

*Extraordinary*



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NATIONAL INSTITUTE OF ENTREPRENEURSHIP AND INNOVATION OKOTA,  
ISOLO, LAGOS STATE (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF CLAUSES

*Clause:*

PART I - ESTABLISHMENT OF THE NATIONAL INSTITUTE OF  
ENTREPRENEURSHIP AND INNOVATION OKOTA, ISOLO, LAGOS STATE

1. Establishment of the National Institute of Entrepreneurship and Innovation Okota, Isolo, Lagos State
2. Establishment and Composition of the Council of the Institute
3. Visitation
4. Tenure of Office of Council Members

PART II - FUNCTIONS AND POWERS

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# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR ENTREPRENEURSHIP  
AND INNOVATION OKOTA, ISOLO, LAGOS STATE AND FOR RELATED  
MATTERS

*Sponsored by Hon. Ganiyu Abiodun Johnson*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL INSTITUTE FOR  
2 ENTREPRENEURSHIP AND INNOVATION OKOTA, ISOLO, LAGOS STATE

3 1.-(1) There is established the National Institute for  
4 Entrepreneurship and Innovation Okota, Isolo, Lagos State (in this Bill  
5 referred to as "the Institute")

Establishment  
of the National  
Institute for  
Entrepreneurship  
and Innovation  
Okota, Isolo,  
Lagos State

6 2.-(1) There shall be established a Council for the Institute (in this  
7 Bill referred to as "the Council") which shall be a body corporate with  
8 perpetual succession and a common seal and may sue and be sued in its  
9 corporate name.

Establishment  
and Composition  
of the Council of  
the Institute

10 (2) The Council shall consist of a Chairman and the following other  
11 members:

12 (a) The Rector of the Institute;

13 (b) A representative of the Academic Board of the Institute elected  
14 by the Board;

15 (c) A representative of the University to which the Institute is  
16 affiliated;

17 (d) A representative of a Federal Ministry of Youths and Sports;

18 (e) A representative of the community where the Institute is  
19 situated;

1 (f) A representative of the Federal Ministry of Science and  
2 Technology;

3 (g) A representative of the Federal Ministry of Education;

4 (h) A representative of the State Ministry of Education;

5 (i) five (5) other persons, at least one of whom must be a woman to be  
6 selected each on personal merit based on contributions to entrepreneurship;

7 (j) The Registrar (non-member) shall be Secretary to the Governing  
8 Council.

9 (3) The Chairman and members for the Council other than ex-officio  
10 members shall be appointed by the President on the recommendation of the  
11 Minister of Education.

12 (4) The provision of the Schedule to this Bill shall have effect with  
13 respect to the proceedings of the Council and the other matters mentioned  
14 therein.

Visitation

15 **3.**-(1) The Minister of Education shall be the Visitor to the Institute

16 (2) The Visitor shall not less than once in every five (5) years conduct  
17 a visitation to the Institute by appointing a Visitation Panel.

18 (3) The Visitation Panel shall consist of not less than five (5) experts  
19 with relevant experience in areas provided for in clause 6 (1) (a) of this Bill to:

20 (a) evaluate academic and administrative performance of the  
21 Institute; and

22 (b) for such other purpose as the Visitor may deem fit.

Tenure of Office  
of Council  
Members

23 **4.**-(1) The Chairman and other members of the Governing Council  
24 shall hold office for a period of three (3) years from the date of appointment and  
25 may be eligible for re-appointment for a further term of three (3) years and no  
26 more thereafter.

27 (2) Where a vacancy exists due to resignation, death, or removal of a  
28 member, a successor representing the same interest group shall be appointed to  
29 hold office for the remaining tenure of his predecessor, and the successor shall  
30 represent the same interest as his predecessor.

1                   (3) Every member shall be paid appropriate stipends during his  
2                   tenure in office in accordance with rates specified from time to time by the  
3                   National Council of Ministers.

4                   (4) A member of Council may resign his appointment by a notice in  
5                   writing addressed to the Minister of Education.

6                   PART II - FUNCTIONS AND POWERS

7                   **5.-(1)** The functions of the Institute shall be:

Functions of the  
Institute

8                   (a) To provide Full-time and Part-time courses in Entrepreneurial,  
9                   Innovation and Development Studies and issue Certificates in specialized  
10                  programmes;

11                  (b) To provide facilities and encourage research in all its area of  
12                  focus to aid the development of Nigeria in the areas of Entrepreneurship,  
13                  etc;

14                  (c) To organize conferences, seminars and study groups relevant to  
15                  the fields of learning specified in sub section (1) (a) in this section;

16                  (d) To perform such other functions which in the opinion of the  
17                  Institute, may serve to promote its objectives;

18                  (e) To provide a well-developed and articulated entrepreneurial  
19                  research programme through consistent research, development and constant  
20                  contact with renowned institutions and appropriate industries;

21                  (f) To provide appropriate training and vocational dexterity for a  
22                  self-reliant and focused Nigerian student;

23                  (g) To perform such other functions as in the opinion of the  
24                  Council, may serve to promote the objectives of the Institute; and

25                  (h) To carry out other activities as are necessary and expedient for  
26                  the full discharge of any of its functions pursuant to this Bill.

27                  **6. -(1)** Subject to the provisions of this Bill, the Council:

Functions of the  
Governing Council

28                  (a) Shall be responsible for the general management of the affairs  
29                  of the Institute and in particular, the control of the property and finances of  
30                  the Institute;

1 (b) Shall have power to do anything which in its opinion is calculated  
2 to facilitate the carrying out of activities of the Institute and promote its best  
3 interest;

4 (c) Shall set up committees for the purpose of working on specific  
5 matters and making recommendations to relevant bodies for necessary action;

6 (d) Shall provide pieces of advice as may be necessary, for the interest  
7 of the Institute on any matter referred to it;

8 (e) May enter into such contracts as may be necessary or expedient for  
9 carrying into effect the provisions of this Bill;

10 (f) Shall perform such other functions as in the opinion of the Council  
11 may serve to promote the objectives of the Institute.

12 (2) The Minister may give to the Institute directives of a general  
13 character or relating generally to matters of policy with regard to the exercise  
14 by the Institute of its functions under this Bill and it shall be the duty of the  
15 Institute to comply with such directives.

Powers of the  
Institute

16 **7.** The Institute shall have power to:

17 (a) Award certificates for courses provided by it under clause 4 (1) (a)  
18 of this Bill;

19 (b) Enter into such contracts as may be necessary or expedient for  
20 carrying into effect the provisions of this Bill;

21 (c) Acquire, hold, lease, sell, mortgage or otherwise alienate or  
22 dispose of any property, movable, or immovable;

23 (d) Invest its funds in such manner and to such extent as it may deem  
24 necessary or expedient;

25 (e) Establish and maintain a library, comprising such books, journals,  
26 records, reports and other publications and information systems as may be  
27 required for the discharge of the functions conferred on the Institute by this  
28 Bill;

29 (f) Accept gifts of land, money or other property upon such terms and  
30 conditions, if any, as may be specified by the person or organisation making the



1 gift; provided that the Institute shall not accept any gift if the terms and  
2 conditions attached thereto are inconsistent with its functions under this  
3 Bill.

4 **PART III - STAFF OF THE INSTITUTE**

5 **8.-(1) Appointment of the Rector:**

Appointment of  
Principal Officers

6 (a) The President shall appoint for the Institute a Rector who shall  
7 be the chief academic and administrative officer of the Institute;

8 (b) Where a vacancy occurs in the position of Rector, the Council  
9 shall advertise and follow such procedure as provided in section 8 (2) (3) (4)  
10 and (5) of the Federal Polytechnics Act;

11 (c) The Rector shall be responsible for:

12 (i) The day-to-day administration of the Institute;

13 (ii) The exercise of general authority over the employees of the  
14 Institute;

15 (iii) The discipline of students in the Institute.

16 (d) The Rector shall hold office for a period of four (4) years from  
17 the effective date of his appointment and on such terms and conditions as  
18 may be determined by the Minister as set out in his letter of appointment;

19 (e) The Rector may be re-appointed for a further period of four (4)  
20 years and no more.

21 **(2) Appointment of the Deputy Rector:**

22 (a) The Deputy Rector shall be appointed by the Council as  
23 specified in section 9 of the Federal Polytechnics Act;

24 (b) The Deputy Rector shall assist the Rector in the performance of  
25 his functions and shall act in the place of the Rector when the Rector is  
26 absent or unable to perform his functions or when the position of Rector is  
27 vacant;

28 (c) The Deputy Rector shall perform such other functions as the  
29 Rector may from time to time assign;

30 (d) The Deputy Rector shall hold office for the period of two (2)

1 years from the effective date of his appointment and on such terms and  
2 conditions as may be specified in the letter of appointment. He may be re-  
3 appointed for a further period of two (2) years and no more.

4 (3) Appointment of the Registrar:

5 (a) The Council shall appoint a Registrar who shall be the secretary to  
6 the Council and attend all the meetings of the Council;

7 (b) The Registrar shall be answerable to the Rector for the day-to-day  
8 administration of the polytechnic and shall perform such other duties as the  
9 Council or Rector may direct;

10 (c) The Registrar shall be Secretary to the Council, Academic Board  
11 and any other committees of the Council and shall attend all meetings of these  
12 committees unless excused for good reasons by the Chairman of the Council;

13 (d) If the Registrar is for any reason unable to attend a meeting of the  
14 Council, the Chairman of the Council may, after consultation with the Rector,  
15 appoint a suitable person to act as secretary for the particular meeting;

16 (e) The Secretary to Council or a person appointed to act under sub  
17 clause (d) of this clause, shall not vote on any question before the Council or  
18 count towards a quorum, unless he is so entitled as a member of the Council;

19 (f) The Registrar shall hold office for a period of five (5) years  
20 beginning from the date of his appointment and on such terms and conditions  
21 as may be specified in the letter of his appointment. He may be re-appointed for  
22 a further period of five (5) years and no more.

23 (4) Appointment of the Bursar:

24 (a) The Bursar shall be appointed by the Council on recommendation  
25 of the selection board constituted under section 9 (3) of the Federal  
26 Polytechnics Act;

27 (b) The Bursar shall be the Chief Financial Officer of the Institute and  
28 shall be responsible to the Rector for the day-to-day administration and control  
29 of the financial affairs of the polytechnic;

30 (c) The Bursar shall hold office for a period of five (5) years and may

1 be re- appointed for a further period of five (5) years and no more;

2 (5) Appointment of the Librarian:

3 (a) The Librarian shall be appointed by the Council on  
4 recommendation of the selection board constituted under section 9 (3) of the  
5 Federal Polytechnics Act;

6 (b) The Librarian shall be responsible to the Rector for the  
7 administration of the polytechnic library and the coordination of library  
8 services in the academic unit of the polytechnic;

9 (c) The Librarian shall hold office for a period of five (5) years in  
10 the first instance, and may be re-appointed for a further period of five (5)  
11 years and no more.

12 **9. -(1)** A principal officer may resign his appointment:

Resignation of  
appointment by  
Principal Officers

13 (a) In the case of the Rector, by notice to the Minister of Education;

14 (b) In any other case, by notice to the Council.

15 **10.- (1)** The Council may appoint such other persons to be  
16 employees of the Institute to assist the Rector or other principal officer in  
17 performance of their functions under the Federal Polytechnics Act.

Other staff of the  
Institute

18 (2) The Power to appoint senior employees shall be exercised by  
19 the Council on the recommendation of the Appointments and Promotions  
20 Committee (Senior), and in the case of junior employees, by the Council on  
21 the recommendation of the Appointments and Promotions Committee  
22 (Junior), under the power vested in the Council pursuant to paragraph 3 of  
23 the Schedule of this Bill.

24 **11.-(1)** The Council may, subject to the provisions of this Bill,  
25 make staff regulations relating generally to the conditions of service of the  
26 staff of the Institute and, without prejudice to the generality of the foregoing,  
27 such regulations may provide for:

Staff Regulations

28 (a) The appointment, promotion and discipline (including  
29 dismissal) of employees of the Institute; and

30 (b) Appeals by such employees against dismissal or other s, and

1 disciplinary measures, and until such regulations are made, any instrument  
2 relating to the conditions of service of public officers in the polytechnic system  
3 shall be applicable with such modifications as may be necessary to employees  
4 of the Institute.

5 (2) Staff regulations made under sub clause (1) of this clause shall not  
6 have effect until approved by the Minister and when so approved, they need not  
7 to be published in the Gazette but the Council shall cause them to be brought to  
8 the notice of all affected persons in such a manner as it may, from time to time,  
9 determine.

Pensions

10 **12.**-(1) Pension service in the Institute shall be approved service for  
11 the purposes of the Pensions Act.

12 (2) Officers and other persons employed in the Institute shall be  
13 entitled to pensions, gratuities and other retirement benefits as prescribed in the  
14 Pensions Act, so nothing in this Bill shall prevent the appointment of a person  
15 to any office on terms which preclude that grant of a pension, gratuity or other  
16 retirement benefit in respect of that office.

17 (3) For the purpose of the application of the provisions of the Pensions  
18 Act, any power exercisable thereunder by a Minister or other Authority of the  
19 Government of the Federation, other than the power to make regulations under  
20 clause 23 thereof, is vested in and shall be exercisable by the Council and not by  
21 any other person or authority.

22 **PART IV - DISCIPLINE**

Removal of a  
Members of  
Council

23 **13.**-(1) The President may, in writing, remove any member of the  
24 Council from office if it is established that his contributions run counter to the  
25 purpose, interest and objectives of the Institute.

26 (2) If it appears to the Council that a member of Council (other than an  
27 ex-officio member) or the Rector should be removed from office on the ground  
28 of misconduct or inability to perform the functions of his office, the Council  
29 shall make a recommendation to the President, and if the President after  
30 making such enquiries as he considers necessary, approves the

1 recommendation, the President shall, in writing declare the office of such  
2 member vacant.

3 **14.-(1)** If there are reasons for believing that any person employed  
4 as a member of the academic, administrative or technical staff of the  
5 Institute, other than the Rector, should be removed from office on the ground  
6 of misconduct or inability to perform the functions of his office, the Council  
7 shall:

Removal from  
Office of a staff  
of the Institute

8 (a) Give notice to the person of the reasons in question;  
9 (b) Afford him an opportunity to make representations in person on  
10 the matter to the Council; and carry out such investigations and actions  
11 pursuant to section 17 (1) (c) of the Federal Polytechnics Act.

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

16 (3) For good cause, any member of staff may be suspended from  
17 office or his appointment may be terminated by the Council by virtue of its  
18 power pursuant to section 17 (3) of the Federal Polytechnics Act.

19 **15.-(1)** Where it appears to the Rector that any student of the  
20 Institute has been guilty of misconduct, the Rector may, without prejudice to  
21 any other disciplinary powers conferred on him by this Bill or any  
22 regulations made thereunder, direct that:

Discipline of  
Students

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

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

29 (c) the student be suspended for such period as may be specified in  
30 the direction; or

1 (d) the student be expelled from the Institute.

2 (2) Where there is temporarily no Rector or where the Rector refuses  
3 to apply any disciplinary measures, the Council may, either directly or through  
4 some other staff, apply such disciplinary actions as are specified in sub clause  
5 (3) of this clause to any student of the Institute who is guilty of misconduct.

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

12 (4) The fact that an appeal from a direction is brought in pursuance of  
13 sub clause (5) of this clause, shall affect the operation of the direction while the  
14 appeal is pending.

15 (5) The Rector may delegate his powers under this clause to  
16 disciplinary committee, consisting of such staff of the Institute as he may  
17 nominate.

18 (6) Nothing in this clause shall be construed as preventing the  
19 restriction or termination of a student's activities at the Institute otherwise than  
20 on the ground of misconduct.

21 (7) It is declared that a direction under sub clause (1) (a) of this clause  
22 may be combined with a direction under sub clause (1) (b) of this clause.

#### 23 PART V - ACADEMIC BOARD

Establishment  
of Academic Board  
of the Institute

24 **16.-(1)** There is established as an integral part of the Institute an  
25 Academic Board which shall consist of:

26 (a) The Rector of the Institute;

27 (b) The Deputy Rector;

28 (c) The Registrar as secretary;

29 (d) The Librarian;

30 (e) Deans / Directors of Schools;

1 (f) Heads of Academic Departments / Units;  
2 (g) not more than two (2) members of the academic staff other than  
3 Heads of Departments/Units, to be appointed by the Academic Board.

4 (2) The Academic Board shall:

5 (a) give the direction and management of academic matters of the  
6 Institute including the regulation of admission of students, the award of  
7 certificates and diplomas, scholarships, prizes and other academic  
8 distinctions;

9 (b) formulate and continuously evaluate the academic programme  
10 of the Institute;

11 (c) make periodic reports to the Council on such academic matters  
12 as the Board may deem fit or as the Council may from time to time direct;  
13 and

14 (d) the discharge of any other functions which the Council may  
15 delegate to it.

16 (3) The Rector shall be the Chairman at the meeting of the  
17 Academic Board and in his absence the Deputy Rector shall preside at such  
18 meeting, but in the absence of both, the members present at the meeting shall  
19 appoint one of their number to preside at the meeting.

20 (4) Subject to sub clause (3) of this clause, the Academic Board  
21 shall have the power to regulate its own procedure.

22 **PART VI - FINANCIAL PROVISIONS**

23 **17.-(1)** The Institute shall establish and maintain a fund from Fund of the  
24 which shall be defrayed all expenditure incurred by the Institute in the Institute  
25 performance of its functions under this Bill.

26 (2) The fund of the Institute shall include:

27 (a) such sums as may, from time to time, be granted to the Institute  
28 by the Federal Government;

29 (b) fees charged by and payable to the Institute in respect of  
30 students;

	1	(c) any other amount charged or dues recoverable by the Institute;
	2	(d) revenue from time to time accruing to the Institute by way of
	3	subvention, grants in-aid, endowment or otherwise;
	4	(e) interest on investment; and
	5	(f) donations and legacies accruing to the Institute from any source,
	6	for the general or special purposes of the Institute.
Donations for particular purpose	7	<b>18.</b> -(1) Donations of money to be applied for any particular purpose
	8	shall be placed to the credit of a special reserve account and may be invested in
	9	such securities or other investments as may be approved by the Minister, until
	10	such time as they may be expended in fulfilment of such purpose; provided that
	11	the Institute shall not accept a donation from a particular purpose, if the terms
	12	and conditions attached to such donation are inconsistent with the functions of
	13	Institute under this Bill.
	14	(2) The interest derived from the investments referred to in sub
	15	section (1) of this clause (unless the terms of the donations otherwise require)
	16	shall be deemed to be revenue of the Institute.
Payment into Bank	17	<b>19.</b> Payment of all sums of money accruable to the Institute except
	18	donations and gifts shall be made through the Federal Government recognized
	19	Remita online platform.
Annual Estimate Accounts and Audit	20	<b>20.</b> -(1) The Institute shall keep proper records and accounts and shall
	21	cause to be prepared not later than 1st October in each financial year, an
	22	estimate of its revenue and expenditure for the ensuing financial year and the
	23	estimate shall be submitted to the Federal Ministry of Education for approval.
	24	(2) At the end of each financial year but not later than 30 June the
	25	Institute shall cause to be prepared a statement of its income and expenditure
	26	during the previous financial year.
	27	(3) The statement of accounts referred to in subsection (2) of this
	28	clause shall, when certified by the Rector, be audited by a firm of auditors
	29	appointed from the list and in accordance with the guidelines supplied by the



1 Auditor-General of the Federation and shall be published in the annual  
2 report of the Institute,

3 **21.** Each council shall cause to be prepared and presented to the Annual Report  
4 President through the Minister, a report of the activities during the  
5 preceding financial year, inclusive of the audited accounts of the Institute in  
6 respect of the financial year and the auditors comment not later than 31  
7 December in each year.

8 **PART VII - MISCELLANEOUS**

9 **22.**-(1) The Council may, within the scope of its authority under Power to make  
bye-laws  
10 this Bill, make bye- laws relating to any internal domestic matters placed -by  
11 this Bill under its control and superintendence other than matters for which  
12 provision is to be made by standing orders under paragraph 1 (1) of the  
13 Schedule to this Bill or in pursuance of paragraph 2 (2) of the said Schedule.

14 (2) All such bye-laws shall be in writing and shall come into force  
15 when sealed with the seal of the Institute, unless some other date for  
16 commencement be therein prescribed.

17 (3) Nothing in sub clause (2) of this Bill shall make it obligatory for  
18 the Council to publish any of the said bye-laws in the Gazette.

19 **23.** The Council may, with approval of the Minister, make Regulations  
20 regulations for giving effect to the provisions of this Bill and without  
21 prejudice to the foregoing regulations shall provide:

- 22 (a) the entry into and the type of courses approved for the Institute;  
23 (b) the duration of the courses and academic standards; and  
24 (c) the certificates, diplomas or degrees which may be awarded by  
25 the Institute.

26 **24.** In this Bill, unless the context otherwise requires: Interpretation  
27 "Bye-Laws" means bye-laws made under clause 22 of this Bill;  
28 "Council" means governing body of the Institute established under clause 2  
29 of this Bill;  
30 "Minister" means Minister charged with responsibility for matters relating

- 1     to education;
- 2     "Visitor" means Minister of Education;
- 3     "Property" includes rights, liabilities and obligations;
- 4     "Registrar" means the Registrar of the Institute.

Short title

- 5                    **25.** This Bill may be cited as the National Institute of
- 6     Entrepreneurship and Innovation Okota, Isolo, Lagos State (Establishment)
- 7     Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Institute of Entrepreneurship and Innovation Okota, Isolo, Lagos State, to provide for courses in entrepreneurial, innovation and development studies and to make provision for the general administration of the Institute.

