

*Extraordinary*



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NATIONAL INSTITUTE OF CONSTRUCTION TECHNOLOGY AND  
MANAGEMENT MBAMBA, ADAMAWA STATE  
(ESTABLISHMENT) BILL, 2022  
ARRANGEMENT OF CLAUSES

*Clause:*

PART I - ESTABLISHMENT OF THE NATIONAL INSTITUTE OF  
CONSTRUCTION TECHNOLOGY AND MANAGEMENT  
MBAMBA, ADAMAWA STATE

1. Establishment of the National Institute of Construction  
Technology and Management Mbamba, Adamawa State
2. Establishment and Composition of the Council of the Institute
3. Visitation
4. Tenure of Office of Council Members

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# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR CONSTRUCTION  
TECHNOLOGY AND MANAGEMENT MBAMBA, ADAMAWA STATE AND FOR  
RELATED MATTERS

*Sponsored by Hon. Jafaru Suleiman Ribadu*

[ ] Commencement

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

PART I - ESTABLISHMENT OF THE NATIONAL INSTITUTE FOR

CONSTRUCTION TECHNOLOGY AND MANAGEMENT

MBAMBA, ADAMAWA STATE

1.-(1) There is established the National Institute for Construction  
Technology and Management Mbamba, Adamawa State (in this Bill  
referred to as the Institute")

Establishment  
of the National  
Institute for  
Construction  
Technology and  
Management Mbamba,  
Adamawa State

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

Establishment  
and Composition  
of the Council of  
the Institute

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

(a) The Rector of the Institute;

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

(d) A representative of the University to which the Institute is  
affiliated;

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

(f) A representative of the community where the Institute is  
situated;

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

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

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

5 (j) 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 (k) 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.

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                   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 Construction  
9                   Technology and Management Studies and issue Certificates in specialized  
10                  programmes;

11                  (b) To provide facilities and encourage research in its area of focus  
12                  to aid Nigeria's development in areas of Construction, Technology and  
13                  Management, 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 construction  
19                  technology and management research programme through consistent  
20                  research, development and constant contact with renowned institutions and  
21                  appropriate industries;

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

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

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

28                  **6.-(1)** Subject to the provisions of this Bill, the Council:

Functions of the  
Governing Council

29                  (a) Shall be responsible for the general management of the affairs

1 of the Institute and in particular, the control of the property and finances of the  
2 Institute;

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

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

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

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

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

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

Powers of the  
Institute

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

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

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

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

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

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



1 (f) Accept gifts of land, money or other property upon such terms  
2 and conditions, if any, as may be specified by the person or organisation  
3 making the gift; provided that the Institute shall not accept any gift if the  
4 terms and conditions attached thereto are inconsistent with its functions  
5 under this Bill.

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

7 **8.-(1) Appointment of the Rector** (a) The President shall appoint  
8 for the Institute a Rector who shall be the chief academic and administrative  
9 officer of the Institute; Appointment of  
Principal Officers

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

13 (c) The Rector shall be responsible for:

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

15 (ii) The exercise of general authority over the employees of the  
16 Institute;

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

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

21 (e) The Rector may be re-appointed for a further term of four years  
22 and no more.

23 (2) Appointment of the Deputy Rector:

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

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

30 (c) The Deputy Rector shall perform such other functions as the

1 Rector may from time to time assign;

2 (d) The Deputy Rector shall hold office for the period of two (2) years  
3 from the effective date of his appointment and on such terms and conditions as  
4 may be specified in the letter of appointment. He may be re-appointed for a  
5 further period of two (2) years and no more.

6 (3) Appointment of the Registrar:

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

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

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

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

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

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

25 (4) Appointment of the Bursar:

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

29 (b) The Bursar shall be the Chief Financial Officer of the Institute and  
30 shall be responsible to the Rector for the day-to-day administration and control

1 of the financial affairs of the polytechnic;

2 (c) The Bursar shall hold office for a period of five (5) years and  
3 may be re- appointed for a further period of five (5) years and no more.

4 (5) Appointment of the Librarian:

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

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

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

14 **9.-(1)** A principal officer may resign his appointment:

Resignation of  
Appointment by  
Principal Officers

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

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

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

Other Staff of  
the Institute

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

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

Staff Regulations

30 (a) The appointment, promotion and discipline (including

1 dismissal) of employees of the Institute; and

2 (b) Appeals by such employees against dismissal or other disciplinary  
3 measures, and until such regulations are made, any instrument relating to the  
4 conditions of service of public officers in the polytechnic system shall be  
5 applicable with such modifications as may be necessary to employees of the  
6 Institute.

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

Pensions

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

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

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

24 **PART IV - DISCIPLINE**

Removal of a  
Members of  
Council

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

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

1 shall make a recommendation to the President, and if the President after  
2 making such enquiries as he considers necessary, approves the  
3 recommendation, the President shall, in writing declare the office of such  
4 member vacant.

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

Removal from  
Office of s Staff  
of the Institute

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

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

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

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

Discipline of  
Students

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

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

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

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

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

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

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

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

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

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

25 **PART V - ACADEMIC BOARD**

Establishment  
of Academic Board  
of the Institute

26 **16.-(1)** There is established for the Institute an Academic Board  
27 which shall consist of:

28 (a) The Rector of the Institute;

29 (b) The Deputy Rector;

30 (c) The Registrar as Secretary;

1 (d) The Librarian;  
2 (e) Deans / Directors of Schools;  
3 (f) Heads of Academic Departments / Units;  
4 (g) not more than two (2) members of the academic staff other than  
5 Heads of Departments/Units, to be appointed by the Academic Board.

6 (2) The Academic Board shall:

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

11 (b) formulate and continuously evaluate the academic programme  
12 of the Institute;

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

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

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

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

24 **PART VI - FINANCIAL PROVISIONS**

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

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

29 (a) such sums as may be granted to the Institute by the Federal  
30 Government;

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

1 "Visitor" means Minister of Education;

2 "Property" includes rights, liabilities and obligations;

3 "Registrar" means the Registrar of the Institute;

4 "Institute" means National Institute for Entrepreneurship and Innovation  
5 established under clause 1 of this Bill;

6 "Staff means all persons employed by the Council to serve at the Institute.

Short title

7 **25.** This Bill may be cited as National Institute for Construction  
8 Technology and Management Mbamba, Adamawa State (Establishment) Bill,  
9 2022.

1 SCHEDULE

2 [Section 2 (4)]

3 *Proceedings of the Board*

4 1.-(1) Subject to this Bill and section 27 of the Interpretation Act,  
5 the Council may make standing orders regulating the proceedings of the  
6 Council or any committee thereof.

7 (2) The quorum of the Council shall be seven (7) and the quorum of  
8 any committee of the Council shall be as determined by the Council.

9 2.-(1) The Council shall meet for the conduct of business at such  
10 times as the Chairman of the Council may appoint but shall meet not less  
11 than twice in a year and not more than four {4} times in each year and two (2)  
12 emergencies.

13 (2) The Chairman shall preside over all meetings of the Board.  
14 Where the Chairman is absent, the members present shall appoint one of  
15 their number to preside over the meeting.

16 (3) No meeting shall hold except a quorum is formed. Notice and  
17 Agenda of proposed meeting as well as minutes of prior regular meeting  
18 shall be circulated to members at least two (2) weeks to the scheduled date of  
19 meeting.

20 (4) For a meeting of the Governing Council to hold, the Chairman  
21 and seven (7) other members shall be and constitute the quorum. Where the  
22 Chairman is absent, any five members including the Rector {or his  
23 representative} shall be and constitute the quorum.

24 (5) In a situation where voting is required to reach a resolution on  
25 any matter, a decision shall be reached by simple majority through a poll or  
26 show of hand. Where there is a tie, the Chairman may cast a deciding vote.

27 (6) Where the Council desires to obtain advice of any person on a  
28 particular matter, the Council may co-opt him as a member for such period  
29 as it deems fit; but a person who is a member by virtue of this sub-paragraph

1 shall not be entitled to vote at any meeting of the Council and shall not count  
2 towards the quorum.

3 (7) The Registrar of the Polytechnic shall serve as the Secretary but  
4 non-member of Board. He shall not be considered for the purpose of a quorum  
5 and shall have no voting right.

6 *Committee*

7 3.-(1) The Council may appoint one or more committees to carry out  
8 on behalf of the Council such of its functions as the Council may determine.

9 (2) A committee appointed under this paragraph shall consist of such  
10 number of persons (not necessarily all members of the Council) as may be  
11 determined by the Council; and a person, other than a member of the Council,  
12 shall hold office on the committee in accordance with the terms of his  
13 appointment.

14 (3) A decision of a committee of the Council shall be of no effect until  
15 it is confirmed by the Council.

16 *Miscellaneous*

17 4.-(1) The fixing of the seal of the Council shall be authenticated by  
18 the signature of the Chairman and of any other member authorized generally or  
19 specially by the Council to act for that purpose.

20 (2) Any contract or instrument which, if made by a person not being a  
21 body corporate, would not be required to be under seal, may be made or  
22 executed on behalf of the Institute by the Rector or any person generally or  
23 specially authorized to act for that purpose by the Council.

24 (3) Any document purporting to be a document duly executed under  
25 the seal of the Institute shall be received in evidence and shall, unless the  
26 contrary is proved, be presumed to be so executed.

27 (4) Members of the Council who are not public officers shall be paid  
28 off of moneys at the disposal of the Council such enumeration; fee or  
29 allowances in accordance with such scale as may be approved, from time to  
30 time, by the President.

1                   (5) The validity of any proceedings of the Council of a committee  
2                   thereof shall not be adversely affected by a vacancy in the membership of the  
3                   Council of a committee or by reason that a person not entitled to do so took  
4                   part in the proceedings.

5                   (6) Any member of the Council or any person holding office in a  
6                   committee of the Council who has a personal interest in any contract or  
7                   arrangement entered into or proposed to be considered by the Council or  
8                   committee thereof shall forthwith disclose his interest to the Council or  
9                   committee and shall not vote on any question relating to the contract or  
10                  arrangement.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Institute for Construction Technology and Management Mbamba, Adamawa State (Establishment) Bill, 2022 to provide for full-time courses of instruction and training in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and other fields of study and to make provisions for the general administration of the Institute.



# A BILL

## FOR

AN ACT TO AMEND THE BANKS AND OTHER FINANCIAL INSTITUTIONS ACT, 2020 TO REGULATE THE OPERATIONS OF POS OPERATORS 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 Banks and other Financial Institution Act, Laws of the  
2           Federation of Nigeria 2020 (hereinafter referred to as the "Principal Act") is  
3           amended as set out in this Bill. Amendment of  
the Principal Act
- 4           **2.** A new Chapter C, Part VIII, Section 63 of the Principal Act is Introduction of  
a new Chapter  
5           hereby introduced, while the previous Chapter C, Part VIII, Section 63 of the  
6           Principal Act becomes chapter D, Part IX as follows;  
7           CHAPTER C - POINT OF SALE (POS) AUTHORISATION / REGULATION PART  
8           VIII - DUTIES AND RESPONSIBILITIES OF THE ISSUING BANK/INSTITUTION,  
9           MERCHANT POS OPERATOR AND AGENT POS OPERATOR  
10           63.-(1) All issuing Bank / Institution upon the commencement of  
11           this Act shall carry out accreditation exercise of all POS Agents-  
12           (a) Upon accreditation all Agent POS operators shall be issued a  
13           POS operation licence;  
14           (b) Any Agent POS operator who carries out business without a  
15           licence shall be guilty of an offence and shall be liable to imprisonment for  
16           a term of not less than 2yrs;  
17           (c) From the commencement of this Act all Agent POS operators  
18           shall maintain a uniform rate charge on each transaction to be determined by  
19           the issuing bank / Institution subject to CBN's transaction policies.  
20           (2) All issuing Bank / Institution shall maintain a complete register

1 of all Merchant POS operator and Agent POS operator before issuing out POS:

2 (a) The data of Merchant POS operator or Agent POS operator shall  
3 include the following;

4 (i) Full name of the Merchant/Agent;

5 (ii) Date of Birth;

6 (iii) Address of POS stand/Place of Business;

7 (iv) State of Origin;

8 (v) Local Government Area;

9 (vi) BVN;

10 (vii) Means of Identification;

11 (viii) Phone No;

12 (ix) Number of POS device and serial numbers.

13 (3) All Merchant POS Operator and Agent POS Operator who has  
14 gotten their POS before the commencement of this Act shall immediately be  
15 invited for proper documentation by the issuing bank / institution.

16 (4) Every issuing Bank / Institution who refuses to collate the data of  
17 all Merchant POS Operator and Agent POS Operator shall be guilty of an  
18 offence and shall be held liable to a fine of 10 Million Naira.

19 (5) As from the commencement of this Act, any Merchant POS  
20 Operator and Agent POS Operator whose details is not fully collated at his/her  
21 issuing Bank / Institution is guilty of an offence and shall be punished with a  
22 term not less than 2 years.

23 (6) All POS issued to Merchants Operator shall be properly collated  
24 and differentiated from those issued to Agent Operator by the issuing Bank  
25 institution.

26 (7) All issuing bank! Institution shall have a complete data of both  
27 Merchant POS Operator and Agent POS operator and a complete data of each  
28 POS Issued yearly.

29 (8) Charges collected by all issuing banks/institution from Merchant  
30 POS Operator shall be at flat rate.



1                    (9) Charges collected by all issuing banks/ institution from Agent  
2      POS Operator shall be at flat rate.

3                    64. - Duties of Agent POS Operator to customers:

4                    (1) All Agent POS Operator shall maintain a record book  
5      containing the information of each transaction carried out on a daily basis;

6                    (2) The information required shall include the following:

7                    (a) Name of Customer;

8                    (b) Phone Number;

9                    (c) and a screen shot of the valid ID card of every customer.

10                   (3) No Agent POS Operator is allowed to carry on transaction for  
11      any customer except the information of that customer is made available by  
12      the customer.

13                   (4) Any Agent POS Operator who carries out transaction for a  
14      customer without collecting the complete details of that customer is guilty of  
15      an offence and shall be liable for 2 years imprisonment.

16                   (5) where an illegal and unauthorized withdrawal is traceable from  
17      any Agent POS Operator, such Operator shall be invited for investigation by  
18      the appropriate authority.

19                   **3.** The Bill may be cited as the Banks and Other Financial      Citation  
20      Institution Act, (Amendment) Bill, 2022.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Banks and other Financial Institution Act, Laws of the Federation of Nigeria 2020, to regulate the operations of pas operators to strengthen their operations and to further reduce the fraudulent activities carried out through such avenue.



INVENTORY AND INDUSTRIAL TECHNOLOGY BILL, 2022

ARRANGEMENT OF SECTIONS

*Section:*

*Establishment of the Institute of Inventory and Industrial Technology*

1. Establishment of the Institute of Inventory and Industrial Technology
2. Governing Council of the Institute
3. Membership of the Council
4. Powers of the Council
5. Objectives and functions of the Institute
6. Provisions of library facilities

*Staff of the Institute*

7. The Director of the Institute
8. Appointment of other staff of the Institute
9. Pensions

*Financial provisions*

11. Establishment of fund of the Institute
12. Power to accept gifts
13. Borrowing power, etc.
14. Annual estimates, accounts and audit

*Miscellaneous and supplementary provisions*

15. Annual reports
16. Staff regulations
17. Discipline of students
18. Interpretation
19. Short title

Schedule

Supplementary provisions relating to the Council



## A BILL

### FOR

AN ACT TO ESTABLISH THE INSTITUTE OF INVENTORY AND INDUSTRIAL TECHNOLOGY, SAPELE DELTA STATE, TO AMONGST OTHER THINGS, PROVIDE FOR FULL OR PART -TIME COURSES OF INSTRUCTION AND TRAINING OF SPECIALIZED TECHNICIANS, INDUSTRIAL AUTOMATION ENGINEERING AND TECHNOLOGIST SUITABLE FOR EMPLOYMENT IN VARIOUS FIELDS SUCH AS; MANUFACTURING, POWER GENERATION, MECHATRONICS, MECHANICAL, MINING AND CHEMICAL MANAGEMENT AND GENERAL DEVELOPMENT OF THE INDUSTRIAL SECTOR OF THE ECONOMY AND FOR RELATED MATTERS

*Sponsored by Hon. Oberuakpefe Anthony Afe*

[ ] Commencement

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

1        *Establishment of the Institute of Inventory and Industrial Technology*

2                1.-(1) There is hereby established a body to be known as the  
3        Institute of Inventory and Industrial Technology, Sapele, Delta State (in this  
4        Bill referred to as "the Institute") which shall have the functions assigned to  
5        it by this Bill.

Establishment of  
the Institute of  
Inventory and  
Industrial Technology,  
Sapele Delta State

6                (2) The Institute shall be a body corporate with perpetual  
7        succession and a common seal and shall have power to acquire property and  
8        may sue and be sued in its corporate name.

9                2.-(1) The government of the Institute and the direction of its  
10        affairs shall vest in the Governing Council of the Institute (in this Bill  
11        referred to as "the Council").

