perform his function as
13 provost;

14 (c) Perform such other functions that the provost or council may,
15 time to time assign to him.

16 *The Registrar of the college*

17 3.-(1) There shall be a registrar of the college who shall keep the
18 records and conduct the correspondence of the council and shall perform
19 such other duties as the council and subject thereto as the provost may
20 from time to time direct.

21 (2) The Registrar shall, in addition to other duties conferred on
22 him by or under this Act, be the secretary to the council, the Academic
23 Board and any committee of the person to act as secretary, and he shall not
24 vote on any question before the council

25 *The Bursar of the College:*

26 4. There shall be a Bursar of the College who shall be the Chief
27 Financial Officer of the College and be responsible to the Provost for the
28 day-to-day administration and control of the financial affairs of the
29 college.

1 *The college Librarian*

2 5. There shall be a college Librarian who shall be responsible to the
3 Provost for the administration of the College Library and the coordination of
4 the Library services in the teaching units of the College.

5 **SECOND SCHEDULE**

6 **SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL**

7 *(Section 2(3))*

8 *Terms of services*

9 1. There may be paid to the members of the Council or any committee,
10 other than ex- officio members, such remuneration of allowances as may from
11 time to time be determined by the President.

12 2. Where a vacancy occurs in respect of the membership specified in
13 section 3 (1) (d) and 3 (2) (d), it shall be filled by the appointment of a successor
14 to hold office for the remainder of the term of office of his predecessor in office
15 and such successor shall represent the same interest as his predecessor.

16 3. The Council may act notwithstanding any vacancy in its
17 membership or any defect in the appointment of a member or the absence of a
18 member.

19 *Proceedings*

20 4.-(1) The Council shall meet for the conduct of business at such
21 times, places and on such days as the chairman may appoint but shall meet not
22 less than once every four months.

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

25 (3) At any meeting of the Council the chairman shall preside; but in
26 his absence, members present shall elect one of their number to preside at the
27 meeting.

28 (4) Where the Council desires to obtain the advice of any person on
29 any particular matter, the Council may co-opt persons who are not members of

1 the Council but persons co-opted shall not be entitled to vote at a meeting of
2 the Council.

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

6 (6) Decisions of the Council shall be made on approval by a simple
7 majority of members.

8 *Miscellaneous*

9 5-(1) The fixing of the seal of the College shall be authenticated by
10 the signature of the chairman, provost and some other members of the
11 Council authorized generally or especially by the Council to act for that
12 purpose.

13 (2) Any contract or instrument which, if made or executed by a
14 person other than a body corporate would not be required to be under seal
15 may be made or executed on behalf of the College by any person generally or
16 specially authorized to act for that purpose by the Council.

17 (3) Any document purporting to be duly executed under the seal of
18 the College shall be received in evidence and shall, unless the contrary is
19 proved, be presumed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to upgrade Government Technical College, Ilode Ile-Ife, Osun State to Federal College of Education (Technical) Ile-Ife, Osun State, whose function among other things shall be to provide full-time course for teaching, instruction and training in technology, applied science, commerce, arts, social sciences, humanities and management and to carry out research in the development and adaptation of techniques; and also make provision for the appointment of a Provost and the officials of college to carry out the administration and the discipline of students of the college.