FEDERAL MEDICAL CENTRE, EJIGBO, LAGOS STATE

(ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF CLAUSES

1. Establishment of Federal Medical Center Ejigbo, Lagos State
  2. Establishment of the board of management of the Medical Center
  3. Membership of the Board
  4. Tenure of office
  5. Cessation of membership
  6. Allowances of members
  7. Functions of the Board
  8. Powers of the Board
  9. Chief Medical Director of the Medical Center
  10. Appointment of Director of Administration and recruitment of other staff
  11. Service in the Medical Center to be pensionable
  12. Establishment of the Medical Advisory Committee, etc
  13. Fund of the Medical Center
  14. Expenditure of the Medical Center
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# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL MEDICAL CENTRE EJIGBO, LAGOS STATE TO PROVIDE FOR THE LEGAL FRAME WORK FOR THE ADMINISTRATION AND MANAGEMENT OF THE CENTRE AND FOR RELATED MATTERS

*Sponsored by Hon. Ganiyu Abiodun Johnson*

[ ] Commencement

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

### 1 PART I - ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE

#### 2 EJIGBO, LAGOS STATE

3 1.-(1) There is hereby established the Federal Medical Centre Establishment of  
4 Ejigbo, Lagos State (in this Bill referred to as the Medical Centre"). Centre Ejigbo,  
Lagos State

5 (2) The Medical Centre:

6 (a) shall be a body corporate;

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

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

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

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

13 (a) a Chairman;

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

15 (c) the Head of Clinical Services;

16 (d) the Director of Administration; who shall be the Secretary of  
17 the Board

18 (e) three persons nominated by the Minister to represent a wide  
19 variety of community interests in health matters;

Membership of  
the Board

	1	(f) one representative of the Federal Ministry of Health;
	2	(g) one representative of the medical profession not being a person
	3	who is a member of the FMC concerned;
	4	(h) one representative from allied health professionals; not being a
	5	staff of the FMC concerned;
	6	(i) One representative of the Ministry of Health of the state in which
	7	FMC is situate.
	8	(2) The Chairman and Members of the Board, other than ex-officio
	9	members, shall be:
	10	(a) appointed by the President; and
	11	(b) they shall be persons of proven integrity and ability.
	12	(3) The supplementary provisions set out in the First Schedule to this
	13	Bill shall have effect with respect to the proceedings of the Board and the other
	14	matters contained therein.
Tenure of office	15	4. Subject to the provisions of section 5 of this Bill, a member of the
	16	Board, other than ex-officio members, shall each hold office:
	17	(a) for a term not exceeding fours (4) years;
	18	(b) on such terms and conditions as may be specified in his letter of
	19	appointment.
Cessation of membership	20	5.-(1) Notwithstanding the provisions of section 4 of this Bill a person
	21	shall cease to hold office as a member of the Board if:
	22	(a) he becomes bankrupt and suspends payment of principal loan with
	23	his creditors;
	24	(b) he is convicted of a felony or any offence involving dishonesty or
	25	fraud;
	26	(c) he becomes of unsound mind or is incapable of carrying out his
	27	duties;
	28	(d) he is guilty of a serious misconduct in relation to his duties; or
	29	(e) in the case of a person possessed of professional qualifications, he
	30	is disqualified or suspended, other than at his own request, from practicing his

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

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

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

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

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

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

15 7.-(1) The Board shall:

16 (a) equip, maintain and operate the Medical Center so as to provide Functions of the  
17 facilities for diagnosis, curative, promotive and rehabilitative services in Board  
18 medical treatment;

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

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

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

Powers of the  
Board

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

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

5 (a) provide the general policies and guidelines relating to major  
6 expansion programmes of the Medical Center;

7 (b) provide facilities for the training of medical students of associate  
8 Universities;

9 (c) manage and superintend the affairs of the Medical Center;

10 (d) subject to the provisions of this Bill, make, alter and revoke rules  
11 and regulations for carrying on the functions of the Medical Center;

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

15 (f) do such other things which in the opinion of the Board are  
16 necessary to ensure the efficient performance of the functions of the Medical  
17 Center.

#### 18 PART III - STAFF OF THE MEDICAL CENTER

Chief Medical  
Director of the  
Medical Centre

19 **9.-(1)** There shall be for the Medical Center a Chief Medical Director  
20 who shall be appointed by the President on the recommendation of Minister of  
21 Health on such terms and conditions as may be specified in his letter of  
22 appointment or as may be determined, from time to time, by the Revenue  
23 Mobilization Allocation and Fiscal Commission (RMAFC).

24 (2) The Chief Medical Director shall:

25 (a) be the Chief Medical Director and accounting officer of the  
26 Medical Center;

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

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



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

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

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

7 (f) hold a post-graduate fellowship of the National Post-Graduate  
8 Medical College of Nigeria or its equivalent qualification obtained not less  
9 than five (5) years prior to the appointment as Chief Medical Director.

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

Appointment of  
other Staff of the  
Medical Centre

11 (a) A Director of Administration, who shall:

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

14 (ii) conduct the correspondence of the Board and keep the records  
15 of the Medical Center; and

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

18 (b) a Director of Clinical Services;

19 (c) a Director of Finance;

20 (d) a Director of Maintenance.

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

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

30 (4) Notwithstanding the provisions of subsections (1) and (2) of

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

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

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

Service in the  
 Medical Centre  
 to be pensionable

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

14 (2) The officers and other persons employed in the Medical Center  
 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 Center a Medical Advisory  
 22 Committee which shall:

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

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

27 (c) be appointed by the Board.

#### 28 PART IV - FINANCIAL PROVISIONS

Fund of the  
 Medical Centre

29 **13.** There shall be established and maintained for the Medical Center  
 30 a fund into which shall be paid and credited:

1 (a) all subventions and budgetary allocation from the Government  
2 of the Federation;

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

5 (c) all sums accruing to the Medical Center by way of gifts,  
6 endowments, bequests, grants or other contributions by persons and  
7 organizations;

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

9 (e) all other sums which may, from time to time, accrue to the  
10 Medical Center.

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

13 (a) the cost of administration and maintenance of the Medical  
14 Center;

15 (b) publicize and promote the activities of the Medical Center;

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

18 (d) pay the salaries, allowances and benefits of employees of the  
19 Medical Center;

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

22 (f) undertake such other activities as are connected with all or any  
23 of the functions of the Medical Center under this Bill.

24 **15.-(1)** The Medical Center may accept gifts of land, money or Power to accept  
25 other property on such terms and conditions, if any, as may be specified by gifts  
26 the person or organization making the gift.

27 (2) The Medical Center shall not accept any gift if the conditions  
28 attached by the person or organization making the gift are inconsistent with  
29 the functions of the Medical Center under this Bill.

Annual estimates and expenditure	1	<b>16.</b> -(1) The Medical Centre shall, not later than 30th September in
	2	each year, submit to the President through the Secretary to the Government of
	3	the Federation an estimate of the expenditure and income of the Medical
	4	Center during the next succeeding year.
	5	(2) The Medical Centre shall cause to be kept, proper accounts of the
	6	Medical Center in respect of each year and proper records in relation thereto
	7	and shall cause the accounts to be audited not later than six months after the end
	8	of each year by auditors appointed from the list and in accordance with the
	9	guidelines supplied by the Auditor- General for the Federation.
Annual Report	10	<b>17.</b> The Medical Centre shall prepare and submit to the President, not
	11	later than 30th June in each year, a report in such form as the President may
	12	direct on the activities of the Medical Center during the immediately preceding
	13	year, and shall include in the report a copy of the audited accounts of the
	14	Federal Medical Center for that year and the Auditor's Report thereon.
Power to borrow	15	<b>18.</b> -(1) The Medical Center may, from time to time, borrow by
	16	overdraft or otherwise such sums as it may require for the performance of its
	17	functions under this Bill.
	18	(2) The Medical Center shall not, without the approval of the
	19	President, borrow money which exceeds, at any time, the limit set by the
	20	President.
	21	(3) Notwithstanding subsection (1) of this section, where the sum to
	22	be borrowed is in foreign currency, the Medical Center shall not borrow the
	23	sum without the prior approval of the President.
Exemption from tax	24	<b>19.</b> -(1) The Medical Center shall not pay income tax on any income
	25	derived by the Federal Medical Center under this Bill or accruing to it from any
	26	of its investments.
	27	(2) Accordingly, the provisions of any enactment relating to the
	28	taxation of companies or trust funds shall not apply to the Board of the Federal
	29	Medical Center.

1                   **20.** The Medical Center shall not pay customs duty on or be                   Exemption from  
2                   restricted or prohibited from importing any equipment, material, supply and                   customs duties,  
3                   any other thing required by the Medical Center for the purposes of this Bill:                   etc.  
4                   Provided that nothing in this section shall be construed as preventing the  
5                   Nigeria Customs Service from inspecting any equipment, or material  
6                   imported by the Center.

7 PART V - GENERAL

8                   **21.-(1)** Notwithstanding anything to the contrary contained in any                   Discipline of  
9                   other Discipline of 11 enactment, where it appears to the Board that any                   students  
10                  student of the Medical Center has been guilty of misconduct, the Board may,  
11                  without prejudice to any other disciplinary powers conferred on it by  
12                  regulations, direct:

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

19 (c) that the student be rusticated for such period as may be specified  
20 in the direction: or

21 (d) that the student be expelled from the Medical Center.

(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 while the appeal is pending.

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

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

Removal and  
discipline of clinical,  
administrative  
and technical staff

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

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

6 **22.-(1)** If it appears to the Board that there are reasons for believing  
7 that any person employed as a member of the clinical, administrative or  
8 technical staff of the Medical Center, other than the Chief Medical Director,  
9 should be removed from his office or employment, the Board shall require the  
10 Director of Administration to:

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

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

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

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

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

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

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

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

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

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

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

13 (4) Any person suspended shall, subject to subsections (2) and (3)  
14 of this 13 section be on half pay and the Board shall before the expiration of a  
15 period of three months after the date of such suspension consider the case  
16 against that person and come to a decision as to:

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

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

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

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

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

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

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

Discipline of  
junior staff

13 **23.**-(1) If any junior staff is accused of misconduct or inefficiency, the  
14 Chief Medical Director may suspend him for not more than a period of 3  
15 months and shall direct a committee to: (a) consider the case; and

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

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

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

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

28 PART VI - MISCELLANEOUS

Power to make  
regulations

29 **24.**-(1) The Board may, with the approval of the President, make  
30 regulations (a) as to the access of members of the public either generally or of a



1 particular class, to premises under the control of the Board and as to the  
2 orderly conduct of members of the public on those premises; and

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

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

8 **25.** The "Minister of Health" may give to the Board directions of a  
9 general character or relating generally to particular matters (but not to any  
10 individual person or case) with regard to the exercise by the Board of its  
11 functions under this Bill, and it shall be the duty of the Board to comply with  
12 the directions; but no direction shall be given which is inconsistent with the  
13 duties of the Board under this Bill.

Power to give  
directives

14 **26.-(1)** On the commencement of this Bill, any person employed  
15 by or serving in, the Medical Center shall be deemed to have been employed  
16 or serving in the Medical Center established under this Bill.

Transition and  
Savings Provision

17 (2) All Assets or liabilities belonging to the Medical Center shall be  
18 deemed to belong to the Medical Center established under this Bill.

19 **27.** In this Bill:

Interpretation

20 "associate universities" mean the universities whose medical students  
21 receive aspects of their training from the Federal Medical Centre;

22 "Board" means the Board of Management of the Federal Medical Center;

23 "Chairman" means the Chairman of the Board;

24 "Federal Medical Centre" means Federal Medical Centre Ejigbo, Lagos  
25 State;

26 "Functions" include powers and duties;

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

29 "Minister" means the Minister charged with responsibility for matters  
30 relating to health and

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	1	"Ministry" shall be construed accordingly;
	2	"student" means a person enrolled at an institution controlled by the Board for
	3	the purpose of pursuing a course of instruction at the institution.
Citation	4	<b>28.</b> This Bill may be cited as Federal Medical Centre Ejigbo, Lagos
	5	State (Establishment) Bill, 2022.

## 1 SCHEDULE

2 *[Pursuant to Section 3 (4)]*

## 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 of its 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 "subsection"  
22 shall not be entitled to vote at any meeting of the Board and shall not count  
23 towards 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 Center shall be  
5 authenticated by the signatures of the Chairman, the Chief Medical Director or  
6 any person generally or specifically authorized by the Board to act for that  
7 purpose.

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

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

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

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

19 (b) a defect in the appointment of a member of the Board or  
20 committee; or

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

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Medical Centre, Ejigbo, Lagos State, to provide the legal frame work for the administration and management of the Centre.

# A BILL

## FOR

AN ACT TO AMEND THE DANGEROUS DRUGS ACT, CAP D1, LAWS OF THE  
FEDERATION OF NIGERIA 2004 AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Francis Ejiroghene Waive*

[ ] Commencement

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

1           **1.** The Dangerous Drugs Act, Cap D1, Laws of the Federation of  
2           Nigeria 2004 (hereinafter referred to as the “Principal Act”) is amended as  
3           set out in this Bill.

Amendment of  
the Principal Act

4           **2.** Section 19 sub section 2 and 3 of the Principal Act is amended as  
5           follows:

6           “(2) Every person guilty of an offence under this Act, shall, in  
7           respect of each offence, be liable to a fine of five hundred thousand naira, or  
8           to imprisonment for a term of ten years, or to both; and shall, in every case on  
9           conviction for the offence, forfeit all articles in respect of which the offence  
10          was committed, and the court before which the offender was convicted may  
11          order any forfeited articles to be destroyed or otherwise disposed of as the  
12          court deems fit”

13          “(3) No person shall, on conviction for any offence of contravening  
14          or failing to comply with any regulation under this Act relating to the  
15          keeping of books or the issuing or dispensing of prescription containing  
16          drugs to which this Act applies, be sentenced to imprisonment without the  
17          option of a fine or to pay a fine exceeding one hundred thousand naira, if the  
18          court dealing with the case is satisfied that the offence was committed  
19          through inadvertence and was not preparatory to, or committed in the course  
20          of, or in connection with, the commission or intended commission of any  
21          other offence under this Act”.

Amendment of  
Section 19

1                   **3.** Section 19 sub section 6 of the Principal Act is amended by  
2     introducing a new sub section 6, while the previous sub section 6, becomes sub  
3     section 7 as follows:  
4     “any person who willfully administer a drug on a minor with the intention of  
5     causing harm to that minor, is guilty of an offence and on conviction shall be  
6     sentenced to fifteen years imprisonment and a fine of five hundred thousand  
7     naira”.

Citation

8                   **4.** This Bill may be cited as the Dangerous Drugs Act (Amendment)  
9     Bill, 2022.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Dangerous Drugs Act, Cap D1, Laws of the Federation of Nigeria 2004, to provide punishment to any person who administer drug on a minor with the intention of causing harm to that minor and also increase the punishment ascribed to offenders.

# A BILL

## FOR

AN ACT TO ESTABLISH THE DAVID UMAHI FEDERAL UNIVERSITY OF  
MEDICAL SCIENCES, UBURU AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Chinedu Ogah*

[ ] Commencement

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

- 1           1.-(1) There is established a University to be known as the David  
2     Umahi Federal University of Medical Sciences, Uburu (in this Bill referred  
3     to as “the University”).  
4           (2) The University-  
5           (a) shall be a body corporate with perpetual succession and a  
6     common seal; and  
7           (b) may sue or be sued in its corporate name.  
8           (3) The objects of the University shall be to-  
9           (a) encourage the advancement of learning and to hold out to all  
10    persons without distinction of race, creed, sex or political conviction the  
11    opportunity of acquiring a higher and liberal education;  
12          (b) provide courses of instruction and other facilities for the pursuit  
13    of learning in all its branches, especially medical sciences and to make those  
14    facilities available on proper terms to such persons as are equipped to benefit  
15    from them;  
16          (c) encourage and promote scholarship and conduct research in all  
17    fields of learning and human endeavor, especially in the fields of medical  
18    sciences;  
19          (d) relate its activities to the social, cultural and economic needs of  
20    the people of Nigeria; and

Constitution and  
functions of the  
University and its  
Constituent Bodies,  
etc.

	1	(e) undertake any other activity appropriate for a university of the
	2	highest standard.
Officers of the University	3	<b>2.-(1)</b> The University shall consist of:
	4	(a) a Chancellor;
	5	(b) a Pro-Chancellor and a Council;
	6	(c) a Vice Chancellor and a Senate;
	7	(d) a body to be called Congregation;
	8	(e) a body to be called Convocation;
	9	(f) the campuses and colleges of the University;
	10	(g) the faculties, schools, institutes and other teaching and research
	11	units of the University;
	12	(h) the persons holding the offices constituted by the First Schedule to
	13	this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
	14	(i) all graduates and undergraduates; and
	15	(j) all other persons who are members of the University in accordance
	16	with provisions made by Statute in that behalf.
	17	(2) The First Schedule to this Bill shall have effect with respect to the
	18	Principal Officers of the University there mentioned.
	19	(3) Provision shall be made by Statute with respect to the constitution
	20	of the following bodies, namely-
	21	(a) the Council;
	22	(b) the Senate;
	23	(c) the Congregation; and
	24	(d) the Convocation.
Functions of the Chancellor and Pro-Chancellor	25	<b>3.-(1)</b> For the carrying out of its objects as specified in Section 1 of
	26	this Bill, the University shall have power to-
	27	(a) establish such campuses, colleges, faculties, institutes, schools,
	28	extramural departments and other teaching and research units within the
	29	University as may from time to time seem necessary or desirable, subject to the
	30	approval of the National Universities Commission or any other body that may



1 be established by law for that purpose;

2 (b) institute professorships, readerships and associate  
3 professorships, lectureships and other posts and offices and to make  
4 appointments thereto;

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

8 (d) provide for the residence, discipline and welfare of members of  
9 the University;

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

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

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

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

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

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

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

1 (l) hold public lectures and to undertake printing, publishing and book  
2 selling;

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

10 (n) borrow, whether on interest or not, and if need be, upon the  
11 security of any or all of the property movable or immovable of the University,  
12 such moneys as the Council may from time to time in its discretion find  
13 necessary or expedient to borrow or to guarantee any loan, advances or credit  
14 facilities;

15 (o) make gifts for any charitable purpose;

16 (p) arrange for the general welfare of children of members of staff;

17 (q) do anything which it is authorized or required by this Act or by any  
18 other Statute to do; and

19 (r) do all such acts or things, whether or not incidental to the foregoing  
20 powers, as may advance the objects of the University.

21 (2) Subject to the provisions of this Bill and of the Statutes made  
22 thereunder and without prejudice to Section 7 (2) of the Bill, the powers  
23 conferred on the University by subsection (1) of this section shall be  
24 exercisable on behalf of the University by the Council or by the Senate or in any  
25 other manner which may be authorized by Statute.

Functions of the  
Council and its  
Finance and  
General Purposes  
Committee

26 4.-(1) The Chancellor shall, in relation to the University, take  
27 precedence before all other members of the University, and when he is present  
28 shall preside at all meetings of convocation held for conferring degrees.

29 (2) The Pro-Chancellor shall, in relation to the University, take  
30 precedence before all other members of the University except the Chancellor

1 when acting as Chairman of Convocation, and except for the Vice  
2 Chancellor when acting as Chairman of Congregation, and the Pro-  
3 Chancellor shall when he is present be the Chairman at all meetings of the  
4 Council.

5           5.-(1) Subject to the provisions of this Bill relating to the Visitor, Functions of the  
Senate  
6 the Council shall be the Governing body of the University and shall be  
7 charged with the general control and superintendence of the policy, finances  
8 and property of the University, including its public relations.

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

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

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

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

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

30           (7) There shall be paid to the members of the Council, of the

1 Finance and General Purposes Committee and of any other committee set up  
2 by the Council allowances in respect of travelling and other reasonable  
3 expenses, at such rates as may from time to time be fixed by the Council.

4 (8) The Council shall meet four times in every year and without  
5 prejudice to the foregoing section, the Council shall meet as and when  
6 necessary for the performance of its functions under this Bill.

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

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

Functions of the  
Vice Chancellor

15 6.-(1) Subject to section 5 of this Bill and sub-sections (3) and (4) of  
16 this section of this Bill relating to the Visitor, it shall be the general function of  
17 the Senate to organize and control teaching in the University, admission to  
18 Postgraduate courses and other admission of students, the discipline of  
19 students and to promote research in the University.

20 (2) Without prejudice to the generality of subsection (1) of this section  
21 and subject as there mentioned, it shall in particular be the function of the  
22 Senate to make provision for the-

23 (a) establishment, organization and control of campuses, colleges,  
24 faculties, departments, schools, institutes and other teaching and research units  
25 of the University, and the allocation of responsibility for different branches of  
26 learning;

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

30 (c) award of degrees, and such other qualifications as may be

- 1            prescribed, in connection with examinations held as aforesaid;
- 2                    (d) making of recommendations to the Council with respect to the
- 3            award to any person of an honorary fellowship or honorary degree or the title
- 4            of professor emeritus;
- 5                    (e) establishment, organization and control of halls of residence
- 6            and similar institutions in the University;
- 7                    (f) supervision of the welfare of students in the University and the
- 8            regulation of their conduct;
- 9                    (g) granting of fellowships, scholarships, prizes and similar awards
- 10           in so far as the awards are within the control of the University; and
- 11                    (h) determination of what description of dress shall be academic
- 12           dress for the purposes of the University, and regulating the use of academic
- 13           dress.
- 14                    (3) The Senate shall not establish any new campus, college,
- 15           faculty, department, school, institute or other teaching and research units of
- 16           the University, or any hall of residence or similar institution at the University
- 17           without the approval of the Council.
- 18                    (4) Subject to this Bill and the Statutes, the Senate may make
- 19           regulations for the purpose of exercising any function conferred on it either
- 20           by the foregoing provisions of this section or otherwise or for the purpose of
- 21           making provision for any matter for which provision by regulation is
- 22           authorized or required by this Bill or by Statute.
- 23                    (5) Regulations shall provide that at least one of the persons
- 24           appointed as the examiners at each final or professional examination held in
- 25           conjunction with any course of study in the University is not a teacher at the
- 26           University but is a teacher at the branch of learning to which the course
- 27           relates in some other university of high repute.
- 28                    (6) Subject to a right of appeal to the Council from a decision of the
- 29           Senate under this subsection, the Senate may deprive any person of any
- 30           degree, diploma or other award of the University which has been conferred

1 on him if after due enquiry he is shown to have been guilty of dishonourable or  
2 scandalous conduct in gaining admission into the University or obtaining that  
3 award.