Governing Council  
of the Institute

12                (2) Without prejudice to the generality of subsection (1) of this  
13        section and subject to this Bill, it shall be the responsibility of the Council to  
14        consider and approve:

Membership  
of the Council

- 1 (a) the plan of activities and general policy of the Institute;  
2 (b) the program of studies, courses and research to be undertaken by  
3 the Institute;  
4 (c) the annual estimates of the income and expenditure of the  
5 Institute; and  
6 (d) the investment plans of the Institute.
- 7 **3.-(1)** The Council shall consist of a chairman to be appointed by the  
8 President, and the following other members, that is:  
9 (a) one representative each of the Federal Ministries charged with  
10 responsibility for matters relating to:  
11 (i) the Institute;  
12 (ii) the Ministry of Science and Technology;  
13 (iii) national planning; and  
14 (iv) education.  
15 (b) one representative of the Manufacturing Association of Nigeria;  
16 (c) one representative of the Federal institute of industrial research;  
17 (d) one representative of the Manufacturing Association of Nigeria;  
18 (e) one representative of the Nigerian Society of Engineers;  
19 (f) one representative of the Director of the Institute;  
20 (h) such other persons as the President may from time to time appoint.
- 21 (2) Subject to subsection (3) of this section, a person appointed as a  
22 member of the Council (not being some ex-officio member) shall hold office  
23 for four years and shall be eligible for re-appointment for only one further  
24 period of four years.
- 25 (3) The President may terminate the appointment of a member of the  
26 Council if it is satisfied that it is no longer in the interest of the Institute that the  
27 person concerned should continue in office.
- 28 (4) The supplementary provisions contained in the Schedule to this  
29 Bill shall have effect with respect to the proceedings of the Council and the  
30 other matters therein mentioned.

- 1                   **4.-(1)** For the purpose of carrying out the functions of the Institute      Powers of the  
2                   as specified in this Bill, the Council shall have power to:      Council
- 3                   (a) determine the general policy of the Institute;
- 4                   (b) prescribe the fees to be charged for courses of instruction and  
5                   other services offered by the Institute;
- 6                   (c) prescribe, monitor and regulate the organization and  
7                   management of the Institute;
- 8                   (d) establish such departments, divisions, schools, extra-mural  
9                   departments and other teaching and research units within the Institute as  
10                  may from time to time seem to the Council to be necessary or desirable;
- 11                  (e) institute lectureships and other posts and offices and to make  
12                  appointments thereto;
- 13                  (f) provide for the discipline and welfare of members of staff of the  
14                  Institute;
- 15                  (g) institute and award fellowships, scholarships, exhibitions,  
16                  bursaries, medals, prizes and other titles, distinctions, awards and forms of  
17                  assistance;
- 18                  (h) arrange for the general welfare of children of members of staff;
- 19                  (i) erect, provide, equip and maintain libraries, laboratories, lecture  
20                  halls, halls of residence, refectories, sports grounds, playing fields and other  
21                  buildings or structures necessary for the Institute; and
- 22                  (j) carry out such other activities as are necessary and expedient  
23                  for the full discharge of any of its functions under or pursuant to this Bill.
- 24                  **(2)** Notwithstanding any other provisions of this Bill, the Council  
25                  shall not establish additional educational unit within the Institute without  
26                  the prior approval of the Minister.
- 27                  **5.** The objectives of the Institute shall be:      Objectives and  
28                  (a) to provide for full or part-time courses of instruction and      functions of the  
29                  specialized technicians, industrial automation engineering and technologist      Institute  
30                  suitable for employment in various fields such as; manufacturing, power

1 generation, mechatronics, mechanical, mining and chemical management and  
2 general development of the industrial sector of the economy;

3 (b) to provide training of specialized technicians, hardware Industrial  
4 engineers and technologist suitable for employment in various fields of  
5 engineering, such as; Applied Engineering, Automotive Engineering,  
6 Industrial Hardware Engineering, Computer Software, Engineering Design,  
7 Drafting Engineering, Material Science Engineering, Welding and Fabrication  
8 etc;

9 (c) to provide basic standard and specialized courses of instruction  
10 leading to the award of qualifications, certificates and diplomas in the area of  
11 industrial Engineering, Environmental Engineering, Polymer Science, Design  
12 drafting, Engineering with a view to developing a store of technically  
13 competent Engineers, highly skilled and efficient hardware production and  
14 operators to boost the economy of the country;

15 (d) to organize course of instruction and provide necessary facilities  
16 for the pursuit and acquisition of diplomas, certificate and other qualifications  
17 such as other professions allied to Industrial Engineering as the council may  
18 determine;

19 (e) to provide template for approved training in the design,  
20 installation, maintenance, operation, fabrication and modernization of  
21 technical equipment relevant in all forms of Industrial Engineering Sector;

22 (f) to promote or undertake such other activities (not inconsistent with  
23 the foregoing provisions of this section) as the Council considers will help to  
24 further the objectives of the Institute;

25 (g) to award certificates of attendance to those who participate and  
26 attain a sufficiently satisfactory standard in any of the courses organized by the  
27 Institute.

Provision of  
library facilities

28 6. The Institute shall establish and maintain a library comprising such  
29 books, records, reports and other publications as may be directed by the  
30 Council for the advancement of knowledge in the areas of work undertaken by



1 it, for research purposes and for other purposes connected with the functions  
2 conferred on the Institute by or pursuant to this Bill.

3 *Staff of the Institute*

4 7.-(1) There shall be an officer of the Institute to be known as the The Director of  
5 Director. the Institute

6 (2) The Director shall be appointed by the President.

7 (3) The Director shall be the chief executive of the Institute and be  
8 responsible to the Council for the day-to-day management of the affairs of  
9 the Institute.

10 (4) The Director shall hold office on such terms and conditions as  
11 may be specified in his letter of appointment and on such other terms and  
12 conditions as may be determined from time to time by the Council with the  
13 concurrence of the President.

14 8.-(1) There shall be appointed by the Council the following Appointment of  
15 officers of the Institute, that is: other staff of the  
Institute

16 (a) the deputy Director;

17 (b) The Registrar;

18 (c) the heads of the various academic units; and

19 (d) the Bursar.

20 (2) The Deputy Director shall be the deputy chief executive of the  
21 Institute and shall be responsible to the Director.

22 (3) The heads of the various academic units shall be responsible to  
23 the Director for planning, organizing, coordinating and conducting the  
24 courses and other studies undertaken by their respective units of the Institute  
25 including collation and publication of course materials and other written  
26 materials relating thereto.

27 (4) The Registrar shall be responsible to the Director for the day-to-  
28 day administration of the Institute and in addition shall keep in safe custody  
29 all records of the Institute.

30 (5) The Bursar shall be responsible to the Director for the finances

1 and accounts of the Institute.

2 (6) There may be appointed from time to time by the Council such  
3 other staff as may be required for the purpose of the efficient performance of  
4 the function conferred on the Institute under this Bill.

Pensions

5 9.-(1) It is hereby declared that service in the Institute shall be public  
6 service for the purposes of the Pensions Bill and, accordingly, officers and  
7 other persons employed in the Institute shall in respect of their service in the  
8 Institute be entitled to pensions, gratuities and other retirement benefits as are  
9 prescribed thereunder, so however that nothing in this Bill shall prevent the  
10 appointment of a person to any office on terms which preclude the grant of a  
11 pension or gratuity in respect of that office.

12 (2) For the purposes of the application of the provisions of the  
13 Pensions Bill any power exercisable thereunder by a Minister or other  
14 authority of the Government of the Federation (not being the power to make  
15 regulations under section 23 thereof), is hereby vested in and shall be  
16 exercisable by the Council and not by any other person or authority.

17 *Financial provisions*

Establishment  
of fund of the  
Institute

18 10.-(1) The Institute shall establish and maintain a fund which shall be  
19 applied towards the promotion of the objectives specified in this Bill.

20 (2) There shall be paid and credited to the fund established pursuant to  
21 subsection (1) of this section:

22 (a) such sums as may be provided by the Government of the  
23 Federation for payment into the fund;

24 (b) any fees charged for services rendered by the Institute; and

25 (c) all other sums accruing to the Institute by way of gifts,  
26 testamentary disposition and endowments or contributions from philanthropic  
27 persons or organizations or otherwise howsoever.

Power to accept  
gifts

28 11.-(1) The Institute may accept gifts of land, money or other property  
29 upon such terms and conditions, if any, as may be specified by the person or  
30 organization making the gift.

1                   (2) The Institute shall not accept any gift if the conditions attached  
2                   by the person or organization making the gift to the acceptance thereof are  
3                   inconsistent with the functions of the Institute.

4                   **12.** -(1) The Council may with the consent or in accordance with  
5                   any general authority given by the President borrow by way of loan or  
6                   overdraft from a source approved by the President, such specified amount of  
7                   money as may be required by the Institute for meeting its obligations and  
8                   discharging its functions under this Bill.

Borrowing  
power, etc.

9                   (2) The Council may, subject to the provisions of this Bill and the  
10                  conditions of any trust created in respect of any property, invest all or any of  
11                  its funds with the like consent or general authority as are mentioned in  
12                  subsection (1) of this section.

13                  (3) The Council may invest any surplus funds of the Institute in  
14                  securities prescribed by the Trustee Investments Bill or such other securities  
15                  as may from time to time be approved by the Minister.

16                  (4) Subject to the provisions of the Land Use Bill, and any special  
17                  or general direction which the Minister may give in that behalf, the Council  
18                  may acquire or lease any land required for its purpose under this Bill.

19                  **13.**-(1) The Council shall cause to be prepared, not later than six  
20                  months before the end of each financial year or such other time as the  
21                  Minister may direct, an estimate of the expenditure and income of the  
22                  Institute during the next succeeding financial year and when prepared they  
23                  shall be submitted through the Minister for approval by the President.

Annual estimates,  
accounts and audit

24                  (2) The Council shall cause to be kept proper accounts and proper  
25                  records in relation thereto and when certified by the Council such accounts  
26                  shall be audited as provided in subsection (3) of this section.

27                  (3) The accounts of the Institute shall be audited as soon as may be  
28                  after the end of each financial year by auditors appointed from the list of  
29                  auditors and in accordance with the guidelines issued by the Auditor-  
30                  General for the Federation and the fees of the auditors and the expenses for

	1	the audit generally shall be paid from the fund of the Institute.
	2	<i>Miscellaneous and supplementary provisions</i>
Annual reports	3	<b>14.</b> The Council shall, not later than six months after the end of each
	4	financial year, submit through the Minister to the President a report on the
	5	activities of the Institute and its administration during the immediately
	6	preceding year and shall include in such report the audited accounts of the
	7	Institute and the auditor's comments thereon.
Staff regulations	8	<b>15.</b> -(1) The Institute may, subject to the provisions of this Bill, make
	9	staff regulations relating generally to the conditions of service of the
	10	employees of the Institute and, without prejudice to the generality of the
	11	foregoing, such regulations may provide for:
	12	(a) the appointment, promotion and disciplinary control (including
	13	dismissal) of employees of the Institute; and
	14	(b) appeals by such employees against dismissal or other disciplinary
	15	measures, and until such regulations are made, any instrument relating to the
	16	conditions of service of officers in the civil service of the Federation shall be
	17	applicable, with such modifications as may be necessary, to the employees of
	18	the Institute.
	19	(2) Staff regulations made under subsection (1) of this section shall
	20	not have effect until approved by the Minister, and when so approved they need
	21	not be published in the Federal Gazette but the Council shall cause them to be
	22	brought to the notice of all affected persons in such manner as it may from time
	23	to time determine.
Discipline of students	24	<b>16.</b> -(1) Subject to the provisions of this section, where it appears to
	25	the Director that any student of the Institute has been guilty of misconduct, the
	26	Director may, without prejudice to any other disciplinary powers conferred on
	27	him by rules, direct:
	28	(a) that the student shall not, during such period as may be specified in
	29	the direction, participate in such activities of the Institute as may be so
	30	specified; or

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

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

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

7 (2) Where a direction is given under subsection (1) of this section  
8 in respect of any student, the student may within the prescribed period and in  
9 the prescribed manner, appeal from the direction to the Council, and where  
10 such an appeal is brought, the Council shall, after causing such inquiry to be  
11 made in the matter as the Council considers just, either confirm or set aside  
12 the direction or modify it in such manner as the Council thinks fit.

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

16 **17.** In this Bill, unless the context otherwise requires:

Interpretation

17 "Council" means the Governing Council of the Institute constituted under  
18 section 2 of this Bill;

19 "chairman" means the chairman of the Council;

20 "Director" means the Director of the Institute;

21 "Institute" means the Institute of Inventory and Industrial Technology  
22 established by section 1 of this Bill;

23 "member" includes the chairman of the Council;

24 "Minister" means the Minister charged with responsibility for matters  
25 relating to the Institute and "Ministry" shall be construed accordingly.

26 **18.** This Bill may be cited as the Institute of Inventory and  
27 Industrial Technology Bill, 2022.

Short title

## EXPLANATORY MEMORANDUM

This Bill seeks to establish the Institute of Inventory and Industrial Technology, Sapele to ensure the study and research of energy related field in the country. The institute is a specialized institution with restricted programmes.

## 1 SCHEDULE

2 [Section 3 (4).]

## 3 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

4 *Proceedings of the Council*

5 1.-(1) Subject to this Bill and to section 27 of the Interpretation Bill  
6 (which provides for the decisions of a statutory body to be taken by a  
7 majority of the members of the body and for the person presiding to have a  
8 second or casting vote), the Council may make standing orders regulating its  
9 proceedings or of any committee thereof.

10 (2) The quorum at any meeting of the Council shall be seven and  
11 the quorum of any committee of the Council shall be determined by the  
12 Council.

13 2.-(1) The Council shall meet not less than four times in each year  
14 and, subject thereto, the Council shall meet whenever it is summoned by the  
15 chairman; and if the chairman is required to do so by notice given to him by  
16 not less than five other members, he shall summon a meeting of the Council  
17 to be held within fourteen days from the date on which the notice is given.

18 (2) At any meeting of the Council the chairman shall preside but if  
19 he is absent, the members present at the meeting shall appoint one of their  
20 number to preside at that meeting.

21 (3) Where the Council desires to obtain the advice of any person on  
22 a particular matter, the Council may co-opt him as a member for such period  
23 as it thinks fit but a person who is a member by virtue of this sub-paragraph  
24 shall not be entitled to vote at any meeting of the Council and shall not count  
25 towards the quorum.

26 (4) Notwithstanding anything in the foregoing provisions of this  
27 paragraph, the first meeting of the Council shall be summoned by the  
28 Minister.

29 (5) The validity of any proceedings of the Council or of a  
30 committee thereof shall not be affected by any vacancy in the membership

1 of the Councilor committee, or by any defect in the appointment of a member  
2 of the Councilor committee, or by reason that a person not entitled to do so took  
3 part in the proceedings.

4 *Committees*

5 3.-(1) The Council may appoint one or more committees to carry out,  
6 on behalf of the Council, such of its functions as the Council may determine.

7 (2) A committee appointed under this paragraph shall consist of such  
8 number of persons (not necessarily all members of the Council) as may be  
9 determined by the Council and a person other than a member of the Council  
10 shall hold office on the committee in accordance with the terms of his  
11 appointment.

12 (3) A decision of a committee of the Council shall be of no effect until  
13 it is confirmed by the Council.

14 *Miscellaneous*

15 4.-(1) The fixing of the seal of the Institute shall be authenticated by  
16 the signature of the chairman or of some other member authorized generally or  
17 specially to Bill for that purpose by the Council.

18 (2) Any contract or instrument which, if made or executed by a person  
19 not being a body corporate, would not be required to be under seal may be made  
20 or executed on behalf of the Institute by the Director or any person generally or  
21 specially authorized to Bill for that purpose by the Council.

22 (3) Any document purporting to be a document duly executed under  
23 the seal of the Institute shall be received in evidence and shall, unless the  
24 contrary is proved, be presumed to be so executed.

25 5. Members of the Council who are not public officers shall be paid  
26 out of monies at the disposal of the Council such remuneration, fees or  
27 allowances in accordance with such scales as may be approved from time to  
28 time by the President.



1                   6. Any member of the Council or a committee thereof who has a  
2           personal interest in any contract or arrangement entered into or proposed to  
3           be considered by the Council or a committee thereof shall forthwith disclose  
4           his interest to the Council and shall not vote on any question relating to such  
5           contract or arrangement.