Transfer of property , 4  
functions, etc.

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

8 (2) Subject to Sections 5 and 6 of this Bill and the provisions of this  
9 Bill relating to the Visitor, the Vice- Chancellor shall have general function, in  
10 addition to any other functions conferred on him by this Bill or otherwise, of  
11 directing the activities of the University, and shall to the exclusion of any other  
12 person or authority be the chief executive and academic officer of the  
13 University and ex-officio Chairman of the Senate.

Power of University 14  
to make Statutes

8.-(1) All property held by or on behalf of the provisional Council  
15 shall, by virtue of this subsection and without further assurance, vest in the  
16 University and be held by it for the purposes of the University.

17 (2) The provisions of the Second Schedule to this Act shall have effect  
18 with respect to the transfer of property by this section and to matters arising  
19 there from and with respect to other matters mentioned in that Schedule.

Statutes of the 20  
University

9.-(1 } Subject to this Bill, the University may make Statutes for any of  
21 the following purposes, that is to-

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

24 (b) specify and regulate the powers and duties of any authority of the  
25 University, and regulating any other matter connected with the University or  
26 any of its authorities;

27 (c) regulate the admission of students where it is done by the  
28 University, and their discipline and welfare;

29 (d) determine whether any particular matter is to be treated as an  
30 academic or non-academic matter for the purposes of this Bill and of any

1 Statute, regulation or other instrument made thereunder; and

2 (e) make provision for any other matter for which provision by  
3 Statute is authorized or required by this Bill.

4 (2) Subject to section 23 (6) of this Bill, the Interpretation Act shall  
5 apply in relation to any Statute made under this section as it applies to a  
6 subsidiary instrument within the meaning of section 27(1) of that Act.

7 (3) The Statute contained in the Third Schedule to this Bill shall be  
8 deemed to have come into force on the commencement of this Bill and shall  
9 be deemed to have been made under this section.

10 (4) The power to make Statute conferred by this section shall not be  
11 prejudiced or limited in any way by reason of the inclusion or omission of  
12 any matter in or from the Statute contained in the Third Schedule to this Bill  
13 or any subsequent Statute.

14 **10.-(1)** The power of the University to make Statute shall be  
15 exercised in accordance with the provisions of this section and not  
16 otherwise.

Exercising Power  
to make Statute

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

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

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

23 (3) A proposed Statute may originate either in the Senate or in the  
24 Council, and may be approved as required by subsection (2) of this section  
25 by either one of these bodies before the other.

26 (4) A Statute which-

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

29 (b) provides for the establishment of a new campus or college or for  
30 the amendment or revocation of any Statute whereby a campus or college is

1 established, shall not come into operation unless it has been approved by the  
2 Visitor.

3 (5) For the purposes of section 2 (2) of the Interpretation Act, a Statute  
4 shall be treated as being made on the date on which it is duly approved by the  
5 Council after having been duly approved by the Senate, or on the date on which  
6 it is duly approved by the Senate after having been duly approved by the  
7 Council, as the case may be or, in the case of a Statute falling within subsection  
8 (4) of this section, on the date on which it is approved by the Federal  
9 Government of Nigeria.

Power of Visitor  
to decide meaning  
of Statute

10 11. A Statute may be proved in any court by the production of a copy  
11 thereof bearing or having affixed to it a certificate signed by the Vice-  
12 Chancellor or the Registrar to the effect that the copy is a true copy of a Statute  
13 of the University.

Removal of certain  
Member of Council

14 12.-(1) In the event of any doubt or dispute arising at any time as to the  
15 meaning of any provision of a Statute, the matter may be referred to the Visitor,  
16 who shall take such advice and make such decision thereon as he deems fit.

17 (2) The decision of the Visitor on any matter referred to him under this  
18 section shall be binding upon the authorities, staff and student of the  
19 University, and where any question as to the meaning of any provision of a  
20 Statute has been decided by the Visitor under this section, no question as to the  
21 meaning of that provision shall be entertained by any court of law in Nigeria:

22 Provided that nothing in this subsection shall affect the power of a  
23 court of competent jurisdiction to determine whether any provision of a Statute  
24 is wholly or partly void as being ultra vires or as being inconsistent with the  
25 Constitution.

26 (3) The foregoing provisions of this section shall apply in relation to  
27 any doubt or dispute as to whether any matter is for the purposes of this Bill an  
28 academic or a non-academic matter as they apply in relation to any such doubt  
29 or dispute as is mentioned in subsection (1) of this section, and accordingly the  
30 references in subsection (2) of this section to any question as to the meaning of



1 any provision of a Statute shall include references to any question as to  
 2 whether any matter is for the said purposes an academic or a non-academic  
 3 matter.

4 **13.-(1)** The President shall be the Visitor to the University.

Supervision and  
Discipline

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

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

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

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

17 **14.-(1)** If it appears to the Council that a member (other than the  
 18 Pro-Chancellor or the Vice- Chancellor) should be removed from office on  
 19 grounds of misconduct or inability to perform the functions of his office or  
 20 employment, the Council shall make a recommendation to that effect  
 21 through the Minister to the Federal Executive Council and if the Federal  
 22 Executive Council, after making such enquiries (if any) as may be  
 23 considered necessary, approves the recommendation it may direct the  
 24 removal of the member from office.

Removal and  
discipline of  
academic  
administrative  
and professional  
staff

25 (2) It shall be the duty of the Minister to use his best endeavours to  
 26 cause a copy of the instrument embodying a direction under subsection (1)  
 27 of this section to be served as soon as reasonably practicable on the person to  
 28 whom it relates.

29 **15.-(1)** If it appears to the Council that there are reasons for  
 30 believing that any person employed as a member of the academic or

1 administrative or professional staff of the University, other than the Vice-  
2 Chancellor, should be removed from his office or employment on grounds of  
3 misconduct or inability to perform the functions of his office or employment,  
4 the Council shall:

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

6 (b) afford him an opportunity of making representation in person on  
7 the matter to the Council; and

8 (c) take a decision to terminate or not to terminate the appointment.

9 (2) If he or any three members of the Council so request within the  
10 period of one month beginning with the date of receipt of the notice of the  
11 Council's decision aforesaid the Council shall make arrangements-

12 (i) for a joint committee of the Council and the Senate to review the  
13 matter and to report on it to the Council;

14 (ii) for the person in question to be afforded an opportunity to appear  
15 before and be heard by the investigating committee with respect to the matter;  
16 and

17 (iii) the Council, after considering the report of the investigating  
18 committee, is satisfied that the person in question should be removed as  
19 aforesaid, the Council may so remove him by an instrument in writing signed  
20 on the directions of the Council.

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

25 (4) For good cause, any member of staff may be suspended from his  
26 duties or his appointment may be terminated by Council, and for the purposes  
27 of this subsection "good cause" means-

28 (a) conviction for any offence which the Council considers to be such  
29 as to render the person concerned unfit for the discharge of the functions of his  
30 office; or

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

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

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

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

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

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

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

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

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

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

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

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

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

6 **16.-(1)** If, on the recommendation of the Vice-Chancellor it appears to  
7 the Senate that a person appointed as an examiner for any examination of the  
8 University ought to be removed from his office or appointment, then Senate  
9 may, after affording the examiner an opportunity of making representations in  
10 person on the matter direct the Vice-Chancellor to remove the examiner from  
11 the appointment by an instrument in writing signed by the Registrar and,  
12 subject to the provisions of regulations made in pursuance of section 6 (5) of  
13 this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint  
14 an appropriate person as examiner in the place of the examiner removed in  
15 pursuance of section 6 (5).

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

20 **17.-(1)** Subject to the provisions of this section, where it appear to the  
21 Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor  
22 may, without prejudice to any other disciplinary powers conferred on him by  
23 Statute or regulations, direct that the-

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

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

29 (c) student be rusticated for such period as may be specified in the  
30 direction; and

1 (2) Where a direction is given under subsection (1) (c) or (d) of this  
2 section in respect of any student, the student may, within the prescribed  
3 period and in the prescribed manner, appeal from the direction to the Senate,  
4 and where such an appeal is brought, the Senate shall, after causing such  
5 inquiry to be made in the matter as the Senate considers just, either confirm  
6 or set aside the direction or modify it in such manner as the Senate thinks fit.

7 (3) The fact that an appeal from a direction is brought in pursuance  
8 of the last foregoing subsection shall not affect the operation of the direction  
9 while the appeal is pending.

10 (4) The Vice-Chancellor may delegate his powers under this  
11 section to a disciplinary board consisting of such members of the University  
12 as he may nominate.

13 (5) Nothing in this section shall be construed as preventing the  
14 restriction or termination of a student's activities at the University for  
15 Conduct which in the opinion of Senate is prejudicial to the interest of the  
16 University or to its corporate objectives or image.

17 (6) It is hereby declared that a direction under subsection (1) (a) of  
18 this section may be combined with a direction under subsection (1) (b) of  
19 this section.

20 **18.** No person shall be required to satisfy requirements as to any of  
21 the following matters, that is to say, race (including ethnic grouping) sex,  
22 place of birth or of family origin or religious or political persuasion, as a  
23 condition for becoming or continuing to be a student in the University, the  
24 holder of any degree of the University or of any appointment or employment  
25 in the University, or a member of anybody established by virtue of this Bill  
26 and no person shall be subjected to any disadvantage or accorded any  
27 advantage in relation to the University by reference to any of those matters:

28 Provided that nothing in this section shall be construed as  
29 preventing the University from imposing any disability or restriction on any  
30 of the aforementioned persons where such persons willfully refuse or fail on

Miscellaneous  
and General

1 grounds of religious belief to undertake any duty generally and uniformly  
2 imposed on all such persons or any group of them which duty, having regard to  
3 its nature and the special circumstances pertaining thereto, is in the opinion of  
4 the University reasonably justifiable in the national interest.

5       **19.** For the purposes of the Land Use Act (which provides for the  
6 compulsory acquisition of land for public purposes) the purposes of the  
7 University shall be public purposes of the Federation, and where an estate or  
8 interest in land is acquired by the Federal Government in pursuance of this  
9 section, the Federal Government may, by a certificate under the hand and seal  
10 of the Chief Federal Lands Officer, or any other person authorized in that  
11 behalf transfer it to the University.

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

16       Provided that such consent shall not be required in the case of any lease or  
17 tenancy at a rack-rent for a term not exceeding twenty-one years of any lease or  
18 tenancy to a member of the University for residential purposes.

19       **21.** Except as may be otherwise provided by Statute or by  
20 Regulations, the quorum and procedure of any body of persons established by  
21 this Bill shall be such as may be determined by that body.

22       **22.**-(1) Anybody of persons established by this Bill shall, without  
23 prejudice to the generality of the powers of that body, have power to appoint  
24 committees, which need not consist exclusively of members of that body, and  
25 to authorize a committee established by it-

26               (a) to exercise on its behalf, such of its functions as it may determine;

27               (b) to co-opt members; and

28               (c) may direct whether or not co-opted members (if any) shall be  
29 entitled to vote in that committee.

30       (2) Any two or more such bodies may arrange for the holding of joint

1 meetings of those bodies, or for the appointment of committees consisting of  
2 members of those bodies, for the purpose of considering any matter within  
3 the competence of those bodies or any of them, and either dealing with it or  
4 of reporting on it to those bodies or any of them.

5 (3) Except as may be otherwise provided by Statute or by  
6 Regulations, the quorum and procedure of a committee established or  
7 meeting held in pursuance of this section shall be such as may be determined  
8 by the body or bodies which have decided to establish the committee or hold  
9 the meeting.

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

12 (a) statutes to be made otherwise than in accordance with section  
13 10 of this Bill or; and

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

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

22 23.-(1) The seal of the University shall be such as may be  
23 determined by the Council and approved by the Chancellor, and the affixing  
24 of the seal shall in the case of certificates issued by the University be  
25 authenticated by the Vice-Chancellor and the Registrar and in the case of  
26 any other document, by any member of Council, the Vice-Chancellor, and  
27 the Registrar or any other person authorized by Statute.

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

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

5 (4) The validity of any proceedings of anybody established pursuant  
6 to this Bill shall not be affected by any vacancy in the membership of the body,  
7 or by any defect in the appointment of a member of the body or by reason that  
8 any person not entitled to do so took part in the proceedings.

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

12 (6) Nothing in section 12 of the Interpretation Act (which provides for  
13 the application, in relation to subordinate legislation, of certain incidental  
14 provisions) shall apply to Statutes or Regulations made in pursuance of this  
15 Bill; but the power conferred by this Bill to make Statute or Regulations shall  
16 include power to revoke or vary any Statute (including the Statute contained in  
17 the Third Schedule of this Bill) or any Regulation by a subsequent Statute or, as  
18 the case may be, by a subsequent Regulation, and Statutes and Regulations  
19 may make different provisions in relation to different circumstances.

20 (7) No stamp or other duty shall be payable in respect of any transfer  
21 of property to the University by virtue of sections 8, 19 and the Second  
22 Schedule to this Bill.

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

Interpretation

25 **24.-(1)** In this Bill-

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

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

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

30 "Council" means the Council established by this Bill for the University;



- 1 "graduate" means a person on whom a degree (other than an honorary  
2 degree) has been conferred by the University;
- 3 "gross misconduct" means any act of misconduct and improper behaviour  
4 that may be designated as gross misconduct by any Statute or Regulation  
5 made, pursuant to this Bill;
- 6 "Minister" means the minister charged with responsibility for education;
- 7 "misconduct" means any conduct which is prejudicial to the good name of  
8 the University and or discipline and the proper administration of the  
9 business of the University;
- 10 "notice" means notice in writing; "officer" does not include the Visitor;
- 11 "officer" does not include the Visitor;
- 12 "prescribed" means prescribed by Statute or Regulation made under this  
13 Bill;
- 14 "professor" means a person designated as a professor of the University in  
15 accordance with provisions made in that behalf by Statute or by  
16 Regulations;
- 17 "property" includes rights, liabilities and obligations;
- 18 "the provisional Council" means the provisional Council appointed for the  
19 University by the Federal Republic of Nigeria with effect from September  
20 1991;
- 21 "regulations" means regulations made by the Senate or Council;
- 22 "Senate" means the Senate of the University established by this Bill;
- 23 "Statute" means a Statute made by the University under section 9 of this Bill  
24 and in accordance with the provisions of section 10 of this Bill; and
- 25 "the Statutes" means all such Statutes as are in force from time to time;
- 26 "teacher" means a person holding a full time appointment as a member of the  
27 teaching or research staff of the University;
- 28 "Government" means the Federal Government of Nigeria;
- 29 "President" means the President of the Federal Republic of Nigeria;
- 30 "Constitution" means the Constitution of the Federal Republic of Nigeria;

1 "Undergraduate" means a person in statu pupilari in the University, other than-  
2 (a) a graduate; and  
3 (b) a person of such description as may be prescribed for the purposes  
4 of this definition.

5 "University" means the David Umahi Federal University of Medical Sciences,  
6 Uburu as incorporated and constituted by this Bill; and

7 (2) It is hereby declared that where in any provision of this Bill it is  
8 laid down that proposals are to be submitted or a recommendation is to be made  
9 by one authority to another through one or more intermediate authorities, it  
10 shall be the duty of every such intermediate authority to forward any proposals  
11 or recommendations received by it pursuant to that provision to the appropriate  
12 authority; but any such intermediate authority may, if it thinks fit, forward  
13 therewith its own comments thereon.

Citation

14 **25.** This Bill may be cited as the David Umahi Federal University of  
15 Medical Sciences, Uburu (Establishment, etc.) Bill, 2022.

1 SCHEDULES

2 SCHEDULE 1

3 PRINCIPAL OFFICERS OF THE UNIVERSITY

4 *The Chancellor*

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

7 *The Pro-Chancellor*

8 2.-(1) The Pro-Chancellor shall be appointed or removed from  
9 office by the President.

10 (2) Subject to the provisions of this Act, the Pro-Chancellor shall  
11 hold office for a period of four years beginning with the date of his  
12 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-Chancellors*

18 4.-(1) There shall be two Deputy Vice-Chancellors or such number  
19 of Deputy Vice-Chancellors as the Council may, from time to time, deem  
20 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  
23 Universities (Miscellaneous Provisions) Act 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.

1 *Other Principal Officers of the University*

2 *Office of the Registrar Bursar and University Librarian*

3 5.-(1) There shall be a Registrar, who shall be the Chief  
4 Administrative Officer of the University and shall be responsible to the Vice-  
5 Chancellor for the day-to-day administration of the University except as  
6 regards matters for which the Bursar is responsible in accordance with  
7 subparagraph (4) below.

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

10 (3) The Registrar-

11 (a) shall hold office for a period of five years beginning from the  
12 effective date of his appointment and no such terms and conditions as may be  
13 specified in his letter of appointment; and

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

16 (4) There shall be a Bursar, who shall be the Chief Financial Officer of  
17 the University and shall be responsible to the Vice-Chancellor for the day-to-  
18 day administration and control of the financial affairs of the University.

19 (5) There shall be a University Librarian who shall be responsible to  
20 the Vice-Chancellor for the administration of the University Library and the  
21 co-ordination of all library services in the University and its campuses,  
22 colleges, faculties, schools, departments and institutes and other teaching or  
23 research units.

24 (6) The Bursar and the University Librarian-

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

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

1 *Other Officers of the University*

2 6. There shall be a Director of works, who shall be responsible to  
3 the Vice-Chancellor for the administration of the Works Department. He  
4 shall be responsible for all works, services and maintenance of University  
5 facilities.

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

10 *The College of Health Sciences*

11 8.-(1) There shall be a Provost of the College of Health Sciences  
12 who shall be the Head of the College.

13 (2) The Provost shall be appointed in such manner as may be  
14 specified by Statute and shall hold office for such period and on such terms  
15 as to the emoluments of his office and otherwise as may be specified in his  
16 instrument of appointment.

17 (3) There shall be a Deputy Provost of the College of Health  
18 Sciences who shall be appointed in the prescribed manner and shall hold  
19 office for such period and on such terms as to the emoluments of his office  
20 and otherwise as may be prescribed in his instrument of appointment.

21 *Resignation and Reappointment*

22 9.-(1) Any officer mentioned in the foregoing provisions of this  
23 schedule may resign his office in-

24 (a) the case of the Chancellor, by notice to the Visitor; and

25 (b) any other case, by notice to the Council and the Council shall  
26 immediately notify the Minister in the case of the Vice-Chancellor.

27 (2) A person who has ceased to hold an office so mentioned  
28 otherwise than by removal for misconduct shall be eligible for  
29 reappointment to that office.

## 1 SCHEDULE 2

## 2 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC

3 *Transfer of Property to University*

4 1. Without prejudice to the generality of section 8 (1) of this Bill-

5 (a) the reference in the subsection to property held by the provisional  
6 Council and the David Umahi Federal University of Medical Sciences, Uburu  
7 shall include a reference to the right to receive and give a good discharge for  
8 any grants or contributions which may have been voted or promised to the  
9 provisional Council and the David Umahi Federal University of Medical  
10 Sciences, Uburu; and

11 (b) all debts and liabilities of the provisional Council and the David  
12 Umahi Federal University of Medical Sciences, Uburu outstanding shall  
13 become debts or liabilities of the University established by this Bill.

14 2.-(1) All agreements, contracts, deeds and other instruments to  
15 which the provisional Council and the David Umahi Federal University of  
16 Medical Sciences, Uburu were parties shall, so far as possible and subject to  
17 any necessary modifications, have effect as if the University established by this  
18 Bill had been a party thereto in place of the provisional Council and the David  
19 Umahi Federal University of Medical Sciences, Uburu

20 (2) Documents not falling within sub-paragraph (1) above, including  
21 enactments, which refer whether specially or generally to the provisional  
22 Council and the David Umahi Federal University of Medical Sciences, Uburu  
23 shall be construed in accordance with that sub-paragraph so far as applicable.

24 (3) Any legal proceedings or application to any authority pending by  
25 or against the provisional Council and the David Umahi Federal University of  
26 Medical Sciences, Uburu may be continued by or against the University  
27 established by this Bill.

28 *Registration of Transfers*

29 3. If the law in force at the place where any property transferred by this  
30 Act is situated provides for the registration of transfers of property of the kind

1 in question (whether by reference to an instrument of transfer or otherwise),  
2 the law shall, so far as it provides for alterations of a register (but not for  
3 avoidance of transfers, the payment of fees of any other matter) apply with  
4 the necessary modifications to the transfer of the property aforesaid, and it  
5 shall be the duty of the body to which any property is transferred by this Bill  
6 to furnish the necessary particulars of the transfer to the proper officer of the  
7 registration authority, and of that officer to register the transfer accordingly.

8 4.-(1) The first meeting of the Council shall be convened by the  
9 Pro-Chancellor on such date and in such manner as he may determine.

10 (2) The persons who were members of the provisional Council  
11 shall be deemed to constitute the Council until the date when the Council set  
12 up under Schedule 3 of this Bill shall have been duly constituted.

13 (3) The first meetings of the Senate as constituted by this Bill shall  
14 be convened by the Vice-Chancellor on such date and in such manner as he  
15 may determine.

16 (4) The persons who were members of the Senate immediately  
17 before the coming into force of this Bill shall be deemed to constitute the  
18 Senate of the University until the date when the Senate as set up under  
19 Schedule 3 of this Bill shall have been duly constituted.

20 (5) Subject to any regulations which may be made by the Senate  
21 after the date on which this Bill is made, the facilities, faculty boards and  
22 students of the University immediately before the coming into force of this  
23 Bill shall on that day become faculties, faculty boards and students of the  
24 University as established by this Bill.

25 (6) Persons who were deans or vice-deans of faculties or schools or  
26 members of faculty boards shall continue to be deans or vice deans or  
27 become members of the corresponding faculty boards, until new  
28 appointment are made in pursuance of the Statutes under this Bill.

29 5. Any person who was a member of the staff of the University as  
30 established or was otherwise employed by the provisional Council shall

1 become the holder of an appointment at the University with the status,  
2 designation and functions which correspond as nearly as may be to those which  
3 appertained to him as a member of that staff or as such an employee.

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

6 SCHEDULE 3

7 DAVID UMAHI FEDERAL UNIVERSITY OF MEDICAL SCIENCES, UBURU

8 STATUTE NO.1

9 1.-(1) There shall be established for the University a Governing  
10 Council (in this Bill referred to as the "Council").

11 (2) The composition of the Council shall be in accordance with  
12 provisions of the Universities (Miscellaneous Provisions) Act 1993 as  
13 amended.

14 (3) Any member of the Council holding office otherwise than in  
15 pursuance of paragraph 2 above may, by notice to the Council, resign his office.

16 (4) A member of the Council holding office otherwise than in  
17 pursuance of paragraph 2 above shall, unless he previously vacates it, vacate  
18 that office on the expiration of the period of four years with effect from the date  
19 of his appointment.

20 (5) Where a member of the Council holding office otherwise than in  
21 pursuance of paragraph 2 above vacates office before the expiration of the  
22 period aforesaid, the body or person by whom he was appointed may appoint a  
23 successor to hold office for the residue of the term of his predecessor.

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

27 (7) The quorum of the Council shall be five, at least one of whom shall  
28 be a member appointed pursuant to paragraph 2 above.

29 (8) If the Pro-Chancellor is not present at a meeting of the Council,  
30 such other member of the Council present at the meeting as the Council may



1       appoint as respects that meeting shall be Chairman at that meeting, and  
2       subject to section 4 of this Bill and the foregoing provisions of this  
3       paragraph the Council may regulate its own procedure.

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

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

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

17                              *The Finance and General Purpose Committee*

18              2.-(1) The Finance and General Purposes Committee of the  
19      Council shall consist of-

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

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

23              (c) six other members of the Council appointed by the Council two  
24      of whom shall be selected from among the four members of the Council  
25      appointed by the Senate and one of whom shall be selected from among  
26      members of the Council appointed by the congregation; and

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

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

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

3 *The Senate*

4 3.-(1) The Senate shall consist of-

5 (a) the Vice-Chancellor and the Deputy Vice-Chancellor;

6 (b) the Deans of Faculties;

7 (c) the Directors of Institutes and Centres;

8 (d) the Professors;

9 (e) the University librarian; and

10 (f) the persons for the time being holding such appointment of the  
11 staff of the University as may be specified by the Vice-Chancellor.

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

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

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

22 *Congregation*

23 4.-(1) Congregation shall consists of-

24 (a) the Vice-Chancellor and the Deputy Vice-Chancellor;

25 (b) the full time members of the academic staff;

26 (c) the Registrar; and

27 (d) the Bursar-

28 (i) every member of the administrative and technical staff who holds a  
29 degree of any University recognized for the purpose of this Statute by the Vice-  
30 Chancellor, not being an honorary degree;

1 (ii) subject to section 4 of the Bill, the Vice-Chancellor shall be the  
2 Chairman at all meetings of congregation when he is present, and in his  
3 absence one of the Deputy Vice-Chancellors appointed by him shall be the  
4 chairman at the meeting;

5 (iii) the quorum of the congregation shall be one-third (or the  
6 whole number nearest to one-third) of the total number of members of the  
7 congregation or fifty, whichever is less;

8 (iv) a certificate signed by the Vice-Chancellor specifying-

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

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

14 (v) subject to the foregoing provisions of this schedule,  
15 congregation may regulate its own procedure; and

16 (vi) congregation shall be entitled to express by resolution or  
17 otherwise its opinion on all matters affecting the interest and welfare of the  
18 University and shall have such other functions in addition to the function of  
19 electing a member of the Council, as may be provided by Statute or  
20 Regulations.

21 *Convocation*

22 5.-(1) Convocation shall consists of-

23 (a) the officers of the University mentioned in Schedule 1 to the  
24 Bill;

25 (b) all teachers within the meaning of this Bill; and

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

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

30 (a) is either a graduate of the University or a person satisfying such

1 requirements as may be prescribed for the purposes of this paragraph; and

2 (b) applies for the registration of his name in the prescribed manner  
3 and pays the prescribed fee, and regulations shall provide for the establishment  
4 and maintenance of a register for the purposes of this paragraph and, subject to  
5 paragraph (3) below, may provide for the payment from time to time of further  
6 fees by persons whose names are on the register and for the removal from the  
7 register of the name of any person who fails to pay those fees.

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

12 (4) A person who reasonably claims that he is entitled to have his  
13 name on the register shall be entitled on demand to inspect the register, or a  
14 copy of the register at the principal offices of the University at all reasonable  
15 times.

16 (5) The register shall, unless the contrary is proved, be sufficient  
17 evidence that any person named therein is, and that any person not named  
18 therein is not, a member of convocation, but for the purpose of ascertaining  
19 whether a particular person was such a member on a particular date, any entries  
20 in and deletions from the register made on or after that date shall be  
21 disregarded.

22 (6) The quorum of convocation shall be fifty or one-third (or the  
23 whole number nearest to one-third) of the total number of members of  
24 convocation whichever is less.

25 (7) Subject to section 4 of the Bill, the Chancellor shall be chairman at  
26 all meetings of convocation when he is present, and in his absence the Vice-  
27 Chancellor shall be the chairman at the meeting.

28 (8) Convocation shall have such functions, in addition to the function  
29 of appointing a member of the Council, as may be provided by statute.

1 *Organisation of Faculties and Branches thereof*

2 6. Each Faculty shall be divided into such number of branches as  
3 may be prescribed.

4 7.-(1) There shall be established in respect of each Faculty, a  
5 Faculty Board, which, subject to the provisions of this Bill, and subject to the  
6 directions of the Vice-Chancellor, shall-

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

9 (b) deal with any other matter assigned to it by Statute or by the  
10 Vice-Chancellor or by Senate; and

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

13 (2) Each Faculty Board shall consists of-

14 (a) the Vice-Chancellor;

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

16 (c) such numbers of the teachers assigned to the faculty and having  
17 the prescribed qualifications as the Board may determine; and

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

20 (3) The quorum of the Board shall be eight members or one-quarter  
21 (whichever is greater) of the members for the time being of the Board and  
22 subject to the provisions of this statute and to any provision made by  
23 regulations in that behalf, the Board may regulate it own procedure.

24 *The Dean of the Faculty*

25 8.-(1) The Dean of a faculty shall be a professor elected by the  
26 Faculty Board and such Dean shall hold office for a term of two years. He  
27 will be eligible for re-election for another term of two years after which he  
28 may not be elected again until two years have elapsed, however, that  
29 appointment term is not reckoned with in computing the maximum elective  
30 tenure.

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

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

8 (4) The Dean of a faculty shall exercise general superintendence over  
9 the academic and administrative affairs of the faculty. It shall be the function of  
10 the Dean to present to convocation for the conferment of Degrees persons who  
11 have qualified for the Degrees of the University at examinations held in the  
12 branches of learning for which responsibility is allocated to that faculty.

13 (5) There shall be a committee to be known as the Committee of  
14 Deans consisting all the Deans of the several faculties and that committee shall  
15 advise the Vice-Chancellor on all academic matters and on particular matters  
16 referred to the Committee by Senate.

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

22 (7) In this article, "good cause" has the same meaning as in section 15  
23 (4) of the Bill.

24 *Selection of Certain Principal Officers*

25 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,  
26 University Librarian, a Selection Board shall be constituted by the Council and  
27 shall consist of-

28 (i) the Pro-Chancellor;

29 (ii) the Vice-Chancellor;

1 (iii) two members appointed by the Council, not being members of  
2 Senate; and

3 (iv) two members appointed by the Senate and being members of  
4 Council.

5 (2) The Selection Board, after making such inquiries as it thinks fit,  
6 shall recommend a candidate to the Council for appointment to the vacant  
7 office, and after considering the recommendation of the Board the Council  
8 may make an appointment to that office.

9 (3) A person selected or appointed to the office of Director of  
10 Works or Director of Health Services shall hold office for a period of five  
11 years single term from the effective date of his appointment, provided that  
12 the Council, acting through the Vice-Chancellor, may for good cause, within  
13 the meaning of section 15 (4) of this Bill, and notwithstanding section 15 (1)  
14 of the same Bill, suspend or remove such appointees.

15 (4) Where on the commencement of this Bill a Director of Works or  
16 Director of Health Services has held office for five years, he shall be deemed  
17 to have served his term and shall relinquish his post and be assigned other  
18 duties in the University.

19 *Creation of Academic Staff*

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

23 *Appointment of Academic Staff*

24 11. Subject to the Act and the Statute, the filling of vacancies in  
25 academic posts (including newly created ones) shall be as prescribed from  
26 time to time by Statutes.

27 *Appointment of Administrative and Technical Staff*

28 12.-(1) The administrative and technical staff of the University,  
29 other

EXPLANATORY MEMORANDUM

This Bill seeks to make provisions for the establishment, administration and management of the David Umahi Federal University of Medical Sciences, Uburu for the advancement of tertiary learning especially in medical sciences, and the promotion of scholarships in all fields of human endeavour



FEDERAL INSTITUTE OF VOCATIONAL AND TECHNICAL EDUCATION,  
KIYAWA, JIGAWA STATE (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF SECTIONS

*Section:*

PART I - ESTABLISHMENT OF NATIONAL INSTITUTE OF VOCATIONAL  
AND TECHNICAL EDUCATION, ETC.

1. Establishment of National Institute of Vocational and Technical Education
2. Establishment and composition of the Governing Board of the Institute, etc.
3. Functions and Powers of the Board
4. Tenure of office of members of the Board
5. Removal from office
6. Remuneration

PART II - FUNCTIONS OF THE INSTITUTE

7. Functions of the Institute
8. Powers of the Institute
9. Establishment of Academic Board

PART III - APPOINTMENT, QUALIFICATION, TENURE, ETC OF PRINCIPAL  
OFFICERS AND OTHER STAFF OF THE INSTITUTE

10. Appointment of the Director of the Institute
11. Duties of the Director
12. Tenure of office of the Director
13. Terms and conditions of office of the Director
14. Removal of Director from office
15. Registrar of the Institute
16. Tenure of office of Registrar
17. Appointment of Deputy Director of the Institute
18. Other principal officers of the Institute
19. Resignation of appointment by principal officers

- 20. Appointment of other employees of the Institute
- 21. Staff regulation
- 22. Removal of staff from office

PART IV - FINANCIAL PROVISIONS

- 23. Establishment of funds for the Institute
- 24. Donations for particular purposes
- 25. Payment into Bank
- 26. Powers to accept gift
- 27. Expenditure of the Institute
- 28. Power to borrow
- 29. Annual estimates and expenditure
- 30. Annual report

PART V - MISCELLANEOUS PROVISIONS

- 31. Discipline of students
- 32. Transitional provisions
- 33. Exclusion or discrimination on account of race, religion etc.
- 34. Interpretation
- 35. Citation

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL  
INSTITUTE OF VOCATIONAL AND TECHNICAL EDUCATION, KIIYAWA,  
JIGAWA STATE AND FOR RELATED MATTERS

*Sponsored by Hon Ibrahim Abdullahi Dutse*

[ ] Commencement

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

- |   |   |  |
|---|---|--|
| 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19 | <p>1.-(1) There is hereby established a body to be known as the<br/>National Institute of Vocational and Technical Education (in this Act<br/>referred to as “the Institute”) which shall have the functions assigned to it by<br/>this Act.</p> <p>(2) The Institute shall be a body corporate with perpetual<br/>succession and a common seal and shall have power to acquire and dispose<br/>of interests in movable and immovable property and may sue and be sued in<br/>its corporate name.</p> <p>(3) The Institute shall consist of the following departments:</p> <ul style="list-style-type: none"><li>(a) business education;</li><li>(b) agricultural education;</li><li>(c) technical education;</li><li>(d) computer education;</li><li>(e) home economics;</li><li>(f) music and arts;</li><li>(g) general studies department;</li><li>(h) such other educational units or departments or variations of the<br/>above as may, subject to this Act be established from time to time by the<br/>Board.</li></ul> | <p>Establishment<br/>of the National<br/>Institute of<br/>Vocational and<br/>Technical Education</p> |
|---|---|--|

Establishment and composition of the Governing Board of the Institute	1	<b>2.</b> -(1) The affairs and running of the Institute shall vest in the
	2	Governing Board of the Institute (in this Act referred to as "the Board).
	3	(2) Without prejudice to the generality of subsection (1) of this
	4	section, it shall be the responsibility of the Board to consider and approve:-
	5	(a) the objectives and plan of activities of the Institute;
	6	(b) the programme of studies, courses and research to be undertaken
	7	by the Institute;
	8	(c) the annual estimates of the Institute;
	9	(d) the investment plan of the Institute.
	10	(3) The Board shall consist of:
	11	(a) a Chairman who shall be appointed by the President;
	12	(b) The Director of the Institute appointed under section 9 of this Act;
	13	(c) one representative of the National Board for Technical Education;
	14	(d) three members to be nominated by each of the Ministries
	15	responsible for Industries, Education and Labour;
	16	(e) one representative of the Manufacturers Association of Nigeria
	17	(MAN);
	18	(f) one person of standing in the community where the Institute is
	19	located;
	20	(g) one representative of the Academic Board of the Institute;
	21	(h) one representative of state commissioner of education;
	22	(i) one person to represent professional bodies whose discipline are
	23	taught in the Institute.
Functions and powers of the Board	24	<b>3.</b> -(1) Subject to the provisions of this Act, the Board shall have
	25	responsibility for the general management of the affairs of the Institute and, in
	26	particular, the general control of the Institute.
	27	(2) Without prejudice to the generality of the provisions of section (3)
	28	of this Act, the Board shall have power-
	29	(a) to create lectureships and other posts and offices and to make
	30	appointments thereto;

1 (b) to appoint such administrative and other members of staff of the  
2 Institute as may appear necessary or expedient;

3 (c) to exercise disciplinary control over members of the staff of the  
4 Institute;

5 (d) to prescribe the terms and conditions of service including  
6 salaries, allowances, pensions and other remunerations, for all members of  
7 the staff of the Institute;

8 (e) to encourage and make provisions for research in the Institute;

9 (f) to erect, provide, equip and maintain libraries, lecture halls, hall  
10 of residence, refectories, sports grounds, playing fields and such other  
11 buildings or things as may be necessary, suitable or required;

12 (g) to enter into such contracts as may be necessary or expedient for  
13 carrying into effect the provisions of this Act;

14 (h) to acquire and hold such movable or immovable property as  
15 may be necessary or expedient for carrying into effect the provisions of this  
16 Act and for the same purpose may sell, lease, mortgage or otherwise alienate  
17 or dispose of any property acquired; and

18 (i) to do anything which in its opinion is calculated to facilitate the  
19 carrying out of the objects of the Institute and to promote its best interest.

20 **4.** A member of the Board (other than an ex-officio member) shall  
21 hold office for a term of four years and may be eligible for reappointment for  
22 another term of four years and no more

Tenure of office  
of members of  
the Board

23 **5.-(1)** A member of the Board (other than an ex-officio member)  
24 may resign his appointment by notice in writing addressed to the President

Resolution of  
appointment or  
removal from  
office

25 (2) The President may remove any member of the Board if he is  
26 satisfied that it is not in the interest of the Institute that the member  
27 concerned should continue in office.

28 **6.** A member of the Board (other than an ex-officio member) shall  
29 be paid such remuneration and allowances as may be determined by the  
30 President.

Remuneration

PART II - FUNCTIONS OF THE INSTITUTE

7.-(1) The functions of the Institute shall be:

(a) to provide detailed identification of technical and skills acquisition needs for the economy in training and development training programmes to meet those needs;

(b) to establish a vocational education and training system which includes basic and specialized training to meet the needs of both the formal and informal sectors;

(c) to carry out training of students and artisans and retraining of professionals to meet newest requirement identified in paragraph (a);

(d) to satisfy the demands of the labour market for employees with trade skills in order to improve production and productivity of the economy;

(e) to promote the balancing of supply and demand for skilled labour in both wage employment and for skills needed for self-employment in rural and urban areas;

(f) to promote on the job training in industry for both apprenticeship training and for skills updating and upgrading;

(g) to promote and undertake any other activity that in the opinion of the management is calculated to help achieve the purposes of the Institute.

(2) The Institute shall ensure that the training approach to be followed shall be highly job specific and practical and shall utilize modern methods of management skills development usually utilized by similar establishments in order to attain the highest standards.

Powers of the  
Institute

8. The Institute shall have power to-

(a) award diplomas and certificates for courses provided by it under section 1 of this Act;

(b) invest its funds in a manner and to such an extent as it may deem necessary or expedient;

(c) establish and maintain a library, comprising such books, journals, records, reports and other publications and information systems as may be

1 required for the performance of the functions conferred on the Institute by  
2 this Act;

3 (d) accept gifts of land, money or other property upon such terms  
4 and conditions, as may be specified by the person or organization making  
5 the gift, but the Institute shall not accept any gift if the terms and conditions  
6 attached are inconsistent with its functions under this Act.

7 **9.-(1)** There shall be established for the Institute the Academic  
8 Board which shall consist of the following members:

Establishment  
of the Academic  
Board

9 (a) the Director of the Institute who shall be the Chairman;

10 (b) the Deputy Director;

11 (c) all Heads of Departments;

12 (d) the Librarian;

13 (e) not more than two members of the academic staff other than  
14 Heads of Departments to be appointed by the Board.

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

16 (a) the direction and management of academic matters of the  
17 Institute including the regulation of admission of students, the award of  
18 certificates, scholarships, prizes and other academic distinctions;

19 (b) making periodic reports on such academic matters to the  
20 Academic Board as the Board may from time to time direct;

21 (c) discharging any other functions which the Board may delegate  
22 to it.

23 **PART III - APPOINTMENT, TENURE, DUTIES, ETC. OF PRINCIPAL OFFICERS**

24 **AND OTHER STAFF OF THE INSTITUTE**

25 **10.-(1)** There shall be for the Institute a Director (in this Act  
26 referred to as "the Director) who shall-

Appointment of  
Director of the  
Institute

27 (a) be appointed by the President;

28 (b) have such qualification and experience as are appropriate for a  
29 person required to perform the functions of those offices under this Act;

30 (c) hold office on such terms and conditions of service as stipulated

	1	in his letter of appointment.
Duties of the Director	2	<b>11.</b> Subject to the provisions of this Act, the Director shall be the chief
	3	executive officer of the Institute and shall be charged with the general
	4	responsibility for the management of the educational affairs and academic
	5	matters of the Institute and shall in particular-
	6	(a) direct and regulate the programme of work of the Institute;
	7	(b) promote research within the Institute;
	8	(c) award certificates or diplomas;
	9	(d) keep in safe custody all records of the Institute;
	10	(e) demand and receive from any student or any other person
	11	attending the institute, such fees as the Board may, from time to time,
	12	determine;
	13	(f) exercise and perform such other powers and duties as may be
	14	conferred or imposed upon him by the Board.
Tenure of office of the Director	15	<b>12.</b> The Director shall hold office for a term of four years and may be
	16	reappointed for another term of four years and no more.
Terms and conditions of office of the Director	17	<b>13.</b> The Director shall hold office on such terms and conditions as
	18	may be determined by the Board as set out in his letter of appointment.
Removal of the Director from office	19	<b>14.</b> Where it appears to the Board that the Director should be removed
	20	from office on the grounds of-
	21	(a) misconduct;
	22	(b) conviction from a court of competent jurisdiction (or panel of
	23	inquiry if not challenged in court);
	24	(c) inability to perform the functions of his office, the Board shall
	25	make a recommendation to that effect to the President and if the President, after
	26	making inquiries as he considers necessary, approves the recommendation, the
	27	President shall, in writing, declare the office of the Director vacant.
Registrar of the Institute	28	<b>15.-(1)</b> There shall be a Registrar for the Institute who shall-
	29	(a) be responsible to the Director for the day to day administration of
	30	the Institute;



1 (b) perform such other duties as the Board or the Director may  
2 require him to do.

3 (2) The Registrar shall be the Secretary to the Board and any other  
4 Committee and shall attend meetings unless excused for good cause or  
5 reason by the Chairman of the Board.