FEDERAL COLLEGE OF NURSING AND MIDWIFERY BOLE, ADAMAWA  
STATE (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF CLAUSES

*Clause:*

1. Establishment of Federal College of Nursing and Midwifery Bole,  
Adamawa State
2. Establishment and Functions of the Governing Council of the  
College
3. Membership of the Governing Council of the College
4. Tenure of Members of the Council
5. Objectives of the College
6. Powers of the Council
7. Visitation
8. The Academic Board and its Functions
9. Powers of the Minister
10. The Provost of the College
11. Deputy Provost
12. The Registrar and other Staff of the College
13. Other Principal Officers of the College
14. Resignation of Appointment of Principal Officers
15. Other employees of the College
16. Pensions
17. Selection Board for other Principal Officers
18. Fund of the College
19. Power to accept gifts
20. Account and Audit
21. Annual Reports
22. Interpretation
23. Citation



# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF NURSING AND MIDWIFERY BOLE, ADAMAWA STATE TO PROVIDE TRAINING IN NURSING AND MIDWIFERY AND OTHER SPECIALTIES OF MEDICINE AND TO MAKE PROVISION FOR THE GENERAL ADMINISTRATION OF THE COLLEGE AND FOR RELATED MATTERS

*Sponsored by Hon. Jafaru Suleiman Ribadu*

[ ] Commencement

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

- 1           **1.**-(1) There is established the Federal College of Nursing and  
2           Midwifery Bole, Adamawa State (in this Bill referred to as "the College").  
3           (2) The College shall be a body corporate with perpetual  
4           succession and a common seal.  
5           (3) The College may sue and be sued in its corporate name.  
6           **2.**-(1) There is established for the College, a governing council  
7           (herein referred to as "the Council").  
8           (2) The Council shall have the responsibility to consider and  
9           approve:  
10           (a) The Programme of studies to be undertaken in the College;  
11           (b) The annual estimates of the college and  
12           (c) The investment plan of the college.  
13           (3) The provisions of the schedule to this Bill shall have effect with  
14           respect to the council as mentioned herewith.  
15           **3.**-(1) The Council of the college shall consist of:  
16           (a) A Chairman and other members to be appointed by the  
17           President;  
18           (b) A representative of the Federal Ministry of Education;

Federal College  
of Nursing and  
Midwifery Bole,  
Adamawa State

Establishment  
and Functions of  
the Governing  
Council of the  
College

Membership of  
the Council of the  
College

	1	(c) A representative of the University to which the college is affiliated
	2	for the purpose of moderation;
	3	(d) Two representatives of the academic board of the College;
	4	(e) A representative of the Alumni Association of the College;
	5	(f) A representative of the National Board for Technical Education;
	6	and
	7	(g) The Provost of the College.
Tenure of Members of the Council	8	<b>4.-(1)</b> A member of the council (other than the ex-officio members)
	9	shall hold office for a term of four years and subject to the provision of
	10	subsection (2) of this section shall be eligible for re-appointment for a further
	11	period of four years and no more.
	12	(2) The office of a member appointed under section 3 of this Bill shall
	13	become vacant if:
	14	(a) The member resigns from office by notice in writing under his
	15	hand addressed to the Minister; or
	16	(b) The Minister is satisfied that it is not in the interest of the college
	17	for the person appointed to continue in office and notifies the person in writing
	18	to that effect.
Objectives of the College	19	<b>5.</b> The objectives of the college shall be:
	20	(a) To provide training and research in Nursing, Midwifery and other
	21	specialties of Nursing leading to the award of Professional Certificates,
	22	Diplomas, Degrees and other Post Basic Certificates;
	23	(b) To provide avenues for continuing education in Nursing,
	24	Midwifery and other specialties of Nursing;
	25	(c) To provide such services that are necessary and incidental to the
	26	objectives of the College;
	27	(d) To organize conferences, seminars and workshops related to the
	28	objectives of the college; and
	29	(e) To perform such other functions as in the opinion of the council
	30	may serve to promote the objective of the college.

- |    |   |                          |
|----|---|--------------------------|
| 1  | <b>6.-(1)</b> The council of the college shall have power to:                 | Powers of the<br>Council |
| 2  | (a) Hold examinations and grant Diploma, Higher National                      |                          |
| 3  | Diploma Certificates, Professional Certificates and other distinctions to     |                          |
| 4  | persons, who have pursued approved courses in the college;                    |                          |
| 5  | (b) Hold examinations in Nursing and Midwifery;                               |                          |
| 6  | (c) Recruit staff and determine structure of such staff;                      |                          |
| 7  | (d) Demand and receive from any student or any other person                   |                          |
| 8  | attending the college for the purpose of instruction such fees as the council |                          |
| 9  | may with the approval of the Minister from time to time determine;            |                          |
| 10 | (e) Hold public lectures and undertake printing, publishing and               |                          |
| 11 | bookselling;  |                          |
| 12 | (f) Award fellowship, medals prizes and other titles;                         |                          |
| 13 | (g) Establish and maintain such schools and other teaching units              |                          |
| 14 | within the college or extra moral departments as the council may from time    |                          |
| 15 | to time determine;  |                          |
| 16 | (h) Erect, provide, equip and maintain such educational, nursing              |                          |
| 17 | and midwifery facilities as the college may require;                          |                          |
| 18 | (i) Create lectureships and other academic post and offices and to            |                          |
| 19 | make appointment thereof;   |                          |
| 20 | (j) Receive and make gifts;   |                          |
| 21 | (k) Enter into such contracts as may be necessary or expedient for            |                          |
| 22 | carrying into effect the objectives of the college;                           |                          |
| 23 | (l) Provide amenities for and make such other provision for the               |                          |
| 24 | welfare of the staff and students of the college;                             |                          |
| 25 | (m) Encourage and make provision for research in the college;                 |                          |
| 26 | (n) Do such acts and things whether or not incidental to the                  |                          |
| 27 | foregoing power as may advance the objects of the college.                    |                          |
| 28 | (2) Subject to the provisions of this Bill, the powers conferred on           |                          |
| 29 | the college shall be exercisable on behalf of the college by the governing    |                          |
| 30 | council.  |                          |

Visitation	1	<b>7.</b> -(1) The Minister for Education shall be the Visitor of the College.
	2	(2) The visitor shall as often as circumstances may require, not less
	3	than once in every five years conduct a visitation to the College or appoint a
	4	visitation panel consisting of not less than five experts to conduct the visitation:
	5	(a) For the purpose of evaluating the academic and administrative
	6	performance of the college; or
	7	(b) For such other purpose as the Visitor may deem fit.
Academic Board and Functions	8	<b>8.</b> -(1) There shall be established for the College a Board to be known
	9	as the Academic Board which shall consist of the following members:
	10	(a) The Provost of the College as the Chairman;
	11	(b) All Heads of Departments;
	12	(c) The College Bursar;
	13	(d) The College Librarian;
	14	(e) Not more than three members of the Academic staff other than the
	15	Heads of Departments to be appointed by the Council.
	16	(2) The Academic Board shall be responsible for:
	17	(a) The direction and management of academic matters of the College
	18	including the regulation of admission of students, the award of certificates,
Powers of the Minister	19	scholarships, prizes and other academic distinctions;
	20	(b) Discharging any other function(s) which the council may from
	21	time to time delegate to it.
	22	<b>9.</b> The Minister may give to the council directions of a general
	23	character or relating generally to matters with regard to the exercise by the
	24	Council of its functions and it shall be the duty of the Council to comply with
	25	such directions.
The Provost of the College	26	<b>10.</b> -(1) There shall be a Provost for the college (hereinafter referred to
	27	as 'the Provost') who shall be appointed by the President on the
	28	recommendation of the Minister.
	29	(2) Where a vacancy occurs in the post of Provost, the Council shall:



1 (a) Advertise the vacancy in a widely read newspaper in Nigeria

2 stating:

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

4 (ii) The terms and conditions of service applicable to the post and  
5 thereafter draw up a short list of suitable candidates for consideration of the  
6 Minister.

7 (3) The President shall appoint as Provost one of the candidates  
8 recommended by the Minister.

9 (4) Subject to the general control of the Council the Provost shall  
10 be the Chief Executive of the College and shall be charged with general  
11 responsibility for matters relating to the day-to-day management and  
12 operations of the College.

13 (5) The Provost shall hold office for a period of five years only and  
14 on such terms and conditions as may be specified in his letter of  
15 appointment.

16 **11.**-(1) There shall be for the college two Deputy Provosts namely: Deputy Provost  
17 Deputy Provost (Administration) and Deputy Provost (Academics).

18 (2) The Council shall select the Deputy Provosts from among the  
19 chief lecturers in the College in any of the following ways, that is:

20 (a) From a list of five preferred candidates submitted by the  
21 Provost;

22 (b) On the recommendation of a selection Board set up for that  
23 purpose;

24 (c) On the recommendation of the Provost

25 (3) The selection Board referred to in subsection (2) (b) of this  
26 section shall consist of:

27 (i) The Chairman of the Council;

28 (ii) The Provost of the College;

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

1 (iv) Two members of the Council who are not of the Academic Board.

2 (4) (a) The Deputy Provost (Administration) shall:

3 (i) Assist the Provost in administrative matters of the college; and

4 (ii) Act as the Provost when the post of the Provost is vacant or if the  
5 Provost is for any reason, absent or unable to perform his function.

6 (b) The Deputy Provost (Academics) shall:

7 (i) Assist the Provost in the performance of his functions in Academic  
8 matters of the college;

9 (ii) Perform such other functions as the Provost or the council may  
10 from time to time assign to him.

11 (5) Each of the Deputy Provosts shall hold office for a period of two  
12 years and no more.

The Registrar  
of the College

13 **12.**-(1) There shall be a Registrar for the College to be appointed by  
14 the Council.

15 (2) The Registrar shall keep the records and conduct the  
16 correspondence of the Council.

17 (3) The Registrar shall be the Secretary to:

18 (a) The Council;

19 (b) The Academic Board; and

20 (c) Any Committee of the Council.

21 (4) The Registrar may perform any duty as may be assigned to him by  
22 the Council or the Provost.

23 (5) The Registrar shall hold office for a period of five years and no  
24 more.

Other Principal  
Officers of the  
College

25 **13.**-(1) There shall be for the college in addition to the Registrar:

26 (a) The Bursar; and

27 (b) The College Librarian who shall be appointed by the Council.

28 (2) The Bursar shall be the chief financial officer of the college and be  
29 responsible to the Provost for the day-to-day administration and control of the  
30 financial affairs of the college.

1 (3) The College Librarian shall be responsible to the Provost for the  
2 administration of the college library and the coordination of the library  
3 services in the teaching units of the College.

4 (4) The Bursar and the College Librarian shall each hold office for  
5 a period of five years and no more.

6 **14.** A Principal Officer of the College may resign his appointment:

Resignation of  
Appointment of  
Principal Officers  
of the College

7 (a) In case of the Provost by notice to the Visitor; and

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

9 **15.-(1)** The Council may appoint other persons to be employees of  
10 the College as the Council may deem fit, to assist the Provost and the  
11 Principal Officers of College in the performance of their functions.

Other employees  
of the College

12 (2) The remuneration, tenure of office and conditions of service of  
13 such employees of the college shall be determined by the Council in  
14 consultation with the Federal Civil Service Commission.

15 **16.** Service in the College shall be approved service for the  
16 purpose of the Pension Reform Act, 2004 and accordingly, officers and other  
17 persons employed of the College shall be entitled to pension's gratuity and  
18 other retirement benefits as may be prescribed in their respective letters of  
19 appointment.

Pensions

20 **17.-(1)** There shall be a selection Board for the College, consisting  
21 of:

Selection Board  
for other Principal  
Officers

22 (a) The Chairman of the Council;

23 (b) The Provost of the College;

24 (c) Four Members of Council, not members of the Academic Board

25 and;

26 (d) Two members of the Academic Board.

27 (2) The functions, procedure and other matters relating to the  
28 selection Board constituted under subsection (1) of this section shall be  
29 determined from time to time by the Council.

Fund of the College	<p>1                   <b>18.</b>-(1) The college shall establish and maintain a fund which shall be</p> <p>2                   applied towards the promotion of the objectives of the college.</p>
	<p>3                   (2) There shall be paid and credited to the fund established under</p> <p>4                   subsection (1) of this section:</p>
	<p>5                   (a) Such sums as may from time to time be granted by the Federal</p> <p>6                   Government through the National Commission for Colleges of Education;</p>
	<p>7                   (b) All monies raised by the Council by way of gifts, grants in aid or</p> <p>8                   testamentary disposition; and</p>
	<p>9                   (c) All subscription fees and charges for services rendered by the</p> <p>10                  College and all sums that may accrue to the College from any source.</p>
	<p>11                  (3) The council shall submit to the Minister through the National</p> <p>12                  Commission for Colleges of Education not later than three months to the end of</p> <p>13                  each financial year or at such times as he may direct an estimate of its revenue</p> <p>14                  and expenditure for the next succeeding financial year.</p>
Power to accept gifts	<p>15                  <b>19.</b>-(1) The College may accept gifts of loan, money, or of other</p> <p>16                  property upon such terms and conditions, if any as may be specified by the</p> <p>17                  person making the gifts.</p>
	<p>18                  (2) The College shall not accept any gift if the conditions attached to</p> <p>19                  the gift are inconsistent with the objectives of the College.</p>
Account and Audit	<p>20                  <b>20.</b> The College shall keep proper accounts of its receipt, payments,</p> <p>21                  assets and liabilities and shall in respect of each year cause the account to be</p> <p>22                  audited.</p>
Annual Reports	<p>23                  <b>21.</b> The Council shall as soon as may be after the expiration of each</p> <p>24                  financial year, prepare and submit to the Minister a Report of its activities</p> <p>25                  during the immediate preceding financial year and shall include in the Report a</p> <p>26                  copy of the audited accounts of the College for that year and of the auditor's</p> <p>27                  report of the accounts.</p>
Interpretation	<p>28                  <b>22.</b> In this Bill the under listed terms have the following meanings:</p> <p>29                  "Chairman" means Chairman of Council;</p> <p>30                  "College" means the Federal College of Nursing and Midwifery Bole,</p>

1 Adamawa State established under section (1) of this Bill;

2 "Council" means the Governing Council of the College established under  
3 section (2) of this Bill;

4 "Function" includes power and duties;

5 "Minister" means the Minister charged with responsibility for Education;

6 "Member" means a Member of the Council including the Chairman;

7 "Provost" means the Provost established in section (10) of this Bill.

8 **23.** This Bill may be cited as Federal College of Nursing and Short title  
9 Midwifery Bole, Adamawa State (Establishment) Bill, 2022.

1 SCHEDULE

2 [Section 2(3)]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

4 *Terms of Service*

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

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

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

15 *Proceedings*

16 4.-(1) The Council shall meet for the conduct of its business at such  
17 time, place and on such days as the Chairman may appoint but shall meet not  
18 less than once every four months.

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

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

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

28 (5) Decisions of the Council shall be made on approval by a simple  
29 majority of members.

1 *Miscellaneous*

2 5.-(1) The fixing of the seal of the college shall be authenticated by  
3 the signature of the Chairman, Provost and of some members of the Council  
4 authorized generally or specially by the Council to act for that purpose.

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Nursing and Midwifery Bole, Adamawa State, to provide training and research in nursing, midwifery and other specialties of nursing leading to the award of professional certificates, diplomas, degrees and other post basic certificate and to make provision for the general administration of the College.





FEDERAL COLLEGE OF FISHERIES AND AQUATIC STUDIES YOLDE PATE,  
ADAMAWA STATE (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF CLAUSES

*Clause:*

1. Establishment of Federal College of Fisheries and Aquatic Studies, Yolde Pate, Adamawa State
2. Establishment and Functions of the Governing Council of the College
3. Membership of the Governing Council of the College
4. Tenure of Members of the Council
5. Objectives of the College
6. Powers of the Council
7. Visitation
8. The Academic Board and its Functions
9. Powers of the Minister
10. The Provost of the College
11. Deputy Provost
12. The Registrar and other Staff of the College
13. Other Principal Officers of the College
14. Resignation of Appointment of Principal Officers
15. Other employees of the College
16. Pensions
17. Selection Board for other Principal Officers
18. Fund of the College
19. Power to accept gifts
20. Account and Audit
21. Annual Reports
22. Interpretation
23. Citation



FOR

*Sponsored by Hon. Jafaru Suleiman Ribadu*

[ ] Commencement

Establishment  
of the Federal  
College of Fisheries  
and Aquatic Studies,  
Yolde Pate,  
Adamawa State

6 (3) The College may sue and be sued in its corporate name.

### Establishment and Functions of the Governing Council of the College

13 (c) The investment plan of the college.

Membership of  
the Council of  
the College

17 (a) A Chairman and other members to be appointed by the  
18 President;

	1	(b) A representative of the Federal Ministry of Education;
	2	(c) A representative of the University to which the college is affiliated
	3	for the purpose of moderation;
	4	(d) Two representatives of the academic board of the College;
	5	(e) A representative of the Alumni Association of the College;
	6	(f) A representative of the National Board for Technical Education;
	7	and
	8	(g) The Provost of the College.
Tenure of Members of the Council	9	<b>4.-(1)</b> A member of the council (other than the ex-officio members)
	10	shall hold office for a term of four years and subject to the provision of
	11	subsection (2) of this section shall be eligible for re-appointment for a further
	12	period of four years and no more.
	13	(2) The office of a member appointed under section 3 of this Bill shall
	14	become vacant if:
	15	(a) The member resigns from office by notice in writing under his
	16	hand addressed to the Minister; or
	17	(b) The Minister is satisfied that it is not in the interest of the college
	18	for the person appointed to continue in office and notifies the person in writing
	19	to that effect.
Objectives of the College	20	<b>5.</b> The objectives of the college shall be:
	21	(a) To provide full-time academic programmes in relation to the
	22	training of manpower in fishery and aquaculture in Nigeria;
	23	(b) To encourage the teaching and learning in fishery and aquaculture;
	24	(c) To offer academic and professional programmes leading to the
	25	award of diplomas, higher national diplomas and other certificates in fishery
	26	and aquaculture and related fields of study;
	27	(d) To meet needs of Nigeria in the area of fishery and find solutions to
	28	fishery related problems for the purposes of national development;
	29	(e) To organize relevant research in fishery and aquaculture, with
	30	focus on the development of small-scale farming in Nigeria;

1 (f) To organize extension services and outreach programmes for  
2 technological transfer;

3 (g) To organize conferences, seminars and workshops related to the  
4 functions of the college; and

5 (h) To perform such other functions as in the opinion of the council  
6 may serve to promote the objective of the college.