6 (3) Where the Registrar is absent from a meeting of the Board, the  
7 Chairman may, after consultation with the Director, appoint a suitable  
8 person to act as Secretary for any particular meeting of the Board

9 (4) A person so appointed to act under subsection (3) shall not be  
10 entitled to vote on any issue before the Board, or be counted towards a  
11 quorum unless such a person is so entitled as a member of the Board.

12 **16.-(1)** The Registrar:

Tenure of office  
of the Registrar

13 (a) shall hold office for a term of four years effective from the date  
14 of his appointment and on such terms and conditions as may be specified in  
15 his letter of appointment;

16 (b) may be reappointed for another term of four years and no more.

17 **17.-(1)** There shall be for the Institute a Deputy Director.

Appointment of  
the Deputy Director

18 (2) The Deputy Director shall be a person of high academic and  
19 moral standing and manifest administrative experience, and shall be  
20 appointed by the Board on the recommendation of the Director.

21 (3) The Board shall appoint the Deputy Director from among the  
22 Chief Lecturers in the Institute-

23 (a) from a list of three candidates, in order of preference, submitted  
24 by the Director;

25 (b) on the recommendation of the Selection Board constituted for  
26 the Institute.

27 (4) The Selection Board referred to in subsection (3) (b) of this  
28 section shall consist of-

29 (a) the Chairman of the Board;

30 (b) the Director;

1 (c) two members of the Board not being members of the Academic  
2 Board;

3 (d) two members of the Academic Board, which may make inquiries  
4 as it deems fit before making the recommendation required under subsection  
5 (3)(b).

6 (5) The Deputy Director shall-

7 (a) assist the Director in the performance of his functions;

8 (b) act in the place of the Director when the office of the Director is  
9 vacant or if the Director is, for any reason, absent or unable to perform his  
10 functions as Director;

11 (c) perform such other functions as the Director or the Board may'  
12 from time to time assign to him.

13 (6) The Deputy Director-

14 (a) shall hold office for a term of four years effective from the date of  
15 his appointment and on such terms and conditions as may be specified in his  
16 letter of appointment;

17 (b) may be reappointed for another term of four years and no more.

Other principal  
officers of the  
Institute

18 **18.-(1)** There shall be for the Institute the following Principal Officers  
19 in addition to the Registrar-

20 (a) the Bursar;

21 (b) the Librarian;

22 (c) the Head of Works;

23 (d) the Head of Medical and Health Services.

24 (2) The Bursar shall be the Chief Financial Officer of the Institute and  
25 shall be responsible to the Director for the day to day administration and  
26 control of the financial affairs of the Institute.

27 (3) The Librarian shall be responsible to the Director for the  
28 administration of the Library and the coordination of the library services in the  
29 teaching units of the Institute.

30 (4) The Head of Works shall be responsible to the Director for the

1 maintenance of the Institute's buildings, minor works, transport and  
2 supervision of the construction projects.

3 (5) The Head of Medical and Health Services shall be responsible  
4 to the Director for the supervision of the medical and health facilities of the  
5 Institute

6 (6) The Principal Officers mentioned in subsection (1)-

7 (a) Shall hold office for a term of four years in the first instance and  
8 on such terms and conditions as may be specified in their letters of  
9 appointment;

10 (b) May be reappointed for another term of four years and no more.

11 (7) Any question as to the scope of the responsibilities of the  
12 Principal Officers shall be determined by the Director.

13 **19.** A Principal Officer may resign his appointment-

14 (a) in the case of the Director, by notice in writing to the Board and  
15 the Board shall forward it to the President;

Resignation of  
appointment by  
Principal Officers

16 (b) in any other case, by notice in writing to the Director who shall  
17 forward it to the Board.

18 **20.**-(1) The Board may appoint such other persons to be staff of the  
19 Institute as the Board may determine, to assist the Director and the Principal  
20 Officers in the performance of their functions under this Act.

Appointment of  
other employees  
of the Institute

21 (2) The remuneration of the staff of the Institute shall be  
22 determined by the Board.

23 **21.** Staff regulations shall be in line with the existing Public  
24 Service Rules and Regulations.

Staff Regulation

25 **22.**-(1) If it appears to the Board that there are reasons for believing  
26 that any person employed as a member of the academic, administrative or  
27 technical staff of the Institute other than the Director, should be removed  
28 from office on grounds of misconduct or inability to perform the functions  
29 of that office, the Board shall-

Removal of staff  
of Institute from  
office

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

1           (b) afford him an opportunity to make representations in person on the  
2     matter to the Board;

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

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

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

12          (2) The Director may, in the case of misconduct by a member of staff  
13     which, in the opinion of the Director, is prejudicial to the interests of the  
14     Institute, suspend any such member and any such suspension shall forthwith be  
15     reported to the Board.

16          (3) A member of staff may be suspended from office for good cause,  
17     or his appointment may be terminated by the Board, and for the purpose of this  
18     subsection, "good cause" means-

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

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

25          (c) conduct of a scandalous or disgraceful nature which the Board  
26     considers to be such as to render the person concerned unfit to continue to hold  
27     his office;

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

**23.-(1)** The Institute shall establish and maintain a fund (the Fund) from which shall be defrayed all expenditure incurred by the Institute in the performance of its functions under this Act.

	1	(2) There shall be paid into the Fund:
	2	(a) all subventions and budgetary allocation from the Federal
	3	Government of Nigeria;
	4	(b) fees charged and payable to the Institute by the students;
	5	(c) any other amount charged or dues recoverable by the Institute;
	6	(d) revenue accruing to the Institute by way of subvention, grants-in-
	7	aid, endowment or otherwise;
	8	(e) interest on investments;
	9	(f) donations and legacies accruing to the Institute from any source,
	10	for the general or special purpose of the Institute.
Donations for particular purposes	11	<b>24.</b> -(1) Donations of money to be applied to any particular purpose
	12	shall be placed to the credit of a Special Reserve Account approved by the
	13	Board until such a time as they may be expended in fulfillment of such purpose.
	14	(2) The Board is not obliged to accept a donation of land, money and
	15	any other property for a particular purpose if the terms and conditions are
	16	contrary to the functions of the Institute.
Payment into Bank	17	<b>25.</b> All sums of money received on account of the Institute shall be
	18	paid into the bank as may be approved for the credit of the Institute's general
	19	current and deposit accounts.
Powers to accept gifts	20	<b>26.</b> -(1) The Institute may accept gifts of land, money or other property
	21	on such terms and conditions, if any as may be specified by the person or
	22	organization making the gift.
	23	(2) The Institute shall accept gifts if the conditions attached by the
	24	person or the organization making the gift are inconsistent with the functions of
	25	the Institute under this Act.
Expenditure of the Institute	26	<b>27.</b> The Institute shall from time to time apply the fund at its disposal
	27	to-
	28	(a) the cost of administration and maintenance of the Institute;
	29	(b) publicize and promote the activities of the Institute;
	30	(c) pay allowances, expenses and other benefits of members of the

1 Board and Committees of the Board;

2 (d) pay the salaries, allowances and benefits of employees of the  
3 Institute;

4 (e) pay other overhead allowances, benefits and other  
5 administrative costs of the Institute;

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

8 **28.**-(1) The Institute may, from time to time, borrow by overdraft or Power to borrow  
9 otherwise such sums as it may require for the performance of its functions  
10 under this Act.

11 (2) The Institute shall not, without the approval of the President,  
12 borrow money which exceeds, at any time, the limit set by the President.

13 (3) Notwithstanding subsection (1) of this section, where the sum  
14 to be borrowed is in foreign currency, the Institute shall not borrow the sum  
15 without the prior approval of the President.

16 **29.**-(1) The Board shall not later than 30 September in each year, Annual estimates  
and expenditure  
17 submit to the President an estimate of the expenditure and income of the  
18 Institute during the next succeeding year.

19 (2) The Board shall cause to be kept proper accounts of the Institute  
20 in respect of each year and proper records in relation thereto and shall cause  
21 the accounts to be audited not later than six months after the end of each year  
22 by auditors appointed from the list in accordance with the guidelines  
23 supplied by the Auditor - General of the Federation.

24 **30.** The Board shall prepare and submit to the President, not later Annual report  
25 than 31 December in each year, a report in such form as the President may  
26 direct on the activities of the Institute during the immediately preceding  
27 year, and shall include in the report a copy of the audited accounts of the  
28 Institute for that year and the auditor's report thereto.

29 **PART V - MISCELLANEOUS PROVISIONS**

30 **31.**-(1) The Board may make rules providing for the Director to Discipline of  
students

1     conduct enquiries into alleged acts of misconduct (including lack of discipline)  
2     by students and such rules may make different provisions for different  
3     circumstances.

4             (2) The rules shall provide for the procedure and rules of evidence to  
5     be followed at enquiries under this section.

6             (3) Notwithstanding anything to the contrary contained in any other  
7     enactment, where it appears to the Board that any student of the Institute has  
8     been guilty of misconduct, the Board may, without prejudice to any other  
9     disciplinary powers conferred on it by regulations direct that-

10            (a) the student shall not during the period specified in the direction,  
11     participate in the activities of the Institute or make use of the facilities of the  
12     Institute as may be specified;

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

15            (c) the student be suspended for such period as may be specified in the  
16     direction;

17            (d) the student be expelled from the Institute.

18            (4) Where the post of the Director is vacant or where the Director  
19     refuses to apply any disciplinary measures, the Board may either directly or  
20     through some other staff apply such disciplinary actions as are specified in  
21     subsection (1) to any student of the Institute who is considered guilty of  
22     misconduct.

23            (5) Where a direction is given under subsection (3) (c) or (d) in respect  
24     of any student, the student may, within a period of twenty one days from the  
25     date of the letter communicating the decision to him appeal against the  
26     direction to the Board, and where such appeal is brought, the Board shall, after  
27     causing an inquiry to be made in the matter as the Board considers just, either  
28     confirm or set aside the direction or modify it in the manner the Board may  
29     deem fit.

30            (6) The fact that an appeal from a direction is pending under



1 subsection (5) shall not affect the operation of the direction while the appeal  
2 is pending.

3 (7) The Director may delegate his powers under this section to a  
4 disciplinary committee of such members of the Institute as he may  
5 nominate.

6 (8) Nothing in this section shall be construed as terminating a  
7 student's activity in the Institute except on the grounds of misconduct.

8 (9) The direction under subsection (3) (a) may be combined with a  
9 direction under subsection (3) (b).

10 (10) In all cases under this section, the decision of the Board shall  
11 be final.

12 **32.**-(1) On the commencement of this Act, any person employed by  
13 or serving in the Institute shall be deemed to have been employed or serving  
14 in the Institute under this Act. Transitional  
provisions

15 (2) All assets or liabilities belonging to the Institute shall be  
16 deemed to belong to the Institute established under this Act.

17 **33.**-(1) No person shall be- Exclusion or  
discrimination on  
account of race,  
religion etc.  
18 (a) Required to satisfy requirements as to race (including ethnic  
19 groupings), sex, place of birth, family origin, religious or political  
20 persuasion as a condition for-

21 (i) becoming or continuing to be a student of the Institute;

22 (ii) being a holder of any certificate of the Institute or any  
23 appointment or employment at the Institute;

24 (iii) being a member of any body established under this Act.

25 (b) Subjected to any disadvantage or accorded any advantage in  
26 relation to the Institute by reference to any of the matters mentioned in this  
27 subsection.

28 (2) Nothing in this section shall be construed as preventing the  
29 Institute from imposing any disability or restriction on any person where  
30 such person willfully refuses or fails on grounds of religious belief to

	1	undertake any duty generally or uniformly imposed on all persons or any group
	2	of them which duty, having regards to its nature and the special circumstance
	3	pertaining to it, is in the opinion of the Institute, reasonably justifiable in the
	4	national interest.
Interpretation	5	<b>34.</b> In this Act, unless otherwise requires-
	6	"institute" means the Federal Institute of Vocational and Technical Education,
	7	Kiyawa Jigawa State established by section 1 of this Act;
	8	"board" means the governing body of the Institute;
	9	"chairman" means chairman of the Governing Board;
	10	"director" means Director of the Institute;
	11	"government" means government of the Federal Republic of Nigeria;
	12	"president" means President of the Federal Republic of Nigeria.
Citation	13	<b>35.</b> This Bill may be cited as the Federal Institute of Vocational and
	14	Technical Education, Kiyawa, Jigawa State (Establishment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the Legal Framework to establish the Federal Institute of Vocational and Technical Education, Kiyawa, Jigawa State and to provide detailed identification of technical and skills acquisition needs for the economy in training and development training programmes.

OATHS BILL, 2022

ARRANGEMENT OF CLAUSES

*Clause:*

1. Oaths to be taken
2. Officers to take oaths
3. Unnecessary repetition of oath
4. Omission or irregularity as to oath, etc.
5. Form and manner in which oath may be taken
6. Place and date of oath
7. Absence of religious belief
8. Affirmations
9. Persons under age
10. Authority to administer oaths
11. Taking oaths out of Nigeria
12. Power of Nigerian officials abroad
13. Voluntary declaration
14. Additional oaths
15. Effect of oath of allegiance, etc., on persons not citizens of Nigeria
16. Miscellaneous
17. Definition Section
18. Repeal Section
19. Citation

SCHEDULES

FIRST SCHEDULE

Oaths

SECOND SCHEDULE

Officers to take oaths

THIRD SCHEDULE

Enactments repealed



FOR

*Sponsored by Hon. Ifeanyi Chudy Momah, Hon. Ugonna Ozurigbo*

[ ] Commencement

1           **1.** The oaths to be taken as occasion shall demand shall be the Oaths to be taken  
2   oaths set out in the First Schedule to this Bill.

3 *[First Schedule.]*

4               **2.** A person appointed to an office set out in the second column of      Officers to take  
5      the Second Schedule to this Bill shall take the oath specified in the first      oaths  
6      column of the said Schedule which shall be administered by the authority  
7      specified in the third column of the said Schedule.

8 *[Second Schedule.]*

9                   **3.-(1)** Except in the case of the President, no person who has duly                   Unnecessary  
10 taken the Oath of Allegiance or the Judicial Oath in Nigeria as provided in                   repetition of oath  
11 this Bill shall be required again to take that oath on appointment to any other  
12 office or on any other occasion.

(2) A person appointed to act in any office or capacity in the place of any officer or person, shall not be required to take any oath on the occasion of such appointment, unless the oath required to be taken in respect of such appointment is different from or in addition to any oath duly taken by him in respect of any other appointment, permanent or temporary.

18 (3) For the avoidance of doubt and notwithstanding the provisions

1 of sub-clause (1) of this clause, a person holding an office or position specified  
2 in the second column of the Second Schedule to this Bill shall, on or as soon as  
3 may be convenient after the first day of October, nineteen hundred and sixty-  
4 three, take the oath prescribed for that office in the first column of the said  
5 Schedule.

Omission or  
irregularity as  
to oath, etc.

6 4.-(1) Nothing in this Bill shall render, or be deemed to render or be  
7 deemed to have rendered invalid any act done or which hereafter may be done  
8 by a public officer in the execution or intended execution of his official duties,  
9 by reason only of the omission by the public officer to take any oath or to make  
10 any affirmation which the officer should take or should have taken or should  
11 make or should have made:

12 Provided that any person who declines, neglects, or omits to take the  
13 required oath or make the required affirmation under this Bill shall:

14 (a) if he has already entered on his office, be deemed to have vacated  
15 that office from the date of refusal; and

16 (b) if he has not already entered on his office, be disqualified from  
17 entering on the same.

18 (2) No irregularity in the form in which an oath or affirmation is  
19 administered or taken shall:

20 (a) invalidate the performance of official duties; or

21 (b) invalidate proceedings in any court; or

22 (c) render inadmissible evidence in or in respect of which an  
23 irregularity took place in any proceedings.

24 (3) The failure to take an oath or make an affirmation, and any  
25 irregularity as to the form of oath or affirmation shall in no case be construed to  
26 affect the liability of a witness to state the truth.

Form and manner  
in which oaths  
may be taken

27 5.-(1) Whenever an oath is required to be taken under the provisions  
28 of this Bill or any other Act, or in order to comply with the requirements of any  
29 law in force for the time being in Nigeria, or other country, the following  
30 provisions shall apply:

1 The person taking the oath may do so in the form and manner following, that  
2 is to say:

3 (a) he shall:

4 (i) if a Muslim, place both hands on a copy of the Koran;

5 (ii) if a Christian, hold in his right hand a copy of the Holy Bible or  
6 of the New Testament;

7 (iii) if a Jew, hold in his uplifted hand a copy of the Old Testament;

8 and shall say or repeat after the person administering the oath the words  
9 prescribed by law or by the practice of the court, as the case may be;

10 (b) In any other manner which is lawful according to any law,  
11 customary or otherwise, in force in Nigeria.

12 (2) Where any person taking an oath is physically incapable of  
13 taking the oath as provided in the foregoing subsection, he may touch or hold  
14 such copy otherwise, or if necessary, such copy may be held before him by  
15 the person administering the oath.

16 (3) (i) In furtherance to Sub-clause 1 of this Bill, it shall suffice for  
17 such a person to take the Oath via digital or electronic means;

18 (ii) Where a person is administered an Oath via digital or electronic  
19 means, it shall be deemed as sufficient as though the person was present  
20 before the relevant authority administering the oath as provided for in  
21 Clause 10 of this Bill.

22 **6.-(1)** Every commissioner for oaths or notary public before whom  
23 any oath or affidavit is taken or made under this Bill shall state truly in the  
24 jurat or attestation at which place and on what date the oath or affidavit is  
25 taken or made.

Place and date  
of oath

26 (2) Where an Oath is administered in accordance with sub- clause 3  
27 of clause 5 above, the relevant authority administering the oath as provided  
28 for in Clause 10 of this Bill before whom the oath is taken under this Bill,  
29 would be required to state the technology used to administer the said Oath  
30 and the date same is taken or made.

1 (3) Where a rule of Oath taking requires a signature or provides for  
2 certain consequences if an Oath under this Bill is not signed by the deponent, an  
3 electronic signature satisfies that rule or avoids those consequences.

4 (4) For the purpose of Sub-clauses 3 & 4 of this clause, the relevant  
5 authority administering the Oath as provided for in Clause 10 of this Bill may  
6 authenticate same by such electronic signature or electric authentication  
7 technique which is considered reliable, provided that:

8 (a) The signature creation data or the authentication data are, within  
9 the context in which they are used, linked to the signatory or, as the case may  
10 be, the authenticator and of no other person;

11 (b) Any alteration to the electronic signature made after affixing such  
12 signature is detectable;

13 (c) Any alteration to the information made after its authentication by  
14 electronic signature is detectable; and

15 (d) The digital signature and seal of the administering authority and  
16 the means of authentication accompanies same

17 (5) For the purpose of Sub-clause 3 of this clause, electronic signature  
18 shall be deemed to be secure if:

19 (i) the signature creation data, at the time of affixing signature, was  
20 under the exclusive control of signatory and no other person; and

21 (ii) the signature creation data was stored and affixed in such  
22 exclusive manner as may be prescribed.

Absence of  
religious beliefs

23 7. Where an oath has been duly administered and taken the fact that  
24 the person to whom the same was administered had, at the time of taking the  
25 oath, no religious belief, shall not for any purpose affect the validity of the oath.

Affirmation

26 8. Any person who objects to the taking of an oath and desires to  
27 make an affirmation in lieu thereof, may do so without being questioned as to  
28 the grounds of such objection or desire, or otherwise, and in any such case the  
29 form of the required oath shall be varied by the substitution for the words or  
30 swearing, the words, "I solemnly, sincerely, and truthfully affirm that .... "; and



1 such other consequential variations of form as may be necessary shall  
2 thereupon be made:

3 9. Anything to the contrary in this Bill notwithstanding, if it  
4 appears to a court or officer before whom an oath other than a promissory  
5 oath is to be taken or affirmation other than a promissory affirmation is to be  
6 made, that the person about to take the oath or make the affirmation ought  
7 not, by reason of immature age or for any other sufficient cause, to be  
8 allowed to take the oath or make the affirmation as aforesaid, it shall be  
9 lawful for the court or officer, if the court or officer shall in its or his free  
10 discretion so think fit, to allow such person, in lieu of taking the oath or  
11 making the affirmation, to give evidence or make a declaration without oath  
12 or affirmation and in any such case the court or officer shall enter in the  
13 minutes of the proceedings or on the instrument or document concerned, as  
14 the case may be, a note of the fact of the evidence or declaration having been  
15 given or made without oath or affirmation, and of the reasons therefore:

Persons under  
age

16 Provided that, if any person declining or objecting to take an oath  
17 is, in the opinion of the court or officer as the case may be, competent to  
18 make an affirmation, such person shall, on the court or officer so directing  
19 him, thereupon make an affirmation as provided by Clause 8 of this Bill.

20 10.-(1) It shall be lawful for the Chief Justice of Nigeria, a Justice  
21 of the Supreme Court, the President and Justices of the Court of Appeal and  
22 any judge of the Federal High Court, a notary public, and any commissioner  
23 for oaths, to administer any lawful oath or to take any lawful affirmation or  
24 affidavit which may be required to be taken or made for the purpose of  
25 complying with the requirements of any law for the time being in force  
26 throughout Nigeria or elsewhere, except where such procedure is expressly  
27 or by necessary implication manifestly excluded by the terms of such law as  
28 aforesaid and the presumption shall be against any such exclusion.

Authority to  
administer oaths

29 (2) It shall be lawful for any of the persons mentioned in subclause  
30 (1) of this clause to take any declaration made in the form prescribed in the

	1	First Schedule to this Bill in cases where an oath is or has been abolished by any
	2	enactment.
	3	<i>[First Schedule.]</i>
Taking oaths out of Nigeria	4	<b>11.-(1)</b> Any oath or affidavit required for any court or for the purposes
	5	of registration of an instrument may be taken or made in any place out of
	6	Nigeria before any person having authority to administer an oath in that place.
	7	(2) The provisions of subclause (1) of this clause shall apply to any
	8	declaration, or affirmation in lieu of oath or affidavit so taken or made.
	9	(3) In the case of a person having such authority by the law of a
	10	country other than Nigeria, judicial and official notice shall be taken of his seal
	11	or signature affixed, impressed or subscribed to or on any such oath, affidavit,
	12	declaration or affirmation.
	13	(4) (i) In furtherance to Sub-clause 1 of this Clause, where a person,
	14	who is required to take an Oath or affidavit under the provisions of this Bill in
	15	any place out of Nigeria before any person having authority to administer an
	16	oath in that place, it shall suffice for such a person to take the Oath via digital or
	17	electronic means;
	18	(ii) Where an Oath or affidavit is taken or made by audio- visual
	19	means, it shall be deemed as sufficient as though the person was present before
	20	those administering the oath as provided for in Clause 11 (1) of this Bill,
	21	provided the digital signature and seal of the administering authority and the
	22	means of authentication accompanies same
Power of Nigerian officials abroad	23	<b>12.-(1)</b> Every Nigerian official of the rank of secretary or above in a
	24	Nigerian Embassy or legation may in any country where he exercises his
	25	functions, administer any oath and take any affidavit and also do any notarial
	26	act which a notary public can do within Nigeria.
	27	(2) Any oath, affidavit and notarial act administered, sworn or done
	28	by or, before any such person shall be as effectual as if duly administered,
	29	sworn or done by or before any lawful authority in any part of Nigeria.
	30	(3) Any document purporting to have affixed, impressed or

1 subscribed thereon or thereto the seal or signature of any person authorised  
2 by this clause to administer an oath in testimony of any oath, affidavit or act  
3 being administered, taken or done by or before him shall be admitted in  
4 evidence without proof of the seal or signature of that person, or of the  
5 official character of that person.

6 **13.** It shall be lawful for any commissioner for oaths, notary public  
7 or any other person authorized by this Bill to administer an oath, to take and  
8 receive the declaration of any person voluntarily making the same before  
9 him either physically or by audio-visual means in the form set out in the First  
10 Schedule to this Bill.

Voluntary  
Declarations

11 *[First Schedule.]*

12 **14.-(1)** The President may in writing require the holder of any  
13 office to take or affirm the Judicial Oath or the Oath of Allegiance.

Additional Oaths

14 (2) The President may by order published in the Federal Gazette  
15 amend the First and Second Schedules to this Bill, and may by the same or  
16 any other order provide that this Bill shall apply in relation to persons who  
17 are not citizens of Nigeria subject to such modifications as may be  
18 prescribed.

19 *[Second Schedule.]*

20 **15.-(1)** Where a person not a citizen of Nigeria is, while in Nigeria,  
21 for any reason required to take the Oath of Allegiance of Nigeria or other  
22 oath relevant to his employment, the Oath of Allegiance shall, upon the  
23 termination of his residence or stay in Nigeria cease to be binding upon him  
24 but any other oath taken shall continue to have effect according to its tenor.

Effect of Oath of  
Allegiance, etc.,  
on persons not  
citizens of Nigeria

25 (2) Nothing in this Bill shall be construed to the prejudice of the  
26 allegiance which any such person may owe irrespective of the taking of the  
27 Oath of Allegiance for the time being to Nigeria.

28 **16.** No omission to take any Oath or make any affirmation, no  
29 substitution of anyone for any of them, and no irregularity whatever the  
30 form in which any of them is administered, shall invalidate any proceeding

Miscellaneous

	1	or fender inadmissible any evidence whatever, in or in respect which, such
	2	omission, substitution or irregularity took place or shall affect the obligation of
	3	a witness to the state the truth.
Interpretation	4	<b>17.</b> In this Bill, unless the context otherwise suggests:
	5	“Audio-visual communication” means being able to see, hear and
	6	communicate with another individual in real time, using electronic means;
	7	“Before me” means physically present before or virtually administered by the
	8	administering authority;
	9	“Electronic signature” means authentication of any electronic record by a
	10	subscriber by means of the electronic technique specified in the second
	11	schedule and includes digital signature.
	12	In my presence means physically present or virtual proceedings before the
	13	administering authority.
Repeal	14	<b>18.-(1)</b> The Oaths Act 1963, Cap N23, Laws of the Federation of
	15	Nigeria 2004 is repealed.
	16	(2) Subject to the provisions of Section 6 of the Interpretation Act, the
	17	repeal of the Act referred to in sub- clause (1) of this Clause does not affect
	18	anything done or purported to have been done under it.
Citation	19	<b>19.</b> This Bill may be cited as Oaths Bill, 2022.

## SCHEDULES

## FIRST SCHEDULE

I.....do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria.

So help me God.

## OATH OF OFFICE OF PRESIDENT

I.....do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria: that as President of the Federal Republic of Nigeria, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will to the best of my ability preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as President of the Federal Republic of Nigeria, except as may be required for the due discharge of my duties as President; and that I will devote myself to the service and well-being of the people of Nigeria.

So help me God.

## OATH OF OFFICE OF VICE-PRESIDENT, MINISTER, OR SPECIAL ADVISER

I.....do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as Vice-President of the Federal Republic of Nigeria/Minister of the Government of the Federation/Special.....Adviser to, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the Law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the

Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will to the best of my ability preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Vice-President of the Federal Republic of Nigeria/Minister of the Government of the Federation/Special Adviser to.....except as may be required for the discharge of my duties as Vice- President/Minister/Special Adviser.

So help me God.

#### JUDICIAL OATH

I.....swear that in the service of my country in the office of.....

1. I will be faithful and bear true allegiance to the Federal Republic of Nigeria at all times.
2. I will well and truly exercise the judicial functions entrusted to me and will do right to all manner of people in accordance with the Constitution of the Federal Republic of Nigeria as by law established and in accordance with the laws and usage of the Federal Republic of Nigeria without fear or favour, affection or ill-will.
3. I will always place service to the nation above all selfish interests, realising that a public office is a public trust.
4. I will always perform my judicial duties diligently and efficiently and will not engage or be involved in any activity in conflict either directly or indirectly with this pledge.
5. I will, in the performance of my judicial duties, eschew corruption in all its facets.
6. I will always follow the path of justice, honesty and concord amongst all the people of Nigeria in all I do.

So help me God.

OFFICIAL OATH

I hereby solemnly declare, swear and pledge that in the service of my country:

1. I will be faithful and bear true allegiance to the Federal Republic of Nigeria at all times.
2. I will not discriminate on the basis of religion, tribe, cult, or status or practise any form of partiality
3. I will always place service to the public above selfish interests, realising that a public office is a public trust.
4. I will always perform my official duties diligently and efficiently and will not engage or be involved in any activity in conflict either directly or indirectly with this pledge.
5. I will, in the performance of my official duties, eschew and expose corruption and will also not corrupt others or aid or abet corruption in any of its facets in and outside the public service.
6. I will always follow the path of justice, honesty and concord amongst all the people of Nigeria in all I do.

So help me God.

OATH OF SECRECY

I,..... swear that I will not directly or indirectly communicate or reveal any matter to any person which shall be brought under my consideration or shall come to my knowledge in the discharge of my official duties except as may be required for the discharge of my official duties or as may be specially permitted by the President.

So help me God.

OATH OF OFFICER OF THE EXECUTIVE COUNCIL OF THE FEDERATION

I,.....being called upon to exercise the functions of..... to the Federal Executive Council of the Federation swear that I will not directly or indirectly reveal such matters as shall be debated in the Council and committed to my secrecy.

So help me God.

## OATH OF A SENATOR OR A MEMBER OF THE HOUSE OF REPRESENTATIVES

I.....swear  
that I will give faithful service to this National Assembly and support and uphold the Constitution of the  
Federal Republic of Nigeria as by law established.

So help me God.

## COURT PROCEEDINGS

## OATH OF ASSESSORS

I.....swear by  
Almighty God that I will well and truly try the issue joined between the Federation of Nigeria and the  
prisoner at the bar and a true opinion give according to the evidence.

## EVIDENCE OATH

I.....do hereby swear by  
Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

## INTERPRETER'S OATH CIVIL

I.....swear by Almighty God  
that I will well and faithfully interpret and explain to the court (or commission of) and the witnesses all  
such matters and things as shall be required of me to the best of my skill and understanding; and that I  
will truly translate or explain all documents entrusted to me for such purpose to the best of my ability,  
and, except as authorised by the court (commissioners), will not directly or indirectly reveal the  
contents of such documents as may be entrusted to me or the evidence given by witness which may  
have been interpreted by me.

## CRIMINAL

I.....swear by  
Almighty God that I will well and faithfully interpret and true explanation make between the court, the  
assessors, the witnesses and the prisoner at the bar according to the best of my skill and understanding.

## SHORTHAND WRITERS

I.....swear by Almighty God that I will to the best of  
my ability take down in shorthand the evidence and such other matters as shall be required of me and  
make a true and accurate transcript thereof (and that I will not without leave of the court (commission)  
divulge to any person the notes I shall take of the evidence that the witness shall give to the court



(commission) touching matters in question).

VOIRE DIRE

I.....swear by Almighty God that I shall true answer make to all such questions as the court (or as the case may be) shall demand.

STATUTORY DECLARATION

I.....do solemnly and sincerely declare that (set out in numbered paragraphs if more than one matter) and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act.

FORM OF ATTESTATION

DECLARED at.....in.....  
this.....date of.....

Before me

-----  
*Commissioner for Oaths/Notary Public, etc.*  
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OATH FOR AFFIDAVITS

FORM A

I.....do hereby solemnly swear by Almighty God that this is my name and handwriting and that the facts deposed by me in this affidavit are the truth, the whole truth and nothing but the truth

FORM B

BLIND OR ILLITERATE DEPONENT

I.....do hereby solemnly swear by Almighty God that the facts deposed by me in the affidavit are the truth, the whole truth and nothing but the truth.

## FORM OF JURAT

(a) Where the Commissioner has read the affidavit to deponent

SWORN at ..... in ..... this  
..... day of ..... before me;

I having first truly, distinctly and audibly read over the contents of this affidavit to the deponent he being blind or illiterate and explained the nature and contents of the exhibits therein referred to in the language when he appeared perfectly to understand the same, and made his mark (or signature) thereto in my presence.

.....

*Commissioner for Oaths*

(b) Where a third person has read the affidavit to deponent

SWORN at ..... in ..... this  
..... day of before me;

and I certify that this affidavit was read over in my presence to the deponent he being blind or illiterate and the nature and contents of exhibits therein referred to explained to him in the language, when the deponent appeared perfectly to understand the same, and made his mark (or signature) thereto in my presence.

.....

*Commissioner for Oaths*

## FORM C

## DEPONENT PHYSICALLY INCAPABLE OF TAKING THE OATH WITH UPLIFTED HAND

A.B. is that your mark (signature)? You do swear by Almighty God that the contents of this your affidavit are true?

*Form of jurat*

SWORN at ..... in ..... this  
..... day of before me;

the deponent A.B. having made his mark to this affidavit in my presence, he being physically incapacitated from writing his name.

.....

*Commissioner for Oaths*

If the deponent is incapable of affixing any distinguishable mark whatever to the affidavit, the jurat should be as follows-

SWORN at .....in ..... this  
..... day of.....

without the deponent affixing thereto any mark or signature, he being physically incapable of so doing.

Before me

.....

*Commissioner for Oaths*

FORM D

INTERPRETER

I swear by Almighty God that I well understand the English language and the.....languages and that I have truly distinctly and audibly interpreted the contents of this affidavit to the deponent.....in..... language and that I will truly interpret the oath about to be administered unto him/her.

FORM OF JURAT

SWORN at .....in ..... this  
..... day of..... through the  
interpretation of ..... of (address) the said.....having  
first been sworn that he had truly and faithfully interpreted the contents of this affidavit to the deponent.....and that he truly and faithfully interpreted the oath administered to him.

Before me

.....

*Commissioner for Oaths*

ARMED FORCES OATH

I .....swear by Almighty God that in the service of my country-

1. I will be faithful and will bear true allegiance to the Federal Republic of Nigeria and the Commander-in-Chief of the Armed Forces of Nigeria at all times.

2. I will truly and faithfully serve the Federal Republic of Nigeria as by law established as a and will as in duty bound so serve for the period of my engagement or reengagement, as the case may be, and to wherever ordered by land, sea or air and I will observe and obey commands of the Government of the

Federation of Nigeria as by law established and of officers placed over me.

3. I will always perform my duties diligently and efficiently and will not engage or be involved in any activity in conflict either directly or indirectly with this pledge.

4. I will, in the performance of my duties, eschew and expose corruption and will not corrupt others or aid or abet corruption in all its facets.

5. I will not discriminate on the basis of religion, tribe or cult or practise any form of partiality in the performance of my duties and will always follow the path of justice, honesty and concord amongst all the people of Nigeria in all I do.

6. I will subject myself to all Acts, Laws, subsidiary legislation and service regulations which now are or shall, from time to time, be in force and applicable to the Arm in which I am to serve during the period of my engagement or re-engagement, as the case may be.

So help me God.

.....

*Signature or mark*

SWORN at .....this .....day of.....20.....

Before me

.....

*Signature of Officer*

#### ARMED FORCES AFFIRMATION

The declaration will follow the form of oath except that the words "swear by Almighty God" are omitted and the words "solemnly, sincerely and truthfully affirm" are substituted.

#### LOCAL FORCES OATH

*(To be taken by all ranks)*

I .....swear that I will bear true and faithful allegiance to the President, Commander-in Chief of the Armed Forces of Nigeria and that I will truly and faithfully serve the Federal Republic of Nigeria as by law established and that I will while residing within Nigeria serve in the Local Forces of Nigeria for the defence of Nigeria against all of its enemies and opposers whatsoever, according to the conditions of my service.

.....

*Signature of person taking oath*

SWORN at .....this .....day of .....20.....

.....

*Signature of person administering the oath*

LOCAL FORCES (SUPPLEMENTARY RESERVE) OATH

*(To be taken by officers and cadets of the supplementary reserve)*

I .....swear that I will bear true and faithful allegiance to the President, Commander-in Chief of the Armed Forces of Nigeria and that I will truly and faithfully serve the Federal Republic of Nigeria as by law established and that I will while residing within Nigeria serve in the Local Forces of Nigeria for the defence of Nigeria against all of its enemies and opposers whatsoever, according to the conditions of my service.

Signature of officer or cadet

SWORN at .....this .....day of .....20.....

.....

*Signature of person administering the oath*

POLICE OATH

*(To be taken by superior police officers and inspectors)*

I .....swear that I will bear true allegiance to the Federal Republic of Nigeria and that I will truly and faithfully obey all lawful commands of the Government of the Federation as by law established and of any officer set over me whilst I am serving in the office of police officer; and that I will use my best endeavours for the preservation of peace and prevention of crime and the apprehension of offenders against the peace and that I will in all respects to the best of my skill and knowledge discharge all duties of the said office according to law.

.....

*Signature or mark*

SWORN at .....this .....day of .....20.....

.....

*Signature and appointment of person authorised*

## POLICE DECLARATION

*(To be taken by police non-commissioned officers, constables and recruit constables)*

I .....solemnly, sincerely and truthfully affirm and declare that I will bear true allegiance to the Federal Republic of Nigeria and that I will truly and faithfully obey all lawful commands of the Government of the Federation as by law established and of any officer set over me, whilst [ am serving in the office of police officer; and that I will use my best endeavours for the preservation of peace and the apprehension of offender against the peace and that I will in all respects to the best of my skill and knowledge discharge all duties of the said office according to law.

.....

*Signature of declarant*

AFFIRMED and DECLARED at .....this day of .....20.....

Before me

.....

*Signature and appointment of person authorised*

## EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Oaths Act 1963 Cap N23, Laws of the Federation 2004, and enact the Oaths Act 2022, to take cognizance of technological advancements and make provisions for the digital and electronic means of administering Oaths and affirmations in Nigeria.

# A BILL

## FOR

AN ACT TO REPEAL THE NOTARIES PUBLIC ACT, NO. 41, 1963 CAP N141, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NOTARIES PUBLIC ACT OF 2022, TO PROVIDE FOR THE APPOINTMENT OF NOTARIES PUBLIC, THEIR REGISTRATION AND TO REGULATE THE DUTY OF THE OFFICE OF THE NOTARY PUBLIC AND TO MAKE PROVISIONS FOR THE PERFORMANCE OF DIGITAL AND REMOTE NOTARIZATIONS OF DOCUMENTS BY NOTARIES PUBLIC IN NIGERIA AND THE RECOGNITION OF DIGITALLY NOTARIZED DOCUMENTS AS BEING VALIDLY NOTARIZED AND FOR RELATED MATTERS

*Sponsored by Hon. Ifeanyi Chudy Momah, Hon. Ugonna Ozurigbo*

[ ] Commencement

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

- |    |  |  |
|----|--|--|
| 1  | 1. The Chief Justice of Nigeria may appoint any fit and proper           | Appointment of<br>Notaries               |
| 2  | person being a legal practitioner to be a Notary Public for Nigeria      |  |
| 3  | 2. A notary appointed by the Chief Justice of Nigeria shall perform      | Duties and Functions<br>of Notary Public |
| 4  | the following duties and functions:                                      |  |
| 5  | (a) Witnessing the execution of local and international documents        |  |
| 6  | such as Sale and Purchase Agreements, Transfers of Land Agreements,      |  |
| 7  | Assignments of Intellectual Property, Power of Attorney, Deeds, Security |  |
| 8  | documentation, Mortgages; and company resolutions, minutes of meetings   |  |
| 9  | and reports;   |  |
| 10 | (b) Preparation of Notarial Certificate of Law and Good Standing;        |  |
| 11 | (c) Administration of Oaths for giving evidence;                         |  |
| 12 | (d) Taking affidavits, declarations and depositions;                     |  |
| 13 | (e) Notarization of Bills of Exchange;                                   |  |
| 14 | (f) Obtaining authentication from ministry of affairs;                   |  |
| 15 | (g) Note or certify transactions relating to bills of exchange and       |  |

	1	other negotiable instruments;
	2	(h) Verification of Company documents and verification of identity
	3	and signature; and
	4	(i) Perform digital notarization through electronic means.
Oath of Office	5	<b>3.</b> A notary, before being admitted and commencing the duties of his
	6	office shall take and subscribe the Oath as set out in the First Schedule to this
	7	Bill before the Chief Justice of Nigeria or before such persons as may be
	8	appointed by the Chief Justice of Nigeria from time to time.
Register of Notaries	9	<b>4.-(1)</b> The Chief Registrar of the Supreme Court shall keep a register,
	10	both in physical and electronic form in which he shall enter the name, address,
	11	phone number and email address of every person who shall be appointed to the
	12	office of the Notary Public and the date of his appointment and admission.
	13	(2) Every person appointed by the Chief Justice of Nigeria as a notary
	14	and whose name is entered in the register shall be entitled to a certificate to the
	15	effect that he has been registered as a notary public for Nigeria.
	16	(3) The register shall be updated from time to time to reflect new
	17	appointments and admissions into the office of Notary Public, as well as the
	18	suspension and/or death of a Notary Public and the said register shall be made
	19	available to the public.
	20	(4) It shall be the duty of all notaries to inform the Chief Registrar of
	21	any changes in their address and other particulars.
Digital Notarization	22	<b>5.-(1)</b> A Notary Public duly appointed and admitted by the provisions
	23	of this Bill shall perform his duties, where the situation arises, via electronic
	24	means.
	25	(2) Notaries Public shall register with the Chief Registrar their
	26	intention and capability to notarize documents digitally before performing any
	27	electronic notarial act.
	28	(3) Notaries Public shall be required to register their official digital
	29	signature with the Chief Registrar.
	30	(4) Notaries Public who register their capability to perform electronic



1       notarial acts shall be required to provide the form of electronic technology or  
2       technologies to be used in attaching or associating an electronic notarial  
3       signature.

4               (5) The Chief Registrar shall issue digital seals to Notaries Public  
5       who comply with the provisions of subclauses 2, 3 & 4 above.

6               (6) The Notary Public's digital signature and seal shall be used for  
7       the sole purpose of performing electronic notarial acts.

8               **6.-(1)** A Notary Public may perform an electronic notarial act for an       Performance of  
9       electronic document by audio-visual communication for a person who is       Electronic Notarial  
10       situated:       Acts

11               (a) in the same State as the Notary Public;

12               (b) outside the state where a Notary Public is domiciled or  
13       commissioned but within the Federation;

14               (c) outside the Federation.

15               (2) Where a Notary Public performs an electronic notarial act for  
16       an individual who falls under subclauses 1 (b) and (c) of this Clause, by  
17       means of audio-visual communication, the Notary Public shall include a  
18       statement in the electronic notarial certificate to indicate that the electronic  
19       notarial act was performed by means of audio-visual communication.

20               (3) A remote electronic notarization system used to perform  
21       electronic notarization acts by audio-visual means of communication shall:

22               (a) Provide sufficient audio clarity and video resolution to enable  
23       the notary and the individual to see, hear, and speak to each other through  
24       live, real-time transmission;

25               (b) Include a means of authentication that reasonably ensures only  
26       the proper parties have access to the audio-visual communication;

27               (c) Where notarization is performed with respect to a tangible or  
28       electronic record, the notary must take reasonable steps to confirm that the  
29       record is the same record in which the individual made a statement or on  
30       which the individual executed a signature;

1 (d) Enable the Notary Public to confirm the identity of the individual  
2 through two-factor identification methods, which may include but shall not be  
3 limited to; completion of a dynamic knowledge-based authentication  
4 assessment, presentation of a government issued identification that contains  
5 the photograph and signature of the individual or any other proofing method as  
6 may from time to time be adopted by the Chief Justice of Nigeria;

7 (e) Be capable of recording, storing, and accessing electronic  
8 recordings and documents on the audio-visual communication.