7 **6.-(1)** The council of the college shall have power to:

Powers of the  
Council

8 (a) Hold examinations and grant Diploma, Higher National  
9 Diploma Certificates, Professional Certificates and other distinctions to  
10 persons, who have pursued approved courses in the college;

11 (b) Hold examinations in fishery and aquaculture;

12 (c) Recruit staff and determine structure of such staff;

13 (d) Demand and receive from any student or any other person  
14 attending the college for the purpose of instruction such fees as the council  
15 may with the approval of the Minister from time to time determine;

16 (e) Hold public lectures and undertake printing, publishing and  
17 bookselling;

18 (f) Award fellowship, medals prizes and other titles;

19 (g) Establish and maintain such schools and other teaching units  
20 within the college or extra moral departments as the council may from time  
21 to time determine;

22 (h) Erect, provide, equip and maintain such educational, fishing  
23 and aquatic facilities as the college may require;

24 (i) Create lectureships and other academic post and offices and to  
25 make appointment thereof;

26 (j) Receive and make gifts;

27 (k) Enter into such contracts as may be necessary or expedient for  
28 carrying into effect the objectives of the college;

29 (l) Provide amenities for and make such other provision for the  
30 welfare of the staff and students of the college;

	1	(m) Encourage and make provision for research in the college;
	2	(n) Do such acts and things whether or not incidental to the foregoing
	3	power as may advance the objects of the college.
	4	(2) Subject to the provisions of this Bill, the powers conferred on the
	5	college shall be exercisable on behalf of the college by the governing council.
Visitation	6	<b>7.</b> -(1) The Minister for Education shall be the Visitor of the College.
	7	(2) The visitor shall as often as circumstances may require, not less
	8	than once in every five years conduct a visitation to the College or appoint a
	9	visitation panel consisting of not less than five experts to conduct the visitation;
	10	(a) For the purpose of evaluating the academic and administrative
	11	performance of the college; or
	12	(b) For such other purpose as the Visitor may deem fit.
Academic Board and Functions	13	<b>8.</b> -(1) There shall be established for the College a Board to be known
	14	as the Academic Board which shall consist of the following members:
	15	(a) The Provost of the College as the Chairman;
	16	(b) All Heads of Departments;
	17	(c) The College Bursar;
	18	(d) The College Librarian;
	19	(e) Not more than three members of the Academic staff other than the
	20	Heads of Departments to be appointed by the Council.
	21	(2) The Academic Board shall be responsible for:
	22	(a) The direction and management of academic matters of the College
	23	including the regulation of admission of students, the award of certificates,
	24	scholarships, prizes and other academic distinctions;
	25	(b) Discharging any other function(s) which the council may from
	26	time to time delegate to it.
Powers of the Minister	27	<b>9.</b> The Minister may give to the council directions of a general
	28	character or 'elating generally to matters with regard to the exercise by the
	29	Council of its functions and it shall be the duty of the Council to comply with
	30	such directions.

- 1                   **10.**-(1) There shall be a Provost for the college (hereinafter referred to as the Provost') who shall be appointed by the President on the recommendation of the Minister. The Provost of  
the College
- 2
- 3
- 4                   (2) Where a vacancy occurs in the post of Provost, the Council shall:
- 5
- 6                   (a) Advertise the vacancy in a widely read newspaper in Nigeria stating:
- 7
- 8                   (i) The qualities of the person who may apply for the post;
- 9                   (ii) The terms and conditions of service applicable to the post and thereafter draw up a short list of suitable candidates for consideration of the Minister.
- 10
- 11
- 12                  (3) The President shall appoint as Provost one of the candidates recommended by the Minister.
- 13
- 14                  (4) Subject to the general control of the Council the Provost shall be the Chief Executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management and operations of the College.
- 15
- 16
- 17
- 18                  (5) The Provost shall hold office for a period of five years only and on such terms and conditions as may be specified in his letter of appointment.
- 19
- 20
- 21                  **11.**-(1) There shall be for the college two Deputy Provosts namely: Deputy Provost
- 22                  Deputy Provost (Administration) and Deputy Provost (Academics).
- 23
- 24                  (2) The Council shall select the Deputy Provosts from among the chief lecturers in the College in any of the following ways, that is:
- 25
- 26                  (a) From a list of five preferred candidates submitted by the Provost;
- 27
- 28                  (b) On the recommendation of a selection Board set up for that purpose;
- 29                  (c) On the recommendation of the Provost.
- 30                  (3) The selection Board referred to in subsection (2) (b) of this

1 section shall consist of:

2 (i) The Chairman of the Council;

3 (ii) The Provost of the College;

4 (iii) Two members of the Academic Board; and

5 (iv) Two members of the Council who are not of the Academic Board.

6 (4) (a) The Deputy Provost (Administration) shall:

7 (i) Assist the Provost in administrative matters of the college; and

8 (ii) Act as the Provost when the post of the Provost is vacant or if the

9 Provost is for any reason, absent or unable to perform his function.

10 (b) The Deputy Provost (Academics) shall:

11 (i) Assist the Provost in the performance of his functions in Academic

12 matters of the college;

13 (ii) Perform such other functions as the Provost or the council may

14 from time to time assign to him.

15 (5) Each of the Deputy Provosts shall hold office for a period of two

16 years and no more.

The Registrar  
of the College

17 **12.-(1)** There shall be a Registrar for the College to be appointed by

18 the Council.

19 (2) The Registrar shall keep the records and conduct the

20 correspondence of the Council.

21 (3) The Registrar shall be the Secretary to:

22 (a) The Council;

23 (b) The Academic Board; and

24 (c) Any Committee of the Council.

25 (4) The Registrar may perform any duty as may be assigned to him by

26 the Council or the Provost.

27 (5) The Registrar shall hold office for a period of five years and no

28 more.

Other Principal  
Officers of the  
College

29 **13.-(1)** There shall be for the college in addition to the Registrar:

30 (a) The Bursar; and



1 (b) The College Librarian who shall be appointed by the Council.

2 (2) The Bursar shall be the chief financial officer of the college and  
3 be responsible to the Provost for the day-to-day administration and control  
4 of the financial affairs of the college.

5 (3) The College Librarian shall be responsible to the Provost for the  
6 administration of the college library and the coordination of the library  
7 services in the teaching units of the College.

8 (4) The Bursar and the College Librarian shall each hold office for  
9 a period of five years and no more.

10 **14.** A Principal Officer of the College may resign his appointment:

Resignation of  
Appointment of  
Principal Officers  
of the College

11 (a) In case of the Provost by notice to the Visitor; and

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

13 **15.-(1)** The Council may appoint other persons to be employees of  
14 the College as the Council may deem fit, to assist the Provost and the  
15 Principal Officers of College in the performance of their functions.

Other employees  
of the College

16 (2) The remuneration, tenure of office and conditions of service of  
17 such employees of the college shall be determined by the Council in  
18 consultation with the Federal Civil Service Commission.

19 **16.** Service in the College shall be approved service for the  
20 purpose of the Pension Reform Act, 2004 and accordingly, officers and other  
21 persons employed of the College shall be entitled to pension's gratuity and  
22 other retirement benefits as may be prescribed in their respective letters of  
23 appointment.

Pensions

24 **17.-(1)** There shall be a selection Board for the College, consisting  
25 of:

Selection Board  
for other Principal  
Officers

26 (a) The Chairman of the Council;

27 (b) The Provost of the College;

28 (c) Four Members of Council, not members of the Academic Board

29 and;

30 (d) Two members of the Academic Board.

	1	(2) The functions, procedure and other matters relating to the
	2	selection Board constituted under subsection (1) of this section shall be
	3	determined from time to time by the Council.
Fund of the College	4	<b>18.</b> -(1) The college shall establish and maintain a fund which shall be
	5	applied towards the promotion of the objectives of the college.
	6	(2) There shall be paid and credited to the fund established under
	7	subsection (1) of this section:
	8	(a) Such sums as may from time to time be granted by the Federal
	9	Government through the National Commission for Colleges of Education;
	10	(b) All monies raised by the Council by way of gifts, grants in aid or
	11	testamentary disposition; and
	12	(c) All subscription fees and charges for services rendered by the
	13	council and all sums that may accrue to the council from any source.
	14	(3) The council shall submit to the Minister through the National
	15	Commission for Colleges of Education not later than three months to the end of
	16	each financial year or at such times as he may direct an estimate of its revenue
	17	and expenditure for the next succeeding financial year.
Power to accept gifts	18	<b>19.</b> -(1) The College may accept gifts of loan, money, or of other
	19	property upon such terms and conditions, if any as may be specified by the
	20	person making the gifts.
	21	(2) The College shall not accept any gift if the conditions attached to
	22	the gift are inconsistent with the objectives of the College.
Account and Audit	23	<b>20.</b> The College shall keep proper accounts of its receipt, payments,
	24	assets and liabilities and shall in respect of each year cause the account to be
	25	audited.
Annual Reports	26	<b>21.</b> The Council shall as soon as may be after the expiration of each
	27	financial year, prepare and submit to the Minister a Report of its activities
	28	during the immediate preceding financial year and shall include in the Report a
	29	copy of the audited accounts of the College for that year and of the auditor's
	30	report of the accounts.

- 1                    **22.** In this Bill the under listed terms have the following meanings:      Interpretation
- 2                    "Chairman" means Chairman of Council;
- 3                    "College" means the Federal College of Fisheries and Aquatic Studies Yolde
- 4                    Pate, Adamawa State established under section (1) of this Bill;
- 5                    "Council" means the Governing Council of the College established under
- 6                    section (2) of this Bill;
- 7                    "Function" includes power and duties;
- 8                    "Minister" means the Minister charged with responsibility for education;
- 9                    "Member" means a member of the Council including the Chairman;
- 10                  "Provost" means the Provost established in section (10) of this Bill.
- 11                  **23.** This Bill may be cited as Federal College of Fisheries and      Short title
- 12                  Aquatic Studies, Yolde Pate, Adamawa State (Establishment) Bill, 2022.
- 13

1 SCHEDULE

2 [Section 2(3)]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

4 *Terms of Service*

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

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

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

15 *Proceedings*

16 4.-(1) The Council shall meet for the conduct of its business at such  
17 time, place and on such days as the Chairman may appoint but shall meet not  
18 less than once every four months.

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

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

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

28 (5) Decisions of the Council shall be made on approval by a simple  
29 majority of members.

1 *Miscellaneous*

2 5.-(1) The fixing of the seal of the college shall be authenticated by  
3 the signature of the Chairman, Provost and of some members of the Council  
4 authorized generally or specially by the Council to act for that purpose.

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Fisheries and Aquatic Studies, Yolde Pate, Adamawa State, to provide training courses leading to the award of National Diplomas, Higher National Diplomas and other Certificate Courses in Fisheries and Aquatic Studies.



SCHOOL OF MINES AND GEOLOGICAL STUDIES GIREI, ADAMAWA STATE  
(ESTABLISHMENT) BILL, 2022  
ARRANGEMENT OF CLAUSES

*Clause:*

1. Establishment of School of Mines and Geological Studies, Girei, Adamawa State
2. Establishment of the Governing Council of the School
3. Membership of the Governing Council of the School
4. Tenure of Members of the Council
5. Objectives of the School
6. Powers of the Council
7. Visitation
8. The Academic Board and its Functions
9. Powers of the Minister
10. The Provost of the School
11. Deputy Provost
12. The Registrar and other Staff of the School
13. Other Principal Officers of the School
14. Resignation of Appointment of Principal Officers
15. Other employees of the School
16. Selection Board for other Principal Officers
17. Pensions
18. Fund of the School
19. Power to accept gifts
20. Account and Audit
21. Annual Reports
22. Interpretation
23. Citation





# A BILL

## FOR

AN ACT TO ESTABLISH THE SCHOOL OF MINES AND GEOLOGICAL STUDIES GIREI, ADAMAWA STATE TO PROVIDE FULL TIME TRAINING COURSES IN GEOLOGY AND MINING AND THUS GUARANTY THE DIVERSIFICATION OF NIGERIAN ECONOMY, WEALTH CREATION AND EMPLOYMENT AND TO MAKE PROVISION FOR THE ADMINISTRATION OF THE SCHOOL AND FOR RELATED MATTERS

*Sponsored by Hon. Jafaru Suleiman Ribadu*

[ ] Commencement

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

- 1           **1.**-(1) There is established the School of Mines and Geological  
2       Studies Girei, Adamawa State (in this Bill referred to as "the School") which  
3       shall have such powers and exercise such functions as conferred on it in this  
4       Bill.
- 5           (2) The School shall be a body corporate with perpetual succession  
6       and common seal.
- 7           (3) The School may sue and be sued in its corporate name.
- 8           **2.**-(1) There is established for the School, a governing council  
9       (herein referred to as "the Council").
- 10          (2) The Council shall have the responsibility to consider and  
11       approve:
- 12           (a) The Programme of studies to be undertaken in the School;  
13           (b) The annual estimates of the School; and  
14           (c) The investment plan of the School.
- 15          (3) The provisions of the schedule to this Bill shall have effect with  
16       respect to the council as mentioned herewith.
- 17

Establishment  
of the School of  
Mines and Geological  
Studies Girei,  
Adamawa State

Establishment  
and Functions of  
the Governing  
Council of the  
School

Membership of the Council of the School	1	<b>3.-(1)</b> The Council of the School shall consist of:
	2	(a) A Chairman and other members to be appointed by the President;
	3	(b) A representative of the Federal Ministry of Mines and Steel;
	4	(c) A representative of the Alumni Association of the School;
	5	(d) A representative of the University to which the School is affiliated
	6	for the purpose of moderation;
	7	(e) Two representatives of the academic board of the School;
	8	(e) A representative of the National Board for Technical Education;
	9	and
	10	(f) The Provost of the School.
Tenure of Members of the Council	11	<b>4.-(1)</b> A member of the council (other than the ex-officio members)
	12	shall hold office for a term of four years and subject to the provision of
	13	subsection (2) of this section and shall be eligible for re-appointment for a
	14	further period of four years and no more.
	15	(2) The office of a member appointed under section 3 of this Bill shall
	16	become vacant if:
	17	(a) The member resigns from office by notice in writing under his
	18	hand addressed to the Minister; or
	19	(b) The Minister is satisfied that it is not in the interest of the School
	20	for the person appointed to continue in office and notifies the person in writing
	21	to that effect.
Objectives of the School	22	<b>5.</b> The objectives of the School shall be:
	23	(a) To provide full-time courses in mining and geological studies;
	24	(b) To serve as centre for research in fields of mining and geology;
	25	(c) To offer academic and professional programmes leading to the
	26	award of diplomas, higher national diplomas and degrees in mining and
	27	geology;
	28	(d) To organize conferences, seminars and workshops in relevant
	29	fields;

1 (e) To provide short courses in mining and geological studies for  
2 miners;

3 (f) To meet the needs of Nigeria in the area of mining and geology  
4 and provide solutions to mining related problems, thus resulting in national  
5 development;

6 (g) To perform such other functions as in the opinion of the council  
7 may serve to promote the objective of the School.

8 **6.-(1)** The council of the School shall have powers to:

Powers of the  
Council

9 (a) Hold examinations and grant diploma, higher national diploma  
10 certificates, professional certificates and other distinctions to persons, who  
11 have pursued courses approved and accredited by the National Board for  
12 Technical Education in the School;

13 (b) Conduct examinations in mining and geological courses;

14 (c) Recruit staff and determine salary structure of such staff;

15 (d) Demand and receive from any student or any other person  
16 attending the School for the purpose of instruction such fees as the council  
17 may with the approval of the Minister from time to time determine;

18 (e) Hold public lectures and undertake printing, publishing and  
19 sales of books;

20 (f) Institute and award fellowship, medals prizes and other titles;

21 (g) Establish and maintain such departments and other teaching  
22 units within the School or extra moral departments as the council may  
23 determine;

24 (h) Erect, provide, equip and maintain such educational, mining  
25 and geological facilities as the School may require;

26 (i) Create lectureships and other academic post and offices and to  
27 make appointment thereof;

28 (j) Receive and make gifts;

29 (k) Enter into such contracts as may be necessary or expedient for  
30 carrying into effect the objectives of the School;

	1	(I) Provide amenities for and make such other provision for the
	2	welfare of the staff and students of the School;
	3	(m) Encourage and make provision for research in the School;
	4	(n) Do such acts and things whether or not incidental to the foregoing
	5	powers as may advance the objects of the School.
	6	(2) Subject to the provisions of this Bill, the powers conferred on the
	7	School shall be exercisable on behalf of the School by the governing council.
Visitation	8	7.-(1) The Minister for Education shall be the Visitor of the School.
	9	(2) The visitor shall as often as circumstances may require, not less
	10	than once in every five years conduct a visitation to the School or appoint a
	11	visitation panel consisting of not less than five experts to conduct the visitation;
	12	(a) For the purpose of evaluating the academic and administrative
	13	performance of the School; or
	14	(b) For such other purpose as the Visitor may deem fit.
Academic Board and Functions	15	8.-(1) There shall be established for the School a Board to be known as
	16	the Academic Board which shall consist of the following members:
	17	(a) The Provost of the School as the Chairman;
	18	(b) The Deputy Provost, All Heads of Departments and the Registrar
	19	who shall be the Secretary;
	20	(c) The School Bursar;
	21	(d) The School Librarian;
	22	(e) Not more than three members of the Academic staff other than the
	23	Heads of Departments to be appointed by the Council.
	24	(2) The Academic Board shall be responsible for:
	25	(a) The direction and management of academic matters of the School
	26	including the regulation of admission of students, the award of certificates,
	27	scholarships, prizes and other academic distinctions;
	28	(b) Discharging any other function(s) which the council may from
	29	time to time delegate to it.