9 (4) When performing an electronic notarization, a Notary Public shall  
10 prepare and execute an electronic notarial certificate, which shall be attached to  
11 the process that has been notarized.

12 (5) Copies of digitally notarized documents as well as recordings of  
13 audio-visual notary sessions are to be submitted to the Chief Registrar of the  
14 Supreme Court for record keeping or to such persons as may be appointed by  
15 the Chief Registrar of the Supreme Court from time to time.

16 (6) The sanction for the improper performance of electronic notarial  
17 acts is a fine of not more than N50,000.

Documents to  
be notarized

18 7. Documents including, but not limited to, any of the following  
19 documents may be notarized by a duly appointed Notary Public:

20 (a) Birth Certificate;

21 (b) School Certificate;

22 (c) Police Clearance Certificate;

23 (d) Biodata page of International Passport;

24 (e) Marriage Certificate;

25 (f) Driver's License;

26 (g) Foreign documents required to be notarized in Nigeria;

27 (h) Affidavits.

Recognition of  
Digitally Notarized  
Documents

28 8. All electronically notarized documents shall be recognized as valid  
29 in all Courts within the Federation as though same were signed in person.

1           9.-(1) In determining the validity of a digitally notarized  
2 document, the digital signature and seal of the Notary Public performing the  
3 notarization shall serve as prima facie evidence in any Court in the  
4 Federation that the signature and seal is genuine.

Validity of Digitally  
Notarized Documents

5           (2) The failure of a Notary Public to comply with the requirements  
6 of this Bill in the performance of his functions and duties, shall not  
7 invalidate or impair the recognition of the notarization.

8           (3) The validity and recognition of notarization under this Bill does  
9 not prohibit an aggrieved party from seeking to invalidate a record or  
10 transaction that is subject of a notarization where:

11           (a) The person did not present intent to authenticate or adopt a  
12 record, execute a signature on record;

13           (b) An individual was incompetent, lacked authority or capacity to  
14 authenticate or adopt a record, or did not knowingly and voluntarily  
15 authenticate or adopt a record;

16           (c) There is a case of fraud, forgery, mistake, misrepresentation,  
17 impersonation, duress, undue influence, or other reasonable invalidating  
18 causes.

19           (4) Where a document has been notarized digitally, the Notary  
20 Public's digital signature is deemed to be reliable, provided the following  
21 requirements are met:

22           (a) It is unique to the Notary Public;

23           (b) Has been previously registered with the Chief Registrar of the  
24 Supreme Court;

25           (c) It is capable of independent verification;

26           (d) It is retained under the Notary Public's sole control;

27           (e) The digitally notarized document is accompanied by an  
28 electronic notarial certificate.

29           10.-(1) A notary shall not charge for the performance of any of the

Fees

1 duties of his office any sum less than the fees set out in the Second Schedule to  
2 this Bill.

3 *[Second Schedule.]*

4 (2) Any such fees received by a Government officer for the discharge  
5 of notarial duties shall form part of the Consolidated Revenue Fund of the  
6 Federation and be paid by that officer into the Treasury.

7 (3) The Chief Justice of Nigeria may by order, same being published  
8 in the Official Gazette, which may be in printed or electronic format, alter or  
9 revoke the fees prescribed in the Second Schedule to this Bill and may specify  
10 the fee which may be charged in respect of any notarial act not specifically  
11 mentioned in the said Schedule.

12 (4) Where a Notary Public fails to comply with subclause 1 of this  
13 section, he shall be liable to refund the sums from the individual, pay a fine of  
14 not less than N50,000 and/or liable to suspension of his appointment for a  
15 period not exceeding 2 months.

Notaries to be  
Officers of the  
Supreme Court

16 11. Every notary shall be deemed to be an officer of the Supreme  
17 Court.

Revocation of  
appointment of  
Notary Public  
by the Supreme  
Court

18 12.-(1) If a notary is convicted of an offence or adjudged guilty of any  
19 misconduct whether in his capacity as a Notary or otherwise, the Court before  
20 which he is so convicted or by which he is adjudged shall make a report thereof  
21 to the Chief Justice of Nigeria and the Supreme Court may revoke his  
22 appointment.

23 (2) The Chief Registrar shall cause the revocation of appointment to  
24 be affected in the physical and electronic register of notaries.

Suspension of  
Notaries

25 13.-(1) The Supreme Court, where reasonable cause is provided, shall  
26 be vested with the power to cause a notary public to be suspended from  
27 practicing for a specified period or order his name to be struck off the register.

28 (2) Any Justice of the Supreme Court may suspend a notary public  
29 temporarily from practicing in his official capacity pending a reference to and  
30 the decision by the Supreme Court of any complaint against said Notary.

## Constitution of the Supreme Court

Existing notaries  
to be entered in  
register

Register to be revised

Where notary  
refuses to act

1 public to be less than credible or suspicious, the said notary may refuse to act.

2 (2) Any person who considers himself aggrieved by such refusal may  
3 apply to a Judge of the High Court of a State or of the Federal Capital Territory,  
4 Abuja for an order calling upon the said notary to act in the execution of his  
5 office:

6 Provided that before applying for such order, such person shall cause  
7 reasonable notice of the application to be given to the said notary and to such  
8 person in Nigeria, if any, as may be interested in the subject of the protest or  
9 other notarial act demanded.

10 (3) Upon receipt of any such application, the Judge to whom the  
11 application is being made may require the notary public refusing to act either to  
12 record in writing his reasons for so refusing to act or to attend in person and  
13 give his reasons and any other person who is interested shall be entitled to be  
14 heard by the Judge.

15 (4) The High Court to which an application may be made under this  
16 section shall be the High Court having jurisdiction in that part of the Federation  
17 where the refusal in respect of which the application is made took place.

18 (5) The Chief Judge of a State or of the Federal Capital Territory,  
19 Abuja may make rules for regulating the practice in respect of appeals under  
20 this section.

Refusal to act to  
be noted on  
document

21 **18.** Whenever a notary public refuses to perform a notarial act in  
22 accordance with the duties of his office and as provided under Clause 18(1) of  
23 this Bill, he shall mark upon the document in respect of which the protest or  
24 other notarial act is demanded, his refusal, his signature, and the date of his  
25 refusal.

Penalty for  
misfeasance

26 **19.** Any notary public or other person who wilfully certifies or  
27 propounds any false statement or document, or who fraudulently or with intent  
28 to deceive conceals, withholds or perverts any fact or document pertinent to the  
29 subject of a protest or other notarial act, is guilty of an offence and liable on  
30 conviction, to imprisonment for a term of two years.

1	<b>20.</b> Any person who is suspended from practicing as a notary or	Offences
2	whose name is not on the register as a notary who makes, does, exercises or	
3	performs any act, matter or thing appertaining or belonging to the office,	
4	function or practice of a notary public or who being suspended from	
5	practicing as a notary purports to act in any capacity as a notary public is	
6	guilty of an offence and liable on summary conviction to a fine of N 1 000	
7	per day from the date of the commission of the offence up until his	
8	conviction or to imprisonment for a term of not less than four months.	
9	<b>21.</b> -(1) All magistrates and also the collectors of customs and	Notaries <i>ex officio</i>
10	excise at the ports in Nigeria shall ex officio be notaries public Provided that	
11	a collector of customs and excise shall only exercise the duties of a notary in	
12	respect of minuting or noting or extending ships' protests and such collectors	
13	shall not exercise any of these duties at any part at which a notary appointed	
14	by the Chief Justice of Nigeria is available.	
15	(2) All ex-officio notaries shall use a seal bearing thereon the name	
16	of their offices and in addition the words " <i>Notary ex officio</i> ".	
17	<b>22.</b> -(1) Every notary before whom any oath or affidavit is made	Jurat State where
18	under this Bill shall truly state in the jurat of attestation at which place and on	oath is taken
19	what date the oath or affidavit is taken or made.	
20	(2) Where notarization is carried out through electronic means as	
21	duly provided for in this Bill, the Notary Public shall state the means by	
22	which the said document was notarized, that is, the technology used to	
23	notarize the document.	
24	<b>23.</b> No notary shall exercise any of the powers of his office in any	Notary to act when
25	proceedings or matter in which he is interested.	interested
26	<b>24.</b> -(1) Any person who by virtue of a faculty granted by the Master	Special exemption
27	of Faculties in England is authorized to act as a notary public in any part of	for notaries appointed
28	Nigeria and Clauses 1, 3, 4, 10 to 16 and 20 to 23 inclusive of this Bill shall	by the Master of
29	not apply to any such person.	Faculties
30	(2) The Chief Registrar of the Supreme Court shall enter in a	

	1	separate part of the register kept by him in accordance with clause 4 of this Bill,
	2	the name of any person who by virtue of a faculty granted by the Master of
	3	Faculties in England is authorized to act as a notary public in Nigeria or any
	4	part thereof and who has complied with the provisions of subclause (3) of this
	5	section.
	6	(3) Any person who desires to be enrolled under this section of this
	7	Act shall make application in writing to the Chief Registrar and shall produce
	8	to him his notarial faculty duly registered and subscribed by the Clerk of the
	9	Crown in Chancery.
	10	(4) The Chief Registrar shall remove from the register aforesaid the
	11	name of any notary whose name has been struck off the roll of notaries public
	12	by the Court of Faculties.
Rule of Construction	13	<b>25.</b> Nothing in Clauses 5 and 6 shall be construed to preclude physical
	14	notarization under any applicable State law.
Power to make regulations	15	<b>26.</b> The Chief Justice of Nigeria shall have the power to make
	16	regulations.
Repeal	17	<b>27.</b> This Bill repeals the Notaries Public Act of 2004, NO 41, 1963
	18	CAPN141 LFN.
Transitional provisions	19	<b>28.</b> As from the 1st of January, 1956, all notaries who immediately
	20	before that date were entered in the register of notaries kept by the Chief
	21	Registrar of the Supreme Court established under the Supreme Court Act shall
	22	be deemed to have been entered in the register to be kept by the Chief Registrar
	23	of the Supreme Court under Clause 4 of this Act.
Interpretation	24	<b>29.</b> In this Bill, unless the context otherwise suggests-
	25	“Audio-visual communication” means being able to see, hear and
	26	communicate with another individual in real time, using electronic means;
	27	“Court” means the High Court of the State;
	28	“Digital signature” means an electronic sound, symbol or process attached to
	29	or logically associated with an electronic document and executed and adopted
	30	by a person with the intent to sign the electronic document or record;



1 “Dynamic Knowledge-based authentication assessment” means an identity  
2 assessment that is based on a set of questions formulated from public or  
3 proprietary data sources for which the principal has not provided a prior  
4 answer;

5 “Electronic” means anything relating to technology having electrical,  
6 digital, magnetic, wireless, optical, electromagnetic or similar capabilities;

7 “Electronic document” means information that is created, generated, sent,  
8 communicated, received or stored by electronic means;

9 “Electronic notarial act” means an official act by a notary public on or  
10 involving an electronic document and using electronic means authorized by  
11 the laws of the jurisdiction of appointment;

12 “Electronic notarial certificate” means the portion of a notarized electronic  
13 document that is completed by the notary public, bears the notary public's  
14 electronic signature and/or official seal, official title, any information  
15 concerning the date and place of the electronic notarization, and states the  
16 facts attested to or certified by the notary public;

17 “Electronically enabled notary public” means a notary public who has  
18 registered with the Chief Registrar of the Supreme Court, his capabilities of  
19 performing electronic notarial acts in conformance with the standards  
20 outlined in the Act;

21 “Notary Public” means an individual commissioned or appointed to  
22 perform notarial act by the Chief Justice of Nigeria;

23 “Notary Electronic signature” means those forms of electronic signature  
24 which have been approved by the Chief Registrar as an acceptable means for  
25 a notary to affix the notary's official signature to an electronic record being  
26 notarized;

27 “Real time” means the actual span of interrupted, simultaneous  
28 communication during which all parts of an electronic notarial act occur;

29 “Register” means physical and electronic register.

30 **30.** This Bill may be cited as Notaries Public Bill, 2022

Citation

## SCHEDULES

## FIRST SCHEDULE

*[Section 4.]**Oath of Office*

I, A.B., do swear, that I will faithfully exercise the office of a notary public; I will faithfully make contracts or instruments for or between any party or parties requiring the same, and I will not add or diminish anything without the knowledge and consent of such party or parties that may alter the substance of the fact; I will not make or attest any act, contract or instrument in which I shall know there is violence or fraud; and in all things I will act uprightly and justly in the business of notary public according to the best of my skill and ability.

So help me God.

## SECOND SCHEDULE

*[Section 11]**Notaries fees of office*

Noting protest on bill or note	10,000.00
Extending protest on bills of exchange or promissory notes	15,000.00
Minuting or noting ship's protest	20,000.00
Extending ship's protest	50,000.00
Furnishing copy of extended protest	20,000.00
Attestation to any document	5,000.00
Declaration thereto for each additional declarant	5,000.00
Attendance, each	5,000.00
Translations	
For every folio of 72 words	
Attestation to translation	10,000.00
Translation of common attestation to power for stocks	10,000.00

## EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Notaries Public Act, No. 41, 1963 CAP N141, Laws of the Federation of Nigeria, 2004 and enact the Notaries Public Act of 2022, to provide for the appointment of notaries public, their registration and to regulate the duty of the office of the Notary Public and to make provisions for the performance of digital and remote notarizations of documents by notaries public in Nigeria and the recognition of digitally notarized documents as being validly notarized.



NATIONAL COMMISSION FOR ALMAJIRI EDUCATION AND OUT OF  
SCHOOL CHILDREN (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF CLAUSES

*Clause:*

PART I - ESTABLISHMENT OF NATIONAL COMMISSION FOR ALMAJIRI  
EDUCATION AND OUT OF SCHOOL CHILDREN

1. Establishment of National Commission for Almajiri Education  
and out of School Children
2. Governing Board of the Commission
3. Powers of the Board.
4. Tenure of office.
5. Allowances of members
6. Cessation of membership of the Board

PART II - OBJECTIVES AND FUNCTIONS OF THE COMMISSION

7. Objectives of the Commission
8. Functions of the Commission
9. Powers of the Commission
10. Power of the Minister to give directives to the Commission

PART III - STAFF OF THE COMMISSION

11. Executive Secretary of the Commission
12. Other staff of the Commission
13. Pensions
14. Offices and premises of the Commission
15. Indemnity of officers

PART IV - ALMAJIRI EDUCATION AND OUT OF SCHOOL CHILDREN

CENTRES

16. Establishment of Almajiri Education and out of School Children  
Centres

PART V - ESTABLISHMENT OF NATIONAL ALMAJIRI EDUCATION AND OUT  
OF SCHOOL CHILDREN FUND

17. Establishment of National Almajiri Education and out of School Children Fund
18. Maintenance of separate fund by the Commission.
19. Expenditure of the Commission.
20. Power to accept gift.
21. Powers to borrow
22. Annual estimates and accounts
23. Annual reports

PART VI - MISCELLANEOUS

24. Power to obtain information
  25. Limitation of suits
  26. Service of documents
  27. Interpretation
  28. Citation
- Schedules

# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL COMMISSION FOR ALMAJIRI EDUCATION AND OUT OF SCHOOL CHILDREN TO PROVIDE FOR A MULTIMODAL SYSTEM OF EDUCATION TO TACKLE THE MENACE OF ILLITERACY, DEVELOP SKILL ACQUISITION AND ENTREPRENEURSHIP PROGRAMMES, PREVENT YOUTH POVERTY, DELINQUENCY AND DESTITUTION IN NIGERIA; AND FOR RELATED MATTERS

### *Sponsors:*

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| 1. Hon Shehu Balarabe Kakale      | 2. Hon Garba Alhassan Ado         |
| 3. Hon Aisha Jibril Dukku         | 4. Hon Sulaiman Aminu Goro        |
| 5. Hon Yusuf Shitu Galambi        | 6. Hon Abdullahi Abubakar Ahmed   |
| 7. Hon Ibrahim Makama Misau       | 8. Hon Jafaru Suleiman Ribadu     |
| 9. Hon Khadija Bukar Abba Ibrahim | 10. Hon Mansur Manu Soro          |
| 11. Hon Kasimu Bello Maigari      | 12. Hon Mani Maishinko Katami     |
| 13. Hon Usman Zannah              | 14. Hon Abubakar Yunusa Ahmad     |
| 15. Hon Mohd Fatahu               | 16. Hon Abdullahi Balarabe Salame |
| 17. Hon Ja'afar Abubakar Magaji   | 18. Hon Mohammed Jafaru           |

[ ] Commencement

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

1           PART I - ESTABLISHMENT OF THE NATIONAL COMMISSION FOR  
2           ALMAJIRI EDUCATION AND OUT OF SCHOOL CHILDREN

3           1.-(1) There is established a body to be known as the National  
4           Commission for Almajiri Education and out of School Children (in this Bill  
5           referred to as "the Commission") which shall have the functions assigned to  
6           it by this Bill.

Establishment  
of the National  
Commission for  
Almajiri Education

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

9           2.-(1) There is established for the Commission, a Governing Board  
10          (in this Bill referred to as "the Board"), which shall administer and direct the

Governing Board  
of the Commission

1       affairs of the Commission.

2               (2) Without prejudice to the generality of subsection (1) of this  
3       section, it shall be the responsibility of the Board to exercise general control  
4       and superintendence over the policy, finances and property of the Commission,  
5       including its public relations.

6               (3) The Board shall consist of a Chairman and a person each to  
7       represent each of the following Ministries and bodies-

8               (a) Education;

9               (b) one person each to represent the States of the Federation having  
10       Almajiri influence or prevalence of out of School Children, such other States as  
11       the Minister may consider necessary for effective implementation of this Bill;

12              (c) the President of the Nigerian Supreme Council for Islamic Affairs  
13       or his representative;

14              (d) the Chairman, Christian Association of Nigeria or his  
15       representative; and

16              (e) the Executive Secretary of the Commission.

17              (4) The Chairman and members of the board other than the ex-  
18       officials members who are representing Ministries and other statutory bodies,  
19       shall be appointed by the President, on the recommendation of the Minister.

20              (5) A member of the Board, other than an ex-officio member, shall  
21       hold office for a term of four years, renewable for another term of four years  
22       only.

23              (6) The Minister may, with the approval of the President, and in  
24       writing, remove any member of the Board if he is satisfied that it is not in the  
25       interest of the Commission that the person concerned should continue in office.

First Schedule

26              (7) The supplementary provisions set out in the First Schedule to this  
27       Bill shall have effect with respect to the proceedings of the board and other  
28       matters mentioned therein.

Powers of the  
Board

29              **3.** The Board shall have power to-

30              (a) manage and supervise affairs of the Commission;



1 (b) make rules and regulations for carrying out the functions of the  
2 Commission;

3 (c) enter and inspect premises, projects and such places as may be  
4 necessary for the purposes of carrying out its functions under this Act;

5 (d) pay the staff of the Commission such remuneration and  
6 allowances as appropriate;

7 (e) enter into such contracts as may be necessary or expedient for  
8 the discharge of its functions and ensure the efficient performance of the  
9 functions of the Commission;

10 (f) do such other things as are necessary and expedient for the  
11 efficient performance of the functions of the Commission.

12 **4.-(1)** Subject to the provisions of section 4 of this Bill a member of Tenure of Office  
13 the Board, other than an ex-officio member, shall hold office for a term of 4  
14 years at the first instance and may be re-appointed for a further term of 4  
15 years and no more.

16 (2) A member of the Board other than ex-officio member, may  
17 resign his appointment by notice, in writing under his hand addressed to the  
18 President and Commander-in-Chief of the Armed Forces, which resignation  
19 shall take effect only upon receipt by the President, Commander-in-Chief.

20 **5.** There shall be paid to every member of the Board such Allowance of  
21 remunerations, allowances and expenses as the Federal Government may, Members  
22 from time to time, direct.

23 **6.-(1)** Notwithstanding the provisions of section 3 of this Bill, a Cessation of  
24 person shall cease to hold office as a member of the Board if- Membership of  
the Board

25 (a) he becomes bankrupt, suspends payment or compounds with  
26 his creditors; or

27 (b) he is convicted of a felony or any offence involving dishonesty  
28 or fraud, or

29 (c) he becomes of unsound mind, or incapable of carrying out his  
30 duties; or

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, he  
3 is disqualified or suspended, other than at his own request, from practising his  
4 profession in any part of the world by an order of a competent authority made in  
5 respect of that member; or

6 (f) he resigns his appointment by a letter addressed to the President,  
7 Commander-in-Chief of the Armed Forces.

8 (2) Where a vacancy occurs in the membership of the Board it shall be  
9 filled by the appointment of a successor to hold office for the remainder of the  
10 term of office of his predecessor, so however, that the successor shall represent  
11 the same interest and shall be appointed by the President, Commander-in Chief  
12 of the Armed Forces subject to the confirmation of the Senate in consultation  
13 with the House of representatives.