- 1                   **9.** The Minister may give to the council directions of a general      Powers of the  
2                   character or relating generally to matters with regard to the exercise by the      Minister  
3                   Council of its functions and it shall be the duty of the Council to comply with  
4                   such directions.
- 5                   **10.**-(1) There shall be a Provost for the School (hereinafter referred      The Provost of  
6                   to as 'the Provost') who shall be appointed by the President on the      the School  
7                   recommendation of the Minister for Education.
- 8                   (2) Where a vacancy occurs in the post of Provost, the Council  
9                   shall:  
10                  (a) Advertise the vacancy in a widely read newspaper in Nigeria  
11                  stating:  
12                  (i) The qualities of the person who may apply for the post;  
13                  (ii) The terms and conditions of service applicable to the post and  
14                  thereafter draw up a short list of suitable candidates for consideration of the  
15                  Minister.
- 16                  (3) The President shall appoint as Provost one of the candidates  
17                  recommended by the Minister.
- 18                  (4) Subject to the general control of the Council the Provost shall  
19                  be the Chief Executive of the School and shall be charged with general  
20                  responsibility for matters relating to the day-to-day management and  
21                  operations of the School.
- 22                  (5) The Provost shall hold office for a period of five years only and  
23                  on such terms and conditions as may be specified in his letter of  
24                  appointment.
- 25                  **11.**-(1) There shall be for the School two Deputy Provosts namely:      Deputy Provost  
26                  Deputy Provost (Administration) and Deputy Provost (Academics).
- 27                  (2) The Council shall select the Deputy Provosts from among the  
28                  chief lecturers in the School in any of the following ways, that is:  
29                  (a) From a list of three candidates in order of preference submitted  
30                  by the Provost;

1 (b) On the recommendation of a selection Board set up for that  
2 purpose;

3 (c) On the nomination of the Provost.

4 (3) The selection Board referred to in subsection (2) (b) of this section  
5 shall consist of:

6 (i) The Chairman of the Council;

7 (ii) The Provost of the School;

8 (iii) Two members of the Academic Board; and

9 (iv) Two members of the Council who are not of the Academic Board.

10 (4) (a) The Deputy Provost (Administration) shall:

11 (i) Assist the Provost in administrative matters of the School; and

12 (ii) Act as the Provost when the post of the Provost is vacant or if the  
13 Provost is for any reason, absent or unable to perform his function.

14 (b) The Deputy Provost (Academics) shall:

15 (i) Assist the Provost in the performance of his functions in Academic  
16 matters of the School;

17 (ii) Perform such other functions as the Provost or the council may  
18 from time to time assign to him.

19 (5) Each of the Deputy Provosts shall hold office for a period of two  
20 years and may be reappointed for a further period of two years and no more.

The Registrar  
of the School

21 **12.**-(1) There shall be a Registrar for the School to be appointed by the  
22 governing Council of the School.

23 (2) The Registrar shall keep the records and conduct the  
24 correspondence of the Council.

25 (3) The Registrar shall be the Secretary to:

26 (a) The Council; (b) Academic Board; and (c) Any Committee of the  
27 Council.

28 (4) The Registrar may perform any duty as may be assigned to him by  
29 the Council or the Provost.

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

1 be reappointed for a further period of five years and no more.

2 **13.**-(1) There shall be for the School the following principal Other Principal  
Officers of the  
School  
3 officers in addition to the Registrar that is:

4 (a) The Bursar; and

5 (b) The School Librarian, who shall be appointed by the Council on  
6 the recommendation of the selection board constituted in section 10 of this  
7 Bill.

8 (2) The Bursar shall be the chief financial officer of the School and  
9 be responsible to the Provost in the day-to-day administration and control of  
10 the financial affairs of the School.

11 (3) The School Librarian shall be responsible to the Provost for the  
12 administration of the School library and the coordination of the library  
13 services in the teaching units of the School.

14 (4) The Bursar and the Librarian shall each hold office for a period  
15 of five years and may be reappointed for a further period of five years and no  
16 more.

17 **14.** A principal officer of the School may resign his appointment: Resignation of  
Appointment of  
Principal Officers  
of the School  
18 (a) In case of the Provost by notice to the Visitor; and

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

20 **15.**-(1) The Council may appoint other persons to be employees of Other employees  
of the School  
21 the School as the Council may deem fit, to assist the Provost and the  
22 Principal Officers of the School in the performance of their functions.

23 (2) The remuneration, tenure of office and conditions of service of  
24 such employees of the School shall be determined by the Council in  
25 consultation with the Federal Civil Service Commission.

26 **16.**-(1) There shall be a selection Board for the School, consisting Selection Board  
for other Principal  
Officers  
27 of:

28 (a) The Chairman of the Council;

29 (b) The Provost of the School;

	1	(c) Four Members of Council, not members of the Academic Board;
	2	and
	3	(d) Two members of the Academic Board.
	4	(2) The functions, procedure and other matters relating to the
	5	selection Board constituted under subsection (1) of this section shall be
	6	determined from time to time by the Council.
Pensions	7	<b>17.</b> Service in the School shall be approved service for the purpose of
	8	the Pension Reform Act, 2004 and accordingly, officers and other persons
	9	employed of the School shall be entitled to pension's gratuity and other
	10	retirement benefits as may be prescribed in their respective letters of
	11	appointment.
Fund of the School	12	<b>18.-(1)</b> The School shall establish and maintain a fund which shall be
	13	applied towards the promotion of the objectives of the School.
	14	(2) There shall be paid and credited to the fund established under
	15	subsection (1) of this section:
	16	(a) Such sums as may from time to time be granted by the Federal
	17	Government through the Minister of Education;
	18	(b) All monies raised by the Council by way of gifts, grants in aid or
	19	testamentary disposition; and
	20	(c) All subscription fees and charges for services rendered by the
	21	council and all sums that may accrue to the council from any source.
	22	(3) The council shall submit to the Minister not later than three
	23	months to the end of each financial year or at such times as he may direct an
	24	estimate of its revenue and expenditure for the next succeeding financial year.
Power to accept gifts	25	<b>19.-(1)</b> The School may accept gifts of loan, money, or of other
	26	property on such terms and conditions, if any as may be specified by the person
	27	making the gifts.
	28	(2) The School shall not accept any gift if the conditions attached to
	29	the gift are inconsistent with the objectives of the School.



1	<b>20.</b> The School shall keep proper accounts of its receipt, payments,	Account and
2	assets and liabilities and shall in respect of each year cause the account to be	Audit
3	audited.	
4	<b>21.</b> The Council shall as soon as may be after the expiration of each	Annual Reports
5	financial year, prepare and submit to the Minister a Report of its activities	
6	during the immediate preceding financial year and shall include in the	
7	Report a copy of the audited accounts of the School for that year and of the	
8	auditor's report of the accounts.	
9	<b>22.</b> In this Bill the under listed terms have the following meanings:	Interpretation
10	"Chairman" means Chairman of Council;	
11	"School" means the School of Mines and Geological Studies Girei,	
12	Adamawa State established under section (1) of this Bill;	
13	"Council" means the Governing Council of the School established under	
14	section (2) of this Bill;	
15	"Function" includes power and duties;	
16	"Minister" means the Minister charged with responsibility for education;	
17	"Member" means a member of the Council including the Chairman;	
18	"Provost" means the Provost established in section (10) of this Bill.	
19	<b>23.</b> This Bill may be cited as School of Mines and Geological	Short title
20	Studies, Girei, Adamawa State (Establishment) Bill, 2022.	

1 SCHEDULE

2 [Section 2(3)]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

4 *Terms of Service*

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

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

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

15 *Proceedings*

16 4.-(1) The Council shall meet for the conduct of its business at such  
17 time, place and on such days as the Chairman may appoint but shall meet not  
18 less than once every four months.

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

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

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

28 (5) Decisions of the Council shall be made on approval by a simple  
29 majority of members.

1 *Miscellaneous*

2 5.-(1) The fixing of the seal of the School shall be authenticated by  
3 the signature of the Chairman, Provost and of some members of the Council  
4 authorized generally or specially by the Council to act for that purpose.

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal School of Mines and Geological Studies Girei, Adamawa State, to provide full time training courses in geology and mining and thereby guaranty the diversification of Nigerian economy, wealth creation and employment and to make provision for the general administration of the School.



NATIONAL EAR CARE CENTRE JAMBUTU, ADAMAWA STATE  
(ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF CLAUSES

PART I - ESTABLISHMENT OF THE NATIONAL EAR CARE CENTRE  
JAMBUTU, ADAMAWA STATE

1. Establishment of the Centre
2. Objectives of the Centre
3. Establishment of the Centre Management Board
4. Membership of the Board
5. Tenure of office of members
6. Proceedings of the Board

PART II - POWERS OF THE BOARD

7. Powers of the Board
8. Power to use of land
9. Delegation of power
10. Power to co-opt members

PART III - MEDICAL DIRECTOR AND OTHER STAFF OF THE NATIONAL  
EAR CARE CENTRE JAMBUTU, ADAMAWA STATE

11. Appointment, etc., of the Medical Director
12. Appointment of Deputy Medical Director and the Secretary
13. Appointment of other staff
14. Pensions

PART IV - FINANCIAL PROVISIONS

15. Fund of the Board
16. Accounts and audit
17. Annual estimates
18. Annual report

PART V - MISCELLANEOUS

19. Power of Minister to give directives to the Board
20. Regulations
21. Interpretation
22. Short title



FOR

*Sponsored by Hon. Jafaru Suleiman Ribadu*

[ ] Commencement

Establishment  
of the National  
Ear Care Centre  
Jambutu, Adamawa  
State

## Functions and Powers of the Centre

17 (a) provide diagnostic, curative, preventive and rehabilitative

- 1 otolaryngology service;
- 2 (b) provide ambulatory outreach and domiciliary ENT treatment,
- 3 employing the services of Otolaryngologist and other medical practitioners;
- 4 (c) provide and facilitate the training of Otolaryngologist and
- 5 topologist;
- 6 (d) provide and facilitate the training of ENT personnel and
- 7 dispensing nurses and technicians;
- 8 (e) provide and facilitate the training ENT related courses at
- 9 certificate and diploma levels;
- 10 (f) provide and facilitate other trainings including residency, post
- 11 basic training, etc;
- 12 (g) provide and facilitate research in all aspect of otolaryngology,
- 13 including ENT, clinical and experimental;
- 14 (h) facilitate the training of specialist in ENT and other supporting
- 15 fields; and
- 16 (i) develop new diagnostic and therapeutic ENT instruments and
- 17 appliances better situated for the practice of otolaryngology in Nigeria.
- 18 (3) For the purposes of the discharge of its functions under this bill,
- 19 the Centre may carry out such other activities as are necessary or expedient for
- 20 the full discharge of any of the functions of the Centre under this Act.
- 21 **3.-(1)** There is hereby established for the Centre a body to be known as
- 22 the National Ear Care Centre Management Board (in this Bill referred to as "the
- 23 Board") which, subject to the provisions of this Bill, shall be charged with the
- 24 general management and control of the Centre.
- 25 **4.-(1)** The Board shall consist of:
- 26 (a) a Chairman to be appointed by the President;
- 27 (b) the Medical Director;
- 28 (c) four persons to represent a broad variety of interest in Nigeria;
- 29 (d) two persons appointed by the consultant staff of the hospital from
- 30 their midst;

Establishment  
of the National  
Ear Care Centre  
Management  
Board

Membership  
of the Board



1                    (e) representative of the Federal Ministry of Health not below the  
2                    rank of Director;

3                    (f) representative of the Federal Ministry of Education not below  
4                    the rank of Director.

5                    (2) The President shall on the recommendation of the Minister for  
6                    Health appoint, apart from the ex-officio members, the Chairman and other  
7                    Members of the Board.

8                    (3) The Chairman shall be a person of proven integrity, possess  
9                    cognate experience and outstanding ability in administration and  
10                   professional or technical education.

11                   (4) The members specified in subsection (1) (b), (d), (e) and (f) of  
12                   this section are referred to as "ex-officio members".

13                   **5.-(1)** Subject to the provisions of this section, a member of the      *Tenure of office*  
14                   Board shall hold office for four years and shall be eligible for re-      *of members*  
15                   appointment for a further period of four years and no more;

16                   (2) Notwithstanding the provisions of subsection (1) of this  
17                   section, the President may at any time remove a member from the Board;

18                   (3) Any member may, in writing under his hand addressed to the  
19                   Minister at any time, resign his appointment;

20                   (4) The office of a member of the Board shall become vacant if:

21                   (a) the period of his appointment has expired;

22                   (b) he absents himself without leave of the Board from three  
23                   consecutive meetings of the Board and without reasonable excuse for so  
24                   doing;

25                   (c) he is guilty of misconduct in his office as a member and a  
26                   resolution of the Board approves the termination of his membership;

27                   (d) he dies, resigns or is removed from office.

28                   (5) Soon after the office of a member of the Board becomes vacant,  
29                   the authority by whom he was appointed shall appoint another person in his  
30                   place in accordance with the provisions of this Act.

	1	(6) Members of the Board, other than ex-officio members, shall be
	2	paid, out of the moneys at the disposal of the Board, such remunerations and
	3	allowances as the Minister may, with the approval of the President, determine.
Proceedings of the Board	4	6. The provisions contained in the Schedule to this Act shall have
	5	effect with respect to the proceedings of the Board and the other matters
	6	contained therein.
Powers of the Board	7	7.-(1) The Board shall be the governing body of the Centre and shall
	8	be charged with the general control and superintendence of the policy, finances
	9	and property of the Centre including its public relations.
	10	(2) Without prejudice to the generality of the foregoing, it shall be the
	11	duty of the Board to construct, equip and operate:
	12	(a) the Centre which is to provide comprehensive services, teaching
	13	and clinical research in Otolaryngology;
	14	(b) such training schools and similar institutions as the Board
	15	considers necessary for providing the Centre at all times with adequate and
	16	sufficient qualified staff, including Otolaryngologist, ENT Technicians,
	17	Nurses and members of other allied professions and calling relevant to the
	18	practice of otolaryngology;
	19	(c) such clinics, units, out-patient departments, laboratories,
	20	research or experimental stations and other like institutions, as the Board
	21	considers necessary for the efficient running of the Centre.
	22	(d) accept gifts, legacies and donations that are consistent with the
	23	objects of the Centre;
	24	(e) enter into contracts;
	25	(f) acquire and hold movable and immovable property;
	26	(g) with the approval in writing of the Minister-
	27	(i) subject to the Land Use Act, sell, mortgage, transfer or otherwise
	28	deal with immovable property;
	29	(ii) sell, mortgage, transfer or otherwise deal with movable property;
	30	(h) with the approval of the Minister, borrow at interest on the security

1            of land or movable property of the Centre such moneys as the Board may,  
2            from time to time, require for the purposes of this Act;

3                    (i) with the approval of the Minister, invest the funds of the Centre  
4            as it thinks fit.

5                    (3) The Board shall ensure that the standards of treatment and care  
6            for patients provided at the Centre are in tandem with global best practices.

7                    (4) The Board shall have power to do anything which, in its  
8            opinion, may advance the objects of the Centre.

9                    **8.-(1)** In furtherance of the objects of the Centre, the Board or any      Power to use land  
10            person authorised by the Board may, upon giving such notice as is specified  
11            in subsection (2) of this section, use any land to do such things as are  
12            necessary or incidental to the promotion of the objectives of the Centre.

13                    (2) In the exercise of its powers under subsection (1) of this section,  
14            the Board or the Medical Director on behalf of the Board, as the case may be,  
15            shall give notice to the occupier of any land of the Board's intention to use  
16            the said land for a specific period.

17                    (3) The Board shall pay reasonable compensation for any damage  
18            attributable to the exercise of its powers under subsection (1) of this section.

19                    **9.** The Board may appoint Committees from among its members      Delegation of  
20            to-      power

21                    (a) inquire into and report to the Board on matters affecting the  
22            Centre;

23                    (b) deal with matters of an urgent or local nature where directed or  
24            approved by the Board, subject to such conditions as the Board may, in  
25            writing, specify;

26                    (c) appoint staff for the Centre and exercise disciplinary control  
27            over such staff.

28                    **10. -(1)** The Board may, from time to time, co-opt any person or      Power to co-opt  
29            persons not exceeding two in number to assist the Board in carrying out the      members  
30            objects of the Centre under this Act.

Appointment, etc.,  
of the Medical  
Director

1 (2) Any person co-opted under subsection (1) of this section may take  
2 part in the deliberations of the Board but shall not be deemed a member of the  
3 Board for the purpose of voting at a meeting or forming a quorum.

4 **11.-(1)** There shall be a Medical Director for the Centre who shall be  
5 appointed and/or removed from office by the President on the recommendation  
6 of the Minister.

7 (2) A person shall not be qualified to be appointed as a Medical  
8 Director, unless he is the holder of a degree in pharmacy or pharmacology or  
9 any other suitably related field with at least ten years' research and  
10 administrative experience in a reputable establishment.

11 (3) The Board shall not exercise any disciplinary control over the  
12 Medical Director, without the approval of the Minister.