14 PART II - OBJECTIVES AND FUNCTIONS OF THE COMMISSION

Objectives of the  
Commission

15 7. The objectives of the Commission are to-

16 (a) formulate policy and issue guideline in all matters relating to  
17 Almajiri education and out of School Children in Nigeria;

18 (b) provide funds for-

19 (i) the research and personnel development for the improvement of  
20 almajiri education in Nigeria,

21 (ii) the development of programmes on almajiri education,

22 (iii) equipment, other instructional materials (including teaching aids  
23 and amenities), construction of classrooms and other facilities relating to  
24 almajiri education and out of School Children;

25 (c) arrange effective monitoring and evaluation of the activities of  
26 agencies concerned with almajiri education;

27 (d) establish, manage primary schools for almajiri children and out of  
28 School Children.

Functions of the  
Commission

29 8. In addition to the objectives set out in section 7 of this Bill, the  
30 Commission shall-

- 1                    (a) establish schools in the settlements predominantly populated
- 2                    by Almajiri children and out of School Children;
- 3                    (b) co-operate with other participating Ministries and agencies,
- 4                    including:
- 5                    (i) the Ministry of Health;
- 6                    (ii) the Ministry of Information and National Orientation; and
- 7                    (iii) the Ministry of Internal Affairs;
- 8                    (e) ensure effective inspection of Almajiri education and out of
- 9                    School Children activities in Nigeria, through the Federal and State
- 10                   Ministries of Education, performing duties relating to Almajiri education
- 11                   and out of School Children;
- 12                   (f) collate, analyse and publish information relating to Almajiri
- 13                   education and out of School Children in Nigeria and obtain from the States
- 14                   and from other sources, such information as is relevant to the discharge of its
- 15                   functions under this Bill;
- 16                   (g) determine standards of skills to be attained in Almajiri schools
- 17                   established by the Commission, and review such standards from time to
- 18                   time;
- 19                   (h) prepare reliable statistics of Almajiri and out of School age
- 20                   Children;
- 21                   (i) act as the agency for channelling all external aid to Almajiri
- 22                   schools and out of School Children in Nigeria;
- 23                   (j) subject to the provisions of sections 11 and 12 of Part V of this
- 24                   Bill, receive block grants and funds from the Federal Government or any
- 25                   agency authorised in that behalf, particularly by the Universal Basic
- 26                   Education Commission and allocate them to all almajiri schools in
- 27                   accordance with such formulas as may be laid down by the Commission;
- 28                   (k) ensure effective and equitable management of funds accruing
- 29                   to the Commission under this Bill;
- 30                   (l) disburse funds for all authorised expenditure, including-

	1	(i) payment of emoluments and overheads;
	2	(ii) procurement of equipment and all other materials required by the
	3	Commission;
	4	(iii) contribution towards provisions of settled or mobile classrooms
	5	and instructional materials;
	6	(iv) contribution towards the acquisition of sites for the establishment
	7	of schools;
	8	(v) all other payment relating to the performance of its functions
	9	under this Bill; and
Powers of the Commission	10	<b>9.</b> The Commission shall, subject to any direction of the Minister,
	11	have power to do anything which in its opinion, is calculated to facilitate the
	12	carrying on of its objectives and functions under this Bill.
Power of Minister to give directives to the Commission	13	<b>10.</b> Subject to the provisions of this Bill, the minister may give to the
	14	Commission, directives of a general character or relating generally to matters
	15	of policy, with regard to the exercise by the Commission of its functions under
	16	this Bill and it shall be the duty of the Commission to comply with such
	17	directives.
	18	<b>PART III - STAFF OF THE COMMISSION</b>
Executive Secretary of the Commission	19	<b>11.-(1)</b> There shall be appointed by the President on the
	20	recommendation of the Minister, an Executive Secretary for the Commission,
	21	who shall have appropriate qualification and experience in education and
	22	teaching.
	23	(2) The Executive Secretary shall be the chief executive of the
	24	Commission and be responsible for the execution of the policies of the
	25	Commission and the day-to-day running of the affairs of the Commission.
	26	(3) The Executive Secretary shall hold office in the first instance for a
	27	term of five years and shall be eligible for re-appointment for such further term
	28	of five years and no more.
Other Staff of the Commission	29	<b>12.-(1)</b> The Commission may appoint such other employees of the
	30	Commission as it may require, to assist the executive secretary in the exercise

1 of the functions of the Commission under this Bill.

2 (2) The remuneration and tenure of the office of the other  
3 employees of the Commission shall be determined by the Commission after  
4 consultation with the Minister.

5 (3) Notwithstanding the provisions of subsection (1) of this  
6 section, employees of the Commission may be appointed by the  
7 Commission by way of transfer or secondment from any of the public  
8 services in the Federation.

9 **13.**-(1) Service in the Commission shall be pensionable under the Pension  
10 Pension Reform Act and accordingly, employees of the commission shall, in  
11 respect of their services in the Commission, be entitled to pensions,  
12 gratuities and other retirement benefits as are prescribed thereunder.

Pension  
Act No.4, 2014

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

17 (3) For the purposes of the application of the Pension Reform Act,  
18 any power exercisable thereunder by the Minister or authority of the Federal  
19 Government (not being the power to make regulations under section 23  
20 thereof) is vested in and shall be exercisable by the Commission and not by  
21 any other person or authority.

Act No.4, 2014

22 (4) Subject to subsection (2) of this section, the Pensions Reform  
23 Act shall in its application by virtue of the provisions of subsection (1) of  
24 this section to any office, have effect as if the office were in the civil service  
25 of the Federation within the meaning of the Constitution of the Federal  
26 Republic of Nigeria, as amended.

Act No.4, 2014

27 **14.**-(1) For the purposes of providing offices and premises  
28 necessary for the performance of its functions under this Bill, the  
29 Commission may, subject to the Land Use Act-

Offices and  
premises of  
Commission

	1	(a) purchase or take on lease any interest in land, or other property;
	2	and
	3	(b) construct offices and premises and equip and maintain same.
	4	(2) The Commission may, subject to the Land Use Act, sell or lease
	5	out any office or premises held by it, which office or premises is no longer
	6	required for the performance of its functions under this Bill.
Indemnity of offices	7	<b>15.</b> -(1) In any action or suit against the Commission, no execution or
	8	attachment of process in the nature thereof shall be issued against the
	9	Commission.
	10	(2) Any sum of money which may by the judgment of any court be
	11	awarded against the Commission shall, subject to any direction given by court
	12	where notice of appeal of the said judgment has been given, be paid from the
	13	general reserve fund of the Commission.
	14	PART IV - ALMAJIRI EDUCATION AND OUT OF SCHOOL
	15	CHILDREN CENTRES
Establishment of Almajiri Education and out of School Children Centres Second Schedule	16	<b>16.</b> -(1) The Commission shall establish Almajiri Education and out of
	17	School Children Centers-
	18	(a) as set out in the Second Schedule to this Bill; and
	19	(b) at such other place as the Commission may determine.
	20	(2) Every Almajiri Education and out of School Children Centre (in
	21	this Bill referred to as "the Centre") shall be responsible to the Commission.
	22	(3) The Commission shall conduct research into almajiri life-styles,
	23	including their occupations, the role of parents economic activities, migratory
	24	patterns, and their demographic distributions, relationship with sedentary
	25	community populations and attitudes to education, experimental education
	26	methodologies and evaluate programmes relating to skill acquisition and
	27	entrepreneurship.
	28	(4) The Commission shall prepare such data as may be required by it
	29	to develop-
	30	(a) the curriculum for almajiri education and out of School Children;

- 1 (b) reading and teaching materials;
- 2 (c) teacher training programme; and
- 3 (d) resource materials.

4 (5) The Commission shall prepare from any other sources, such  
5 data as may be required by it to-

6 (a) develop and maintain almajiri education and out of School  
7 Children teacher training programmes; and

8 (b) develop and maintain almajiri education and out of School  
9 Children outreach programmes, including electronically mediated ones,  
10 and to do this in collaboration with other Centres as well as other  
11 institutions, such as the National Teachers Institute and the National  
12 Education Technology Centre.

13 **PART V - FUNDS AND OTHER FINANCIAL PROVISIONS OF THE**  
14 **COMMISSION**

15 **17.-(1)** The Commission shall establish a National Almajiri  
16 Education and out of School Children Fund (in this Bill referred to as "the  
17 Fund") into which shall be paid all money received from the Federal  
18 Government, through the state governments and other sources, including  
19 gifts, endowment and profits.

Establishment  
of National Almajiri  
Education and out  
of Children Fund

20 (2) The Fund shall be disbursed in accordance with the accepted  
21 rules and procedures and in pursuit of the objectives of almajiri education  
22 and out of School Children, as may be directed, from time to time by the  
23 Commission, including the making of appropriate grants to State  
24 Governments, local governments, universities and other agencies and  
25 communities.

26 **18.-(1)** The Commission shall establish and maintain a separate  
27 fund from which shall be defrayed all expenditure incurred by the  
28 Commission.

Maintenance of  
separate fund by  
the Commission

29 (2) There shall be paid and credited to the fund established in  
30 pursuance of subsection (1) if this section such payments as may be made to

	1	the Commission by the Federal Ministry of Education, for running expenses of
	2	the Commission and all other payments of money from time to time, accruing
	3	to the Commission.
Powers to accept gifts	4	<b>19.</b> -(1) The Commission may accept gifts of land, money, or other
	5	property on such terms and conditions, if any, as may be specified by the person
	6	or organisation making the gift.
	7	(2) The Commission shall not accept any gift if the conditions
	8	attached by the person or organisation making the gift are inconsistent with, the
	9	functions of the Commission under this Bill.
Powers to borrow	10	<b>20.</b> The Commission may, with the consent of the President,
	11	Commander- in-Chief of the Armed Forces, borrow, on such terms and
	12	conditions as the Commission may determine, such sums of money as the
	13	Commission may require in the exercise of its functions under this Bill.
Expenditure of the Commission	14	<b>21.</b> The Commission shall, from time to time, apply the proceeds of a
	15	fund established in pursuance of section 12(1) of this Bill-
	16	(a) to the cost of administration of the Commission;
	17	(b) to the payment of the salaries, fees or other remuneration of
	18	allowances and pensions, superannuation, allowances and gratuities payable to
	19	the members of the Board and employees of the Commission, so however that
	20	no payment of any kind under this paragraph shall be made to any person who
	21	is in receipt of emoluments from the Government of the Federation or of a
	22	State;
	23	(c) for the maintenance of any property vested in the Commission;
	24	and
	25	(d) for and in connections with any of its functions under this Bill.
Annual estimate and accounts	26	<b>22.</b> The Board shall submit to the minister, not later than 30
	27	September in each year, an estimate of its expenditure and income during the
	28	next succeeding year.
Annual report	29	<b>23.</b> The Board shall prepare and submit to the President, through the
	30	Minister, not later than 30 June in each year a report, in such form as he may



1 direct, on the activities of the Commission during the immediately  
2 preceding year, and shall include in such report, a copy of the audited  
3 accounts of the Commission for that year and the Auditor-General's report  
4 thereon.

5 PART VI - POWER TO OBTAIN INFORMATION

6 **24.**-(1) For the purposes of carrying out the functions conferred on Power to obtain  
information  
7 the Commission under this Bill, the Executive Secretary or any other officer  
8 authorised in that behalf-

9 (a) shall have a right of access to all the records of any institution to  
10 which the Bill applies; and

11 (b) may by notice in writing served on any person in charge of such  
12 institution, require that person to furnish information on such matters as may  
13 be specified in that notice.

14 (2) It shall be the duty of any person required to furnish information  
15 pursuant to subsection (1), of this section to comply with the notice within a  
16 reasonable period of time.

17 (3) In this section, the reference to an institution to which this Bill  
18 applies is a reference to any regular school established under this Bill the  
19 Universal Basic Education Programme.

20 **25.**-(1) Subject to the provisions of this Bill, the provisions of the Limitation of the  
suits against the  
Commission  
21 Public Officers Protection Act shall apply in relation to any suit instituted  
22 against any officer or employee of the Commission.

23 (2) Notwithstanding anything contained in any other law or  
24 enactment, no suit shall lie against any member of the Board, the Managing  
25 Director or any other officer or employee of the Commission for any act  
26 done in pursuance or execution of this Bill or any other law or enactment, or  
27 of any public duty or authority or in respect of any alleged neglect or default  
28 in the execution of this Bill or such law or enactment, duty or authority, shall  
29 lie or be instituted in any court unless-

30 (a) it is commenced within three months next after the act, neglect

	1	or default complained of; or
	2	(b) in the case of a continuation of damage or injury, within six
	3	months next after the ceasing thereof.
Service of documents	4	<b>26.</b> A notice, summons or other document required or authorised to be
	5	served upon the Commission under the provisions of this Bill or any other law
	6	or enactment may be served by delivering it to the Executive Secretary or by
	7	sending it by registered post and addressed to the Executive Secretary at the
	8	principal office of the Commission.
Interpretation	9	<b>27.</b> In this Bill-
	10	"Chairman" means the Chairman of the Commission;
	11	"Commission" means the National Commission for Almajiri Education and
	12	out of School Children, established by section 1 of this Bill;
	13	"member" means a member of the Board and includes the Chairman;
	14	"Executive Secretary" means the person appointed as the Executive Secretary
	15	of the Commission in pursuance of section 7(1) of this Bill;
	16	"Minister" means Minister charged with responsibility for matters relating to
	17	education; and
	18	"out of School Children" include those Children who, for one reason or the
	19	other, are out of school.
Citation	20	<b>28.</b> This Bill may be cited as the National Commission for Almajiri
	21	Education and out of School Children Bill, 2022.

1 SCHEDULES

2 FIRST SCHEDULE

3 *Section 2(7)*

4 SUPPLEMENTARY PROVISIONS RELATING THE BOARD

5 1. Subject to this Bill and section 27 of the Interpretation Act  
6 (which provides for decisions of a statutory body to be taken by a majority of  
7 its members and for the Chairman to have a second or casting vote), the  
8 Board may make standing.

9 2. Every meeting of the Board shall be presided over by the  
10 Chairman or if the Chairman is unable to attend a particular meeting, the  
11 members present at the meeting shall elect one of their number to preside at  
12 that meeting.

13 3. The quorum at a meeting of the Board shall consist of the  
14 Chairman (or, in an appropriate case, the person presiding at the meeting  
15 pursuant to paragraph 2 of this Schedule) and six other members.

16 4. Where upon any special occasion, the Board desires to obtain  
17 the advice of any person on any particular matter, the Board may co-opt that  
18 person to be a member for as many meetings as may be necessary, and that  
19 person while so co-opted shall have all the rights and privileges of a  
20 member, except that he shall not be entitled to vote or count towards a  
21 quorum.

22 *Committees*

23 5.-(1) Subject to its standing orders, the Board may appoint such  
24 number of standing ad hoc committees as it thinks fit to consider and report  
25 on any matter with which the Board is concerned.

26 (2) Every Committee appointed under the provisions of  
27 subparagraph (1) of this paragraph, shall be presided over by a member of  
28 the Board and shall be made up of such number of persons, not necessarily  
29 members of the Board, as the Board may determine in each case.

30 6. The decision of a Committee shall be of no effect until it is

1 confirmed by the Board.

2 *Miscellaneous*

3 7. The fixing of the seal of the Commission shall be authenticated by  
4 the signature of the Chairman or the executive secretary of the Commission or  
5 such other member authorised generally or specially by the Board, to act for  
6 that purpose.

7 8. Any contract or instrument which if made by a person not being a  
8 body corporate would not be required to be under seal, may be made or  
9 executed on behalf of the Commission by the Executive Secretary or by any  
10 person generally or specifically authorised by the Board to act for that purpose.

11 9. Any document purporting to be a contract, instrument or other  
12 document signed or sealed on behalf of the Commission, shall be received in  
13 evidence and, unless the contrary is proved, be presumed without further proof,  
14 to have been so signed or sealed.

15 10. The validity of any proceedings of the Board or a committee  
16 thereof, shall be adversely affected-

17 (a) by any vacancy in the membership of the Board;

18 (b) by any defect in the appointment of a member of the Board or  
19 committee; or

20 (c) by reason that a person not entitled to do so, took part in the  
21 proceedings.

22 11. Any members of the Board or committee, who has a personal  
23 interest in any contract or arrangement entered into or proposed to be  
24 considered by the Board or committee, shall forthwith disclose his interest to  
25 the Board or committee and shall not vote on any question relating to the  
contract or arrangement.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Commission for Almajiri Education and out of School Children to provide for a multimodal system of education to tackle the menace of illiteracy, develop skill acquisition and entrepreneurship programmes, prevent youth poverty, delinquency and destitution in Nigeria.

# A BILL

## FOR

AN ACT TO AMEND THE NATIONAL YOUTH SERVICE CORPS ACT, CAP N84,  
LAWS OF THE FEDERATION OF NIGERIA, 2004; AND FOR RELATED  
MATTERS

*Sponsored by Hon. Chisom Promise Dike*

[ ] Commencement

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

1           **1.** The National Youth Service Corps Act, Cap N84, Laws of the      Amendment of  
2      Federation of Nigeria, 2004 (herein referred to as the "Principal Act") is      Cap N84, LFN  
3      amended as set out in this Bill.      2004

4           **2.** Section 9 of the Principal Act is amended by inserting the      Amendment of  
5      following as new subsection (7)-      Section 9  
6           "(7) No corps member who has been duly posted to any Ministry,  
7      Department or Agency of Government shall be rejected by such  
8      establishment."

9           **3.** Section 19 of the Principal Act is amended inserting the      Amendment of  
10     following as new subsections (2) and (3) respectively      Section 19

11           "(2) Without prejudice to the provisions of section 16(2) of this  
12     Act, the Directorate shall make adequate provision for the safety and  
13     protection of corps members.

14           (3) All corps members shall be entitles to health and life insurance  
15     from the moment of picking up the call-up letter to three days after the  
16     passing out parade; the details of which shall be worked out by the  
17     Directorate."

18           **4.** This Bill may be cited as the National Youth Service Corps Act      Citation  
19     (Amendment) Bill, 2022.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Youth Service Corps Act, Cap. N84, Laws of the Federation of Nigeria, 2004 to provide for mandatory intake of corps members by government agencies and for their safety and protection.

# A BILL

## FOR

AN ACT TO AMEND THE MINERALS AND MINING ACT, CAP. M12, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO ENCOURAGE FURTHER DOMESTIC AND FOREIGN INVESTMENTS IN THE SOLID MINERAL SUBSECTOR; AND FOR RELATED MATTERS

*Sponsored by Hon. Chisom Promise Dike*

[ ] Commencement

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

- 1           **1.** The Minerals and Mining Act, Cap, M12, Laws of the Federation of Nigeria, 2004 (herein referred to as the "Principal Act") is amended as set out in this Bill. Amendment of  
Cap. M12, LFN  
2004
- 2
- 3
- 4           **2.** Section 2 of the Principal Act is amended by inserting the following as new paragraph (g): Amendment of  
Section 2
- 5
- 6           “(g) attract foreign direct investments through a well-articulated
- 7           and coordinated incentives to prospective investors”,
- 8           **3.** Section 25 of the Principal Act is amended by inserting the following as new paragraph (t):
- 9
- 10           “(f) organised on a regular basis conferences, seminars and lectures
- 11           to update small scale miners with new and improved methods of small-scale
- 12           mining”,
- 13           **4.** Section 27 of the Principal Act is amended by deleting the subsection (1) thereof and inserting the following as new subsection (1) Amendment of  
Section 27
- 14           instead thereof:
- 15
- 16           “(1) The Minister may, after due consultation with land owners and
- 17           or occupiers, by notice published in the gazette, declare an area to be closed
- 18           to prospecting generally or for a specific mineral for such a period as he may
- 19           specify in the notice,”

Amendment of Section 29	1	<b>5.</b> Section 29 of the Principal Act is amended by deleting the
	2	subsection (3) thereof and inserting the following as new subsection (3) instead
	3	thereof:
	4	"(3) Subject to the provisions of subsection (1) of this section, the
	5	Minister shall permit the endorsement of the prospecting right or exclusive
	6	prospecting licence to include the mineral discovered,"
Amendment of Section 104	7	<b>6.</b> Section 104 of the Principal Act is amended in subsection (c) by
	8	inserting the following as paragraph (ii) -
	9	"(ii) obtaining the consent of the community or landowners",
Citation	10	<b>7.</b> This Bill may be cited as the Minerals and Mining Act
	11	(Amendment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Minerals and Mining Act, Cap. M12, Laws of the Federation of Nigeria, 2004 to encourage domestic and foreign direct investment in the solid mineral subsector.



# A BILL

## FOR

AN ACT TO AMEND THE NATIONAL ENVIRONMENTAL STANDARDS AND  
REGULATIONS ENFORCEMENT AGENCY ACT, 2007 AND FOR RELATED  
MATTERS, 2022

*Sponsored by Hon. Samson Okwu*

[ ] Commencement

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

1           **1.** The National Environmental Standards and Regulations  
2   Enforcement Agency Act of 2007 in this Bill referred to as "the Principal  
3   Act" is amended as set out in this Bill.

Amendment of  
the National  
Environmental  
Standards and  
Regulations  
Enforcement Agency  
(Establishment)  
Act, 2007

4           **2.** Section 3(1)(e) of the Principal Act is amended by inserting the  
5   words "one representative each from:

Amendment of  
Section 3(1)(e)  
by inserting a  
new  
subsection

6           (i) The Environmental Society Groups;

7           (ii) The Academia and;

8           (iii) The Nigerian Association of Chambers of Commerce,  
9   Industry, Mines and Agriculture (NACCIMA).

10   after the word Environment.

11           **3.** This Bill may be cited as the National Environmental Standards  
12   and Regulations Enforcement Agency (Amendment) Bill, 2022.

Citation

### EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Environmental Standards and  
Regulations Enforcement Agency, to broaden the scope of the Board  
membership.