13 (4) Subject to the provisions of this Act and the control of the Board  
14 over matters affecting the finance of the Centre, the Medical Director shall be  
15 the Chief Executive of the Centre and shall be charged with the general  
16 responsibility of the management and administration of the affairs of the  
17 Centre and in particular shall-

18 (a) direct and regulate the programme of work at the Centre;

19 (b) promote research within and outside of the Centre;

20 (c) keep safe custody of all the records of the Centre;

21 (d) prepare and present to the Board annual and other reports on the  
22 progress of work at the Centre and on the expenditure or liabilities incurred by  
23 the Centre;

24 (e) be responsible for the day-to-day running and management of the  
25 Centre; and

26 (f) exercise such powers and perform such duties as may, from time to  
27 time, be required of him by the Board.

28 (5) The Medical Director shall hold office for a period of four years in  
29 the first instance and shall be eligible for reappointment for a further term of  
30 four years and no more.

1                    **12.**-(1) There shall be appointed as Deputy Medical Director on the      Appointment of  
2                    recommendation of the Medical Director, an Otolaryngologist, ENT      Deputy Medical  
3                    Specialist or any other professional in a related from the serving members of      Director and the  
4                    staff of the Centre, not below the rank of Principal Research Fellow.      Secretary

5                    (2) The Deputy Medical Director shall act in the place of the  
6                    Medical Director when the office of the Medical Director is vacant or the  
7                    Medical Director is for any reason (including absence from the precincts of  
8                    the Centre) unable to perform his functions as the medical Director.

9                    (3) There shall be for the Centre an Administrative Secretary who  
10                  shall be appointed by the Board on the recommendation of the Medical  
11                  Director, to perform such duties as may be assigned to him by the Board.

12                  **13.**-(1) Subject to section 11 and 12 of this Bill, the Board may      Appointment of  
13                  appoint such other staff for the Centre as it may determine and pay to its staff      other staff  
14                  such remuneration and allowances as are payable to persons on equivalent  
15                  grades in the civil service of the Federation.

16                  (2) The power of the Board under subsection (1) of this section  
17                  shall include the power to-

18                  (a) promote and control the staff of the Centre as the Board may  
19                  deem fit or expedient;

20                  (b) dismiss, terminate, consider the resignation or withdrawal of  
21                  appointment and exercise disciplinary control over the staff of the Centre,  
22                  other than the director.

23                  (3) The Board may delegate to the Medical Director, generally or  
24                  specifically, the power to appoint such categories of staff of the Centre as the  
25                  Board may, from time to time, specify.

26                  **14.**-(1) Service in the Centre shall be approved service as provided      Pensions  
27                  by the Pensions Act.

28                  (2) Officers and other employees in the Centre shall be entitled to  
29                  pensions, gratuities and other retirement benefits as are prescribed in the  
30                  Pensions Act, so however that nothing in this Act shall prevent the

1     appointment of a person to any office on terms which preclude the grant of a  
2     pension, gratuity or other retirement benefit in respect of that office.

3             (3) For the purposes of the application of the provisions of the  
4     Pensions Act, any power exercisable thereunder by a Minister or other  
5     authority of the Government of the Federation (not being the power to make  
6     regulations under section 23 thereof) shall be vested in the Board and shall not  
7     be exercisable by any other person or authority.

Fund of the  
Board

8             **15.**-(1) The Board shall establish and maintain a fund from which  
9     shall be defrayed, with the approval of the Minister, all expenditure incurred by  
10    the Centre.

11            (2) There shall be paid and credited to the Fund of the Centre such  
12    sums as may from time to time, be granted to the Centre by the Federal  
13    Government of Nigeria.

Accounts and  
audit

14            **16.**-(1) The Board shall keep proper accounts in respect of each year  
15    and proper records in relation to those accounts and shall cause to be prepared  
16    in each year-

17            (a) a statement showing the income and expenditure of the Centre for  
18    the immediately preceding year; and

19            (b) a statement of the assets and liabilities of the Centre as at the last  
20    day of the immediately preceding year.

21            (2) The Board shall cause every statement prepared under this section  
22    to be audited within six months after the end of the year to which the statement  
23    relates by auditors appointed from the list and in accordance with the  
24    guidelines supplied by the Auditor-General for the Federation.

Annual estimates

25            **17.** The Board shall cause to be prepared not later than i" June in each  
26    year an estimate of the expenditure necessary to carry out the programme  
27    approved by the Board for the next succeeding year and shall, not later than so"  
28    September in each year, submit to the Minister the estimate of expenditure and  
29    that of its income during the next succeeding year.

1                    **18.**-(1) The Board shall prepare and submit to the Minister once      Annual report  
2                    every year a report, in such form as the Minister may direct, on the activities  
3                    of the Centre during the immediately preceding year, and shall include in the  
4                    report a copy of the audited accounts of the Centre for that year and the  
5                    auditor's report thereon.

6                    (2) The Minister shall cause a copy of each report made to him  
7                    under this section to be submitted to the President.

8                    **19.** The Minister may give to the Board directives of a general      Power of the  
9                    nature with regard to the carrying out of the objects of the Centre under this      Minister to give  
10                    Act and it shall be the duty of the Board to comply with such directives.      directives to the  
11                    Board

12                    **20.**-(1) The Board may, with the approval of the Minister, make      Regulations  
13                    regulations for prescribing fees to be charged for services rendered by the  
14                    Centre and generally for carrying into effect the provisions of this Act and  
15                    the due administration of the Centre.

16                    (2) Any regulations made under subsection (1) of this section shall  
17                    be published in the Gazette.

18                    **21.** In this Bill, unless the context otherwise requires-      Interpretation  
19                    "Board" means the National Ear Care Centre Jambutu, Adamawa State  
20                    Management Board established by section 3 of this Act;  
21                    "Centre" means the National Ear Care Centre Jambutu, Adamawa State  
22                    established by section 1 of this Act;  
23                    "Chairman" means the Chairman of the Board;  
24                    "Medical Director" means the Medical Director of the Centre appointed  
25                    under section 11 of this Act;  
26                    "Member" means a Member of the Board and includes the Chairman;  
27                    "Minister" means the Minister charged with responsibility for matters  
28                    relating to Health;  
29                    "Powers" include duties and functions.

30                    **22.** This Bill may be cited as the National Ear Care Centre Jambutu,      Short title  
Adamawa State (Establishment) Bill, 2022.

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signature of the Chairman or the Medical Director or of some other member authorised generally or specifically to act for that purpose by the Board.

(3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Board by any person generally or specially authorised to act for that purpose by the Board.

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

7. Members of the Board who are not public officers shall be paid out of the money at the disposal of the Board such travelling and other allowances in accordance with such scales as may be approved, from time to time, by the Minister.

8. Any member of the Board or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a committee thereof shall forthwith disclose his interest to the Board or committee and shall not vote on any question relating to such contract or arrangement.

## Committee

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

(2) A Committee appointed under this paragraph shall consist of such number of persons (not necessarily all members of the Board) as may be determined by the Board; and a person, other than a member of the Board, shall hold office on the committee in accordance with the terms of his appointment.

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

### Miscellaneous

10.-(1) The fixing of the seal of the Board shall be authenticated by

1     the signature of the Chairman and of any other member authorized generally or  
2     specially by the Council to act for that purpose.

3            (2) Any contract or instrument which, if made by a person not being a  
4     body corporate, would not be required to be under seal, may be made or  
5     executed on behalf of the Institute by the Rector or any person generally or  
6     specially authorized to act for that purpose by the Board.

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

10          (4) Members of the Board who are not public officers shall be paid off  
11     of moneys at the disposal of the Board such enumeration; fee or allowances in  
12     accordance with such scale as may be approved, from time to time, by the  
13     President.

14          (5) The validity of any proceedings of the Board or a Committee  
15     thereof shall not be adversely affected by a vacancy in the membership of the  
16     Board or a Committee or by reason that a person not entitled to do so took part  
17     in the proceedings.

18          (6) Any member of the Board any person holding office in a  
19     Committee of the Board who has a personal interest in any contract or  
20     arrangement entered into or proposed to be considered by the Board or a  
21     Committee thereof shall forthwith disclose his interest to the Board or the  
22     Committee and shall not vote on any question relating to the contract or  
23     arrangement.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Ear Care Jambutu, Adamawa State for the prevention, diagnosis and treatment of ear, nose and throat (E.N.T.) diseases, coordination of research in ear, nose and throat challenges, training of specialist in ear, nose and throat and in other related fields.

FEDERAL COLLEGE OF OPTOMETRY EGBU, (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF SECTIONS

PART ONE - ESTABLISHMENT OF FEDERAL COLLEGE OF OPTOMETRY,  
EGBU, OWERRI

1. Establishment of Federal College of Optometry
2. Governing Council of the College
3. Membership of the Council
4. Tenure of Office of Members of the Council
5. Functions of the College
6. Powers of the Council
7. Visitation
8. The Academic Board and its Functions
9. Power of Minister to give Direction to the Council
10. The Provost of the College
11. Deputy Provost
12. The Registrar and Other Staff
13. Other Principal Officers of the College
14. Resignation of Appointment of Principal Officers
15. Other Employees of the College
16. Selection Board for other Principal Officers
17. Pensions

PART TWO - FINANCIAL PROVISIONS

18. Establishment of Fund of the College
19. Power to accept Gifts
20. Accounts and Audit
21. Annual Reports

PART THREE - MISCELLANEOUS AND SUPPLEMENTARY

22. Offices and Premises
23. Discipline of Students
24. Interpretation
23. Short Title



# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF OPTOMETRY TO PROVIDE FOR COURSES LEADING TO THE AWARD OF DESIGNATED DEGREES, DIPLOMAS, AND CERTIFICATES IN OPTOMETRY, OPHTHALMOLOGY AND RELATED COURSES, AND FOR RELATED MATTERS

*Sponsored by Hon. Ikenna Elezianya*

[ ] Commencement

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

- 1           1.-(1) There is hereby established the Federal College of  
2           Optometry (in this Bill referred to as "College") which shall have such  
3           powers and exercise such functions as are conferred on them by this Bill.
- 4           (2) The College shall be sited at Egbu, Owerri, Imo State.
- 5           (3) The College shall be a body corporate with perpetual  
6           succession and a common seal and shall have power to acquire and dispose  
7           of interest in movable and immovable property and may sue and be sued in  
8           its corporate name.
- 9           2.-(1) The governance of the College and the direction of its affairs  
10          shall vest in the Governing Council of the College (in this Bill referred to as  
11          "the Council");
- 12          (2) Without prejudice to the generality of subsection (1) of this  
13          section, it shall be the responsibility of the Council to consider and approve-
- 14          (a) The plan of activities of the College;
- 15          (b) The programme of studies, courses and research to be  
16          undertaken by the College
- 17          (c) The annual estimates of the College; and
- 18          (d) The investment plan of the College.

Establishment  
of Federal College  
of Optometry

Governing Council  
of the College

Membership of  
the Council of  
the College

1                   **3.-(1)** The Council of the College shall consist of a Chairman and the  
2 following other members, to be appointed by the President-  
3                   (a) A representative of the Federal Ministry of Health;  
4                   (b) A representative of the Federal Ministry of Education;  
5                   (c) Two representatives of the Optometrists and Dispensing Opticians  
6 Registration Board of Nigeria;  
7                   (d) A representatives of the Nigeria Optometrist Association;  
8                   (e) Two persons appointed by the Ministers of Health and Education  
9 respectively who shall have wide experience in the public or private sectors of  
10 Optometry and Education administration;  
11                   (f) The Provost of the College.

Tenure of office  
of members of  
the Council

12                   **4.-(1)** A member of the Council shall hold office for a term of four  
13 years and subject to the provisions of subsection (2) of this section shall be  
14 eligible for re-appointment for a further period of four years;  
15                   (2) The office of a member appointed under sections 3(1)(e) of this  
16 Bill shall become vacant if-  
17                   (a) The member resigns his office by notice in writing under his hand,  
18 addressed to each of the Minister; or  
19                   (b) The Minister is satisfied that it is not in the interest of the College  
20 for the person appointed to continue in office and notifies the member in  
21 writing to that effect.

Functions of  
the College

22                   **5.** The Functions of the College shall be-  
23                   (a) To provide full- time courses in teaching, instructions and  
24 training-  
25                   (i) In optometry, ophthalmology, orthoptics and other related courses;  
26                   (ii) In such other fields of learning relevant to the needs of the  
27 profession and the development of the nation's human health research and  
28 techniques as the Council may from time to time determine.  
29                   (b) To arrange conferences, seminars and workshops relative to the  
30 fields of learning specified in paragraph (a) of this section; and

1 (c) To perform such other functions as in the opinion of the Council  
2 may serve to promote the objectives of the College.

3 6.-(1) For the carrying out of the functions of the College, the  
4 Council shall have power to-

Powers of the  
Council

5 (a) Hold examinations and grant degrees, diplomas, professional  
6 certificates and other distinctions to persons who have pursued a course of  
7 study approved and accredited by the Optometrists and Dispensing  
8 Opticians Registration Board of Nigeria (ODORBN);

9 (b) Demand and receive from any student or any other person  
10 attending the College for the purpose of instruction such fees as the Council  
11 may, with the prior approval of the Minister, from time to time determine;

12 (c) Hold public lectures and undertake printing, publishing and  
13 bookselling;

14 (d) Make gifts for any charitable purpose;

15 (e) Provide amenities for and make such other provisions for the  
16 welfare of the staff of the College;

17 (f) Invest the funds of the College in securities specified by the law  
18 or in such other securities in Nigeria as may be approved by the Minister of  
19 Health;

20 (g) Borrow money within Nigeria in such manner and upon such  
21 security as the Minister of Health may from time to time authorize;

22 (h) Enter into such contracts as may be necessary or expedient for  
23 carrying into effect the objectives of the College;

24 (i) Recruit staff of the right caliber and determine the career  
25 structure of such staff;

26 (j) Institute and award fellowships, medals, prizes and other titles;

27 (k) Mount exhibitions and displays designed to foster an  
28 appreciation of trends in and the scope and requirement of optometry and  
29 related professions;

30 (l) Erect, provide, equip and maintain such educational,

	1	recreational and residential facilities as the College may require;
	2	(m) Create lectureship and other academic posts and offices and to
	3	make appointments thereto;
	4	(n) Encourage and make provisions for research in the College; and
	5	(o) Do such other things whether or not incidental to the foregoing
	6	powers as may advance the objectives of the College and profession;
Visitation	7	7.-(1) The Minister of Health shall be the Visitor of the College.
	8	(2) The Visitor shall, not less than once in every five years, conduct a
	9	visitation of the College or appoint a visitation panel consisting of not less than
	10	five experts to conduct the visitation-
	11	(a) For the purpose of evaluating the academic and administrative
	12	performance of the College; or
	13	(b) For such other purpose or in respect of any other affairs of the
	14	College as the Visitor may deem fit.
The professional Board and its functions	15	8.-(1) Subject to the provisions of Optometrists and Dispensing
	16	Opticians (Registration, etc.) Act the Professional Board for the College shall
	17	be include the members of board of Optometrist and Dispensing Opticians
	18	Registration Board of Nigeria and the following members-
	19	(a) The Provost of the College who shall be the Chairman;
	20	(b) The heads of departments;
	21	(c) Not more than two members of the Academic staff to be appointed
	22	by the Council;
	23	(2) The Professional Board shall be responsible for-
	24	(a) The direction and management of academic matters of the College
	25	including the regulation of admission of students, the award of certificates,
	26	scholarships, prizes and other academic distinctions;
	27	(b) Make periodic reports on such academic and professional matters
	28	to the Council as the Council may from time to time direct;
	29	(c) Discharging any other functions which the Council may from time
	30	to time delegate to it.



1	<b>9.</b> Subject to the provisions of this Act, the Minister may give to	Powers of the
2	the Council direction of a general character or relating generally to matters	Minister to give
3	of policy with regard to the exercise by the Council of its functions under	direction to the
4	this Bill and it shall be the duty of the Council to comply with such	Council
5	directions.	
6	<b>10.</b> -(1) There shall be a Provost of the College (in this Bill referred	The Provost of
7	to as "the Provost") who shall be appointed by the President, in accordance	the College
8	with the provisions of this section;	
9	(2) Where a vacancy occurs in the post of Provost, the Council	
10	shall-	
11	(a) Advertise the vacancy in a reputable journal or widely read	
12	newspaper in Nigeria specifying-	
13	(i) The qualities of the person who may apply for the post;	
14	(ii) The terms and conditions of service applicable to the post;	
15	And thereafter draw up a short list of suitable candidates for consideration;	
16	(b) Constitute a search team consisting of:	
17	(i) A member of the Council not being a member of the Academic	
18	and Professional Board, as Chairman;	
19	(ii) Two members of the academic Board not below the rank of	
20	chief lecturer;	
21	(iii) Two members of the academic staff of the College not below	
22	the rank of chief lecturer to be selected by the Council;	
23	To identify and draw up a short list of suitable persons who are not likely to	
24	apply for the post for any reason whatsoever;	
25	(3) A joint Council and Professional Board consisting of-	
26	(a) the chairman of the Council;	
27	(b) two members of the Council not being members of the	
28	Academic Board;	
29	(c) two members of the Academic Board not below the rank of	
30	chief lecturer,	

1 Who were not members of the search team, shall consider the candidates and  
2 persons on the short lists drawn up under subsection (2) of this section through  
3 an examination of their curriculum vitae and interaction with them and  
4 recommend through the Council to the President, three candidates for his  
5 consideration.

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

8 (5) subject to this Bill and the general control of the Council, the  
9 Provost shall be the chief executive of the College and shall be charged with  
10 general responsibility for matters relating to the day-to-day management  
11 operations of the College;

12 (6) the Provost-

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

16 (b) may be re-appointed for one further period of four years and no  
17 more;

Deputy Provost

18 11.-(1) There shall be appointed for the College a Deputy Provost.

19 (2) the Council shall appoint the Deputy Provost from among the  
20 Chieflecturers in the College or one of the following ways, that is-

21 (a) from a list of three candidates in order of preference submitted by  
22 the Provost; or

23 (b) on the recommendation of a selection Board constituted under this  
24 section for that purpose; or

25 (c) on the nomination of the Provost.

26 (3) The selection Board referred to in subsection (2) of this section  
27 shall-

28 (a) consist of-

29 (i) the chairman of the Council;

30 (ii) the Provost;

1 (iii) two members of the Council not being members of the  
2 Professional Board;

3 (iv) two members of the professional Board; and

4 (c) make such enquiries as it deems fit before making the  
5 recommendation required under that subsection.

6 (4) The Deputy Provost shall-

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

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

11 (c) perform such other functions as the Provost or the Council may,  
12 from time to time, assign to him;

13 (5) The Deputy Provost-

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

17 (b) may be reappointed for one further period of two years and no  
18 more.

19 **12.-(1)** The Council of the College shall appoint a Registrar to the  
20 college (herein referred to as the "Registrar") who shall keep the records and  
21 conduct the correspondence of the Council and shall perform such other  
22 functions as the Council may from time to time assign subject to the  
23 approval of the Provost;

The Registrar and  
other staff of the  
College

24 (2) The Registrar shall, in addition to other duties conferred on him  
25 by or under this Bill, be the secretary to the Council, the Professional Board  
26 and any committee of the Council and in his absence, the Council or any such  
27 committee may appoint some other person to act as secretary, and he shall  
28 not vote on any question before the Council or count toward a quorum.

29 (3) A Registrar-

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

	1	effective date of his appointment and on such terms and conditions as may be
	2	specified in his letter of appointment; and
	3	(b) may be reappointed for one further period of four years and no
	4	more.
Other principal officers of the College	5	<b>13.-(1)</b> There shall be appointed for the College the following
	6	principal officers in addition to the Registrar-
	7	(a) the Bursar; and
	8	(b) the College Librarian;
	9	who shall be appointed by the Council on the recommendation of the selection
	10	Board constituted under section 10(3) of this Bill;
	11	(2)The Bursar shall be the Chief financial officer of the College and
	12	be responsible to the Provost for the day-to-day administration and control of
	13	the financial affairs of the College;
	14	(3) The College Librarian shall be responsible to the Provost for the
	15	administration of the library services of the College;
	16	(4)A Bursar or Librarian-
	17	(a) Shall hold office for a period of four years beginning from the
	18	effective date of his appointment and on such terms and conditions as may be
	19	specified in his letter of appointment; and
	20	(b) May be reappointed for a further period of four years and no more.
Resignation of appointment of principal officers	21	<b>14.</b> A principal officer may resign his appointment-
	22	(a) in the case of the Provost, by notice to the Visitor; and
	23	(b) in any other case, by notice to the Council.
Other employees of the College	24	<b>15.-(1)</b> The Council may appoint such other persons to be employees
	25	of the College as the Council may determine to assist the provost and the
	26	principal officers of the College in the performance of their functions under this
	27	Bill.
	28	(2) subject to the provisions of this Bill, the remuneration, tenure of
	29	office and conditions of service of the employees of the Council shall be

1 determined by the Council in consultation with the Federal Civil Service  
2 Commission;

3 **16.**-(1) there shall be for the College, a selection Board which shall  
4 consist of-

Selection Board  
for other principal  
officers

5 (a) the Chairman of the Council;

6 (b) the Provost;

7 (c) four members of the Council not being members of the  
8 Professional Board; and

9 (d) two members of the Professional Board.

10 (2) The functions, procedure and other matters relating to the  
11 selection Board constituted under subsection (i) of this section shall be as the  
12 Council may, from time to time determine;

13 **17.**-(1) It is hereby declared that service in the College shall be  
14 approved service for the purposes of the Pension Act and accordingly,  
15 officers and other persons employed in the College shall in respect of their  
16 service in the College be entitled to pensions, gratuities and other retirement  
17 benefits as are prescribed thereunder, so nothing in this Bill shall prevent the  
18 appointment of a person to any office on terms which preclude the grant and  
19 gratuity in respect of that office.

Pensions

20 (2) For the purposes of the applications of the Pension Act, any  
21 power exercisable thereunder by a Minister or any other authority of the  
22 government of the federation {other than the power to make regulations  
23 under section 23 thereof} shall be exercisable by the College and not by any  
24 other person or authority.

25 PART II - FINANCIAL PROVISIONS

26 **18.**-(1) The Council shall establish and maintain a fund which shall  
27 be applied towards the promotion of the objectives specified in this Bill.

Establishment  
of fund of the  
College

28 (2) There shall be paid and credited to the fund established under  
29 section (1) of this section-

30 (a) such sums as may from time to time be granted by the Federal

	1	Government through the Federal Ministry of Health;
	2	(b) all monies raised for the purposes of the College by the way of
	3	gifts, grants-in-aid or testamentary disposition; and
	4	(c) all subscriptions, fees and charges for services rendered by the
	5	College and all other sums that may accrue to the College from any source;
	6	(3) The Council shall submit to the Ministry of Health, not later than
	7	three months before the end of each financial year or at such other time as the
	8	Ministry may direct, an estimate of its revenue and expenditure for the next
	9	succeeding financial year.
Power to accept gifts	10	<b>19.</b> -(1) The Council may accept gifts of land, money or other property
	11	upon such terms and conditions if any as may be specified by the person
	12	making the gift;
	13	(2) The Council shall not accept any gift if the conditions attached by
	14	the person making the gift are inconsistent with the functions of the Council;
Accounts and audit	15	<b>20.</b> The Council shall keep proper accounts of its receipt, payments,
	16	assets and liabilities and shall in respect of each year cause the accounts to be
	17	audited;
Annual Reports	18	<b>21.</b> The Council shall as soon as may be after the expiration of each
	19	financial year, prepare and submit to the Minister a report of its activities
	20	during the immediately preceding year and shall include in the report a copy of
	21	the audited accounts of the College for that year and of the auditor's report on
	22	the accounts.
	23	PART III - MISCELLANEOUS AND SUPPLEMENT
Offices and premises	24	<b>22.</b> -(1) For the purpose of providing offices and premises necessary
	25	for the performance of its functions, the Council may-
	26	(a) purchase any interest or take on lease any land; and
	27	(b) build, equip and maintain offices and premises.
	28	(2) The Council may, with the approval of the Minister of Health, sell
	29	any interest in or lease any land, offices or premises, held by it and no longer
	30	required for the performance of its functions.

- 1                   23.-(1) The Council may make rules providing for the Provost to     Discipline of  
2                   conduct enquiries into alleged breaches of discipline (including lack of     students  
3                   diligence) by students and such rules may make different provisions for  
4                   different circumstances.
- 5                   (2) The rules shall provide for the procedure and rules of evidence  
6                   to be followed at enquiries under this section.
- 7                   (3) Subject to the provisions of subsection (1) of this section, where  
8                   it is proved during the enquiry that any student of the College has been guilty  
9                   of misconduct, the Provost may, without prejudice to any other disciplinary  
10                  powers conferred on him by this Bill or any regulation made thereunder  
11                  direct-
- 12                  (a) that the student shall not, during such period as may be specified  
13                  in the direction, participate in such activities of the College, or make use of  
14                  such facilities of the College, as he may specify; or
- 15                  (b) that the activities of the student shall during such period as may  
16                  be specified in the direction, be restricted in such manner as may be  
17                  specified; or
- 18                  (c) that the student may be suspended for such period as may be  
19                  specified in the direction; or
- 20                  (d) that the student is expelled from the College.
- 21                  (4) Where there is temporarily no Provost or where the Provost  
22                  refuses to apply any disciplinary measures, the Council may, either directly  
23                  or through some other staff, apply such disciplinary actions as are specified  
24                  in subsection (3) of this section to any student of the College who is guilty of  
25                  misconduct.
- 26                  (5) Where a direction is given under subsection (3)(c) or (d) of this  
27                  section in respect of any student, this student may, within twenty-one days  
28                  from the date of the letter communicating the decision to him, appeal from  
29                  the direction to the Council, and where such an appeal is brought, the  
30                  Council shall after causing such inquiry to be made in the matter as the

1 Council considers just, either confirm or set aside the direction or modify it in  
2 such manner as the Council may deem fit.

3 (6) Inasmuch as an appeal from a direction is brought in pursuance of  
4 subsection (5) of this section shall not affect the operation of the direction while  
5 the appeal is pending;

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

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

12 (9) It is hereby declared that the direction under subsection (3)(a) of  
13 this section may be combined with a direction under subsection (3) of this  
14 section.

15 (10) In all cases under this section, the decision of the Council shall be  
16 final unless reversed by the Minister on appeal by the student.

Interpretation

17 **24.** In this Bill, unless the context otherwise requires-

18 "Chairman" means the chairman of the Council;

19 "College" means the Federal College of Optometry;

20 "Council" means the Governing Council of the College;

21 "Functions" includes powers and duties;

22 "Member" means a member of the Council including the chairman;

23 "Minister of Health" means the minister charged with the responsibility for  
24 matters relating to health in Nigeria;

25 "Provost" means the Provost of the Federal College of Optometry appointed  
26 under section (9) of this Bill;

Short title

27 **25.** This Bill may be cited as the Federal College of Optometry Egbu,  
28 (Establishment) Bill, 2022.



## 1 SCHEDULES

## 2 FIRST SCHEDULE

## 3 PRINCIPAL OFFICERS OF THE UNIVERSITY

4 *The Chancellor*

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

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

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

12 *The Chancellor*

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

15 (2) Subject to the provisions of this Act, the Chancellor shall hold  
16 office for a period of four years beginning with the date of his appointment.

17 *The Provost*

18 3.-(1) there shall be a Provost of the College who shall be appointed  
19 by the President in accordance with the provisions of this paragraph.

20 (2) Where a vacancy occurs in the post of a Provost, the Board  
21 shall-

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

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

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

28 (b) Constitute a search team consisting of-

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

1 (ii) two members of the Senate who are not members of the Council,  
2 one of whom shall be a professor;

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

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

8 (a) the Chancellor, as chairman;

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

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

15 (4) The Council shall select three candidates from among the  
16 candidates recommended to it under subparagraph (3) of this paragraph and  
17 may indicate its order of preference stating the reasons therefore and forward  
18 the names to the President.

19 (5) The President may appoint as Provost anyone of the candidates  
20 recommended to him in accordance with the provisions of subparagraph (4) of  
21 this paragraph.

22 (6) The Provost shall hold office for a single term of five years only on  
23 such terms and conditions as may be specified in his letter of appointment.

24 (7) The Provost may be removed from office by the Visitor after due  
25 consultation with the Council and the Senate acting through the Minister of  
26 Education.

27 *Deputy Vice-Chancellors*

28 4.-(1) There shall be for the College a Deputy Provost to assist the  
29 Provost in the administration of the College.

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

1 shall forward to the Senate a list of two candidates for the post of Deputy  
2 Provost that is vacant.

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

6 (4) A Deputy Provost shall-

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

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

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

13 (5) A Deputy Provost-

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

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

19 *Office of the Registrar*

20 5.-(1) There shall be for each University a Registrar, who shall be  
21 the chief administrative officer of the College and shall be responsible to the  
22 Vice-Chancellor for the day-to-day administrative work of the College  
23 except as regards matters for which the Bursar is responsible in accordance  
24 with paragraph 6 (2) of this Schedule.

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

28 *Other principal officers of the University*

29 6.-(1) There shall be for each University the following principal  
30 officers, in addition to the Registrar, that is-

1 (a) the Bursar; and  
2 (b) the University Librarian, who shall be appointed by the Board on  
3 the recommendation of the Selection Board constituted under paragraph 8 of  
4 this Schedule.

5 (2) The Bursar shall be the chief financial officer of the University and  
6 be responsible to the Provost for the day-to-day administration and control of  
7 the financial affairs of the College.

8 (3) The University Librarian shall be responsible to the Provost for  
9 the administration of the College library and the co-ordination of the library  
10 services in the College and its campuses, faculties, schools, departments,  
11 institutes and other teaching or research units.

12 (4) Any question as to the scope of the responsibilities of the  
13 aforesaid officers shall be determined by the Provost.

14 *Selection Board for other principal officers*

15 7.-(1) there shall be, for the University, a Selection Board for the  
16 appointment of principal officers, other than the Vice-Chancellor or Deputy  
17 Vice-Chancellor, which shall consist of-

- 18 (a) the Chancellor, as chairman;  
19 (b) the Provost;  
20 (c) four members of the Board not being members of the Senate; and  
21 (d) two members of the Senate.

22 (2) The functions, procedure and other matters relating to the  
23 Selection Board constituted under sub-paragraph (1) of this paragraph shall be  
24 as the Council may, from time to time, determine.

25 (3) The Registrar, Bursar and Librarian shall hold office for such  
26 period and on such terms as to the emoluments of their offices and otherwise as  
27 may be specified in their letters of appointment.

28 *Resignation and re-appointment*

29 8.-(1) Any officer mentioned in the foregoing provisions of this  
30 Schedule may resign his office-

- 1 (a) in the case of the Chancellor, by notice to the President; and  
2 (b) in any other case, by notice to the Council and the Council shall  
3 immediately notify the Minister in the case of the Provost.  
4 (2) Subject to paragraphs 4 and 5 of this Schedule, a person who  
5 has ceased to hold an office so mentioned otherwise than by removal for  
6 misconduct shall be eligible for re-appointment to that office.

7 SECOND SCHEDULE

8 ARRANGEMENT OF ARTICLES

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

27 *The Board*

- 28 1.-(1) The composition of the Council shall be as provided in  
29 section 7 of this Act.  
30 (2) Any member of the Board holding office otherwise than in

1     pursuance of section 7 (a), (b), (c) or (d) of this Bill may, by notice to the  
2     Council, resign his office.

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

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

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

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

17            (7) If the Chancellor is not present at a meeting of the Board, such  
18    other member of the Board present at the meeting as the Board may appoint as  
19    respects that meeting, shall be the chairman at that meeting, and subject to  
20    sections 5 and 6 of this Bill and the foregoing provisions, the Board may  
21    regulate its own procedure.

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

26                                   *The Finance and General Purposes Committee*

27            2.-(1) The Finance and General Purposes Committee of the Board  
28    shall consist of-

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

- 1 (b) the Provost and Deputy Provost;
- 2 (c) six other members of the Board appointed by the Board two of
- 3 whom shall be selected from among the three members of the Board
- 4 appointed by the Senate and one member appointed to the Council by
- 5 Congregation;
- 6 (d) the Permanent Secretary of the Federal Ministry of Health
- 7 Development or, in his absence, such member of his Ministry as he may
- 8 designate to represent him.
- 9 (2) The quorum of the Committee shall be five.
- 10 (3) Subject to any directions given by the Board, the Committee
- 11 may regulate its own procedure.
- 12 *The Senate*
- 13 3.-(1) The Senate shall consist of-
- 14 (a) the Provost and Deputy Provost;
- 15 (b) heads of departments;
- 16 (c) the Directors of institutes and research centres;
- 17 (d) the Heads of academic departments;
- 18 (e) the Librarian;
- 19 (f) one member of not less than the rank of senior lecturer of each
- 20 college;
- 21 (g) four persons representing the Congregation.
- 22 (2) The Vice-Chancellor shall be the chairman at all meetings of the
- 23 Senate when he is present; and in his absence any of the Deputy Provost
- 24 present at the meeting as the Senate may appoint for that meeting shall be
- 25 chairman at the meeting.
- 26 (3) The quorum of the Senate shall be one quarter (or the nearest
- 27 whole number less than one quarter) and subject to paragraph 2 of this
- 28 article, the Senate may regulate its own procedure.
- 29 (4) An elected member may, by notice to the Senate, resign his
- 30 office.

1           (5) Subject to paragraph (7) of this article, there shall be elections for  
2     the selection of elected members which shall be in the prescribed manner on  
3     such day in the month of May or June in each year as the Vice-Chancellor may,  
4     from time to time, determine.

5           (6) An elected member shall hold office for the period of two years  
6     beginning with 1 August in the year of his election, and may be a candidate at  
7     any election held in pursuance of paragraph (5) of this article in the year in  
8     which his period of office expires, so however that no person shall be such a  
9     candidate if at the end of his current period of office he will hold office as an  
10    elected member for a continuous period of six years or would have so held  
11    office if he had not resigned it.

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

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

22          (9) If so requested in writing by any fifteen members of the Senate, the  
23    Provost, or in his absence, any of the Deputy Provost duly appointed by him,  
24    shall convene a meeting of the Senate to be held not later than the tenth day  
25    following that on which the request was received.

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



1 *Congregation*

2 4.-(1) Congregation shall consist of-

3 (a) the Provost and the Deputy Provost;

4 (b) the full-time members of the academic staff;

5 (c) the Registrar;

6 (d) the Bursar;

7 (e) the Librarian;

8 (f) the Director of Works;

9 (g) the Director of Physical Planning;

10 (h) the Director of Academic Planning;

11 (i) the Director of Health Services; and

12 (j) every member of the administrative staff who holds a degree  
13 other than an honorary degree of any university recognised for the purposes  
14 of this statute by the Vice-Chancellor.

15 (2) Subject to sections 5 and 6 of the Bill, the Provost shall be the  
16 chairman at all meetings of Congregation when he is present; and in his  
17 absence any of the Deputy Provost present at the meeting as Congregation  
18 may appoint for that meeting, shall be the chairman at the meeting.

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

22 (4) A certificate signed by the Provost specifying-

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

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

28 (5) Subject to the foregoing provision of this article, Congregation  
29 may regulate its own procedure.

30 (6) Congregation shall be entitled to express by resolution or

1 otherwise its opinion on all matters affecting the interest and welfare of the  
2 University and shall have such other functions in addition to the function of  
3 electing a member of the Council, as may be provided by statute or regulations.

4 *Convocation*

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

6 (a) the officers of the College mentioned in the First Schedule to the  
7 Bill;

8 (b) all teachers within the meaning of the Bill;

9 (c) all other persons whose names are registered in accordance with  
10 paragraph (2) of this article.

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

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

15 (b) he applies for the registration of his name in the prescribed manner  
16 and pays the prescribed fees.

17 (3) Regulations shall provide for the establishment and maintenance  
18 of a register for the purposes of this paragraph and subject to paragraph (4) of  
19 this article may provide for the payment "from time to time of further fees by  
20 persons whose names are on the register and for any person who fails to pay  
21 those fees.

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

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

29 (6) The register shall, unless the contrary is proved, be sufficient  
30 evidence that any persons named therein is, and that any person not named

therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

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

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

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

### Division of faculties

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

*Faculty Board*

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

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

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

(c) advise the Provost or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.

(2) Each College Board shall consist of-

(a) the Provost;

(b) the Deputy Provost;

(c) the Dean;

- 1 (d) the persons severally in charge of the departments of the college;
- 2 (e) such of the teachers assigned to the college and having the
- 3 prescribed qualifications as the Board may determine; and
- 4 (f) such persons whether or not members of the University as the
- 5 Board may determine with the general or special approval of the Senate.
- 6 (3) The quorum of the Board shall be six members or one quarter,
- 7 (whichever is greater), of the members for the time being of the Board; and
- 8 subject to the provisions of this statute and to any provisions of this article and
- 9 to any provision made by regulations in that behalf, the Board may regulate its
- 10 own procedure.

11 *Appointments and Promotions Committee*

- 12 8.-(1) There shall be an Appointments and Promotions Committee of
- 13 the Council which shall ultimately be responsible for all appointments,
- 14 promotions and discipline of all categories of senior staff in the University,
- 15 under the chairmanship of the Vice-Chancellor.
- 16 (2) The Committee shall operate where necessary through the Senate
- 17 or Selection Board or ad-hoc Committees and its recommendations shall be
- 18 subject to the approval of the Council.

19 *Dean of College*

- 20 9.-(1) The Dean of a college shall be a professor appointed by the
- 21 Appointments and Promotions Committee and such Dean shall hold office for
- 22 a term of three years, and shall be eligible for re-appointment for another term
- 23 of three years after which he may not be re-appointed again until two years
- 24 have elapsed.
- 25 (2) The Dean shall be the chairman at all meetings of the College
- 26 Board when he is present and shall be a member of all committees and other
- 27 boards appointed by the College.
- 28 (3) The Dean of a college shall exercise general superintendence over
- 29 the academic and administrative affairs of the college and it shall be the
- 30 function of the Dean to present to Convocation or for the conferment of degrees

1 on persons of the University at examinations held in the branches of learning  
2 for which responsibility is allocated to that college.

3 (4) There shall be a committee to be known as the Committee of  
4 Deans consisting of all Deans of the colleges and that Committee shall  
5 advise the Provost on all academic matters and on particular matters referred  
6 to the College Board.

7 *Deputy Dean of college*

8 10.-(1) There shall be a Deputy Dean of college who shall be  
9 appointed by the Senate on the recommendation of the Dean.

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

13 *Director of institute or centre*

14 11.-(1) The Director of an institute or of a centre shall be appointed  
15 by the Appointments and Promotions Committee for academic staff, and  
16 such Director shall hold office for a period of three years and shall be eligible  
17 for re-appointment for another term of three years after which he may not be  
18 appointed again until two years have elapsed.

19 (2) The Director of an institute or centre shall exercise general  
20 superintendence over the affairs of the institute or centre.

21 *Head of department*

22 12.-(1) The Head of a department shall be appointment by the  
23 Provost and such Head shall hold office for a period of three years and shall  
24 be eligible for re-appointment for another term of three years after which he  
25 may not be appointed again until two years have elapsed.

26 (2) The Head of a department shall exercise general  
27 superintendence over the academic and administrative affairs of the  
28 department.

29 *Creation of academic posts*

30 13. Recommendations for the creation of posts other than those

1 mentioned in article 10 of this statute shall be made by Senate to the Council  
2 through the Finance and General Purposes Committee.

3 *Appointment of academic staff*

4 14. Subject to this Act and statutes deriving therefrom, the filling of  
5 vacancies in academic posts (including newly created ones) shall be the  
6 responsibility of the Appointments and Promotions Committee,  
7 notwithstanding the fact that the Provost shall have the power to make  
8 temporary appointments to academic and non-academic positions for a period  
9 not exceeding twelve calendar months.

10 *Funding of the College*

11 15.-(1) The Federal Ministry of Health shall have responsibility for  
12 health related education similar to the responsibility of the Federal Ministry of  
13 Education in general universities.

14 (2) Notwithstanding the provisions of the National Universities  
15 Commissions Act, the College shall receive funds directly from the Federal  
16 Ministry of Health and from other national and international agencies.

EXPLANATORY NOTE

This Bill seeks to provide for the establishment of a Federal College of Optometry, Egbu Owerri in Imo state, to serve as centre of excellence and standards in the study of optometry and related courses.

INSTITUTE OF PHYSICIAN ASSOCIATES OF NIGERIA BILL, 2022

ARRANGEMENT OF SECTIONS

*Section:*

1. Establishment of the Institute of Physician Associates of Nigeria
2. Objectives of the Institute
3. Functions and powers of the Institute
4. Membership of the Institute
5. Establishment and composition of the Governing Council.
6. Tenure of office of members
7. Funds of the Institute
8. Expenditure of the Institute
9. Audited accounts of the Institute
10. Appointment and functions of the Registrar
11. Registration
12. Approval of courses and accreditation
13. Establishment of Physician Associates Disciplinary Committee
14. Offences and penalties
15. Regulations
16. Interpretation
17. Citation





# A BILL

## FOR

AN ACT TO ESTABLISH THE INSTITUTE OF PHYSICIAN ASSOCIATES OF NIGERIA CHARGED WITH THE RESPONSIBILITY FOR DETERMINING THE STANDARD OF KNOWLEDGE AND SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME PHYSICIAN ASSOCIATE PROFESSIONALS; AND FOR RELATED MATTERS

*Sponsored by Hon. John Dyegh*

[ ] Commencement

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

- 1           **1.** There is established the Institute of Physician Associates of  
2   Nigeria (in this Bill referred to as the "Institute") which-  
3           (a) is a body corporate with perpetual succession and a common  
4   seal; and  
5           (b) may sue and be sued in its corporate name.  
6           **2.** The objectives of the Institute shall be to-  
7           (a) organise and provide professional training in the area of  
8   medical practice to enable the physician associates-  
9           (i) diagnose and treat illnesses,  
10          (ii) conduct physical examinations,  
11          (iii) order and interpret tests,  
12          (iv) counsel on preventive health care,  
13          (v) assist in surgery, and  
14          (vi) write prescriptions;  
15          (b) in collaboration with relevant government agencies, set  
16   standards of practice and determine the knowledge and skills to be acquired  
17   by persons seeking to register and practise as physician associates and  
18   improve on such standards, from time to time; and

Establishment  
of the Institute  
of Physician  
Associates of  
Nigeria

Objectives of the  
Institute

Functions and  
powers of the  
Institute

1 (c) do all such things as may be necessary to promote the  
2 advancement of physician associate professionals in both public and private  
3 hospitals and other healthcare centers.

4 **3.** The Institute shall-

5 (a) conduct professional examinations and award certificates as well  
6 as advise employers on matters relating to qualifications for the practice of  
7 Physician Associates in Nigeria;

8 (b) conduct research into all aspects of the profession of Physician  
9 Associates;

10 (c) organize lectures, seminars, workshops and otherwise provide  
11 training for persons aspiring to qualify and practice as Physician Associate  
12 professionals;

13 (d) establish and maintain list of persons registered as Physician  
14 Associates professionals in Nigeria and publish from time to time those so  
15 registered;

16 (e) perform such other functions as may be necessary for the  
17 advancement of the Institute and Physician Associates profession;

18 (f) acquire and hold such movable and immovable property as may be  
19 necessary or expedient for putting into effect the provisions of this Bill;

20 (g) demand and receive from any course participant or student of the  
21 Institute such fees as the Council may, from time to time, determine;

22 (h) have power to affiliate with any university or other tertiary  
23 institutions for the purpose of offering higher degree programmes; and

24 (i) in collaboration with relevant agencies of government, regulate the  
25 practice of Physician Associate Professionals in Nigeria.

Membership of  
the Institute

26 **4.** Subject to the provisions of this Bill, a person admitted to  
27 membership of the Institute shall be registered as such and shall have the right  
28 to use the appropriate title after his or her name, as may be prescribed by the  
29 Institute.

- 1                   **5.-(1)** There is established for the Institute a Governing Council (in  
2                   this Bill referred to as the "Council") which shall provide general policy  
3                   guidelines for the effective administration of the Institute.
- 4                   (2) The Council shall consist of-
- 5                   (a) President and Vice-President of the Institute who shall be  
6                   elected by members of the Institute at the annual general meeting and hold  
7                   office each for a term of two years from the date of election;
- 8                   (b) 10 members of the Institute with not less than 15 years practical  
9                   experience who shall be elected into the Council from amongst the  
10                  registered members of the Institute; and
- 11                  (c) the Registrar of the Institute.
- 12                  (3) Seven members of the Council, including the President or, in  
13                  his or her absence, his nominee shall form the quorum of the meeting of the  
14                  Council.
- 15                  (4) Vacancies existing at the Council shall be filled by election.
- 16                  **6.-(1)** Subject to the provisions of this Bill, a person elected as a  
17                  member of the Council shall hold office for a period of two years from the  
18                  date of election and may be re-elected for a further term of two years and no  
19                  more, except the Registrar whose membership of the Council terminates  
20                  when he or she ceases to be the Registrar of the Institute.
- 21                  (2) Membership of the Council shall be on part time basis.
- 22                  **7.** There is established for the Institute a Fund into which shall be  
23                  paid and credited:
- 24                  (a) fees, subscriptions and other monies due to the Institute;
- 25                  (b) gifts, loans, grants-in-aid, testamentary disposition,  
26                  endowments, contribution from any philanthropic organisation;
- 27                  (c) returns on investments made by the Institute; and
- 28                  (d) all other assets or monies that may, from time to time, accrue to  
29                  the Institute.

Establishment  
and composition  
of the Governing  
Council

Tenure of office  
of members

Funds of the  
Institute

Expenditure of  
the Institute

1                   **8.** The Institute may, from time to time, apply proceeds of the Funds  
2 of the Institute to-  
3                   (a) the administration of the Institute;  
4                   (b) the payment of the emoluments, allowances and benefit of  
5 members of the Council as well as for such other employees of the Institute as  
6 may be appropriate;  
7                   (c) the development and maintenance of any property vested in or  
8 owned by the Institute; and  
9                   (d) such other activities that will promote the growth of the Institute or  
10 are connected with its functions.

Audited accounts  
of the Institute

11                   **9.** The Council shall keep proper accounts for the Institute in respect  
12 to each financial year and proper records in relation to such accounts, and shall  
13 cause the accounts to be audited by a firm of auditors approved by the Council  
14 and the result of the audit published within six months from the end of the  
15 financial year to which the accounts relate.

Appointment and  
functions of the  
Registrar

16                   **10.-(1)** The Council shall appoint a fit and proper person to be the  
17 Registrar of the Institute.  
18                   (2) The Registrar shall-  
19                   (a) be the Secretary to the Council;  
20                   (b) prepare and maintain, in accordance with rules approved by the  
21 Council, a register of the names, addresses, qualifications and such other  
22 particulars as may be required of all persons who are entitled, in accordance  
23 with the provisions of this Bill, to be registered as physician associate  
24 professionals and who apply in the specified manner and have been so  
25 registered;  
26                   (c) correct, in accordance with the Council's directive, any entry in the  
27 register which the Council directs him to correct being in the Council's opinion  
28 an entry which was incorrectly made;  
29                   (d) cause the register to be published and put on sale to members of the  
30 public not later than two years from the date in which this Bill comes into effect

1 and thereafter cause to be published and put on sale either a corrected or an  
2 updated edition of the register every two years.

3 (3) Subject to provisions of this section, the Institute may make  
4 such other rules as may be expedient for the proper keeping of the register  
5 and making of entries therein.

6 11. A person shall be entitled to be registered as a member of the Registration  
7 Institute under this Bill if-

8 (a) he or she holds a qualification obtained within or outside  
9 Nigeria and for the time being acceptable to the Institute; and

10 (b) he or she is of good character.

11 12. The Institute may-

12 (a) approve a course of training which is intended for persons Approval of  
13 seeking to become or are already registered members of the Institute; courses and  
accreditation

14 (b) accredit any institute whether in Nigeria or elsewhere, which  
15 the Institute considers is properly organised and equipped for conducting the  
16 whole or any part of a programme of training approved by the Institute; and

17 (c) approve any qualification granted, as a result of an examination  
18 taken in a course of training approved by the Institute under this section, to  
19 candidates reaching a standard at an examination which, in the opinion of  
20 the Institute, such candidates have sufficient knowledge and skill to practise  
21 physician associate as a profession.

22 13.-(1) There shall be the Physician Associate Professionals Establishment  
23 Disciplinary Committee (in this Bill referred to as "the Disciplinary of Physician  
24 Committee") which shall be charged with the duty of considering and Associates  
25 determining cases of professional misconduct referred to it. Disciplinary  
Committee

26 (2) The Disciplinary Committee shall consist of a chairman and  
27 four other members of the Council of the Institute appointed by the Council.

28 (3) The quorum of the meeting of the Committee shall be three  
29 members, including the Chairman or, in his or her absence, his or her  
30 nominee.

1 (4) The Disciplinary Committee shall conduct investigations into any  
2 allegation against any registered member of the Institute for professional  
3 misconduct or such other conduct that warrants proceedings against him or her  
4 or before the Disciplinary Committee and shall make determination as to his or  
5 her guilt or innocence.

6 (5) Where the Disciplinary Committee determines that a registered  
7 member is guilty of misconduct, it shall refer the matter, including all its  
8 proceedings, to the Council of the Institute and the Council shall make  
9 determination as to whether the member should be-

10 (a) reprimanded;

11 (b) suspended for a period not exceeding 12 months; or

12 (c) deregistered and have his or her name removed from the register.

13 (6) The Council may make rules not inconsistent with this Bill as to  
14 acts which constitute professional misconduct.

15 (7) If a member is convicted of a criminal offence by a court or  
16 tribunal of competent jurisdiction, he or she shall have his or her name removed  
17 from or struck out of the register.

18 (8) A person whose name is removed from the register in pursuance of  
19 a directive of the Council under this section the person is not entitled to be  
20 registered again except in pursuance of a new directive in that behalf given by  
21 the Council upon the application of that person not less than two years from the  
22 date on which his or her name was removed from the register.

Offences and  
penalties

23 **14.-(1)** A person who is not registered by the Institute but holds  
24 himself or herself out as a registered physician associate professional commits  
25 an offence.

26 (2) A person who, for the purpose of procuring registration as a  
27 physician associate professional-

28 (a) makes false claim as to his or her qualifications or experiences, or

29 (b) makes false entry or willfully falsifies the register, commits an  
30 offence.

1 (3) A person who commits an offence under this Bill is liable on  
2 conviction to-

3 (a) a fine not exceeding N100,000 or imprisonment for a term not  
4 exceeding 6 months or both such fine and imprisonment for an individual; or

5 (b) a fine of not less than N500,000 for a corporate organization.

6 **15.** The Bill may make regulations and rules for such incidental and Regulations  
7 supplementary matters as it may, from time to time, consider expedient for  
8 the purposes of this Bill.

9 **16.** In this Bill- Interpretation

10 "approved" means for the time being approved under section 12 of this Bill;

11 "approved Physician Associate Professional Qualification" means a  
12 qualification which is approved in respect of the physician associate  
13 professional;

14 "Council" means the governing Council established under section 5 (1) of  
15 this Bill;

16 "Disciplinary Committee" means the Physician Associate Professionals  
17 Disciplinary Committee set up under section 13 (1) of this Bill;

18 "register" means the register prepared and maintained under this Bill;

19 "registered" means registered as a member of the Institute in accordance  
20 with section 11 of this Bill; and

21 "Physician Associate Professional" means any accelerated-medically-  
22 trained clinician who is a health care professional licensed to practise  
23 medicine alongside his or her physically or remotely present supervising  
24 physician or who works as a clinical officer with patients of all ages in all  
25 specialties with his or her supervising physicians.

26 **17.** This Bill may be cited as the Institute of Physician Associates Citation  
27 of Nigeria Bill, 2022.

## EXPLANATORY MEMORANDUM

This Bill seeks to establish the Institute of Physician Associates of Nigeria charged with the responsibility for determining the standard of knowledge and skills to be attained by persons seeking to become physician associate professionals.