

**8TH NATIONAL ASSEMBLY
FOURTH SESSION
NO.34**



Committee on Tertiary Institutions and TetFund

**REPORT OF THE COMMITTEE ON A BILL FOR AN
ACT TO AMEND JOINT ADMISSIONS AND
MATRICULATION BOARD ACT CAP J1 LFN 2004,
2018.**

(SB.625)

OCTOBER, 2018

REPORT OF THE COMMITTEE ON A BILL FOR AN ACT TO AMEND JOINT ADMISSIONS AND MATRICULATION BOARD ACT CAP J1 LFN 2004, 2018 (SB. 625)

INTRODUCTION:

Mr. President you may wish to recall that the Senate at its sitting on Wednesday, 30th May, 2018 referred the above Bill sponsored by Senator Barau I Jibrin to the Committee for further legislative input. Consequently, the Committee held a Public Hearing on Tuesday 10th July, 2018 to get public and stakeholders input.

The Committee as well as the participants agreed with the intentions of the Bill. Participants were all in agreement that the amending of the existing Joint Admissions and Matriculation Board Act will align Nigeria's admission policy with global best practices.

COMMITTEE'S FINDINGS:

The existing Joint Admissions and Matriculation Board Act does not meet today's reality, thereby requiring amendment that will reposition the board in line with global best practices to achieve better synergy among institutions in the tertiary education sector.

The amendment proposed by the Bill will enable the Board to oversee admissions for HND programmes in order to maintain comprehensive database of all admissions leading to awards of Diplomas, it will equally include Innovation Enterprise Institutions as

institutions under the boards' examination and clarify the tenure of Registrar and Power of the Minister.

COMMITTEE'S RECOMMENDATIONS:

The Committee recommends as itemized in the tabular report.

CONCLUSION:

The Committee recommends that the Senate of the Federal Republic of Nigeria do approve its recommendations accordingly. The Committee wishes to express its profound gratitude to the entire Senate for its usual support.

SIGNATURE

1. Sen. Barau I. Jibrin	-	Chairman.....
2. Sen. Tijjani Yahaya Kaura	-	Vice Chairman.....
3. Sen. Emmanuel Bwacha CON	-	Member.....
4. Sen. Muhammed Ubali Shitu	-	Member.....
5. Sen. Tinubu Oluremi Shade	-	Member.....
6. Sen. Omogunwa O. Yale	-	Member.....
7. Sen. Clifford Ordia	-	Member.....
8. Sen. John Owan Enoh	-	Member.....
9. Sen. Samuel O. Egwu	-	Member.....
10. Sen. Abaribe E. Harcourt	-	Member.....
11. Sen. Joshua Chibi Dariye (JP) FCA-	-	Member.....
12. Sen. Danjuma Goje	-	Member.....
13. Sen. Aliyu M. Wamakko	-	Member.....
14. Sen. Shaaba Lafiagi	-	Member.....
15. Sen. Suleiman Nazif	-	Member.....
16. Sen. Kabiru Gaya	-	Member.....
17. Sen. Yahaya A. Abdullahi	-	Member.....
18. Sen. Binta Masi Garba	-	Member.....
19. Sen. Foster Ogola	-	Member.....
20. Sen. Magnus Abe	-	Member.....
21. Sen. Baba Kaka Garbai	-	Member.....
Ngozi Nkemdirim (Mrs)	-	Committee Clerk.....

A BILL

FOR

AN ACT TO AMEND THE JOINT ADMISSION AND MATRICULATION BOARD ACT CAP J1 LFN 2004, 2018 (SB. 625)

SPONSORED BY SENATOR BARAU I. JIBRIN (KANO NORTH)

[] Commencement

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

CLAUSES	PRINCIPAL ACT	AMENDMENT PROPOSED	COMMITTEE RECOMMENDATION
Long Title	1. Establishment of the Joint Admissions and Matriculation Board: There is hereby established a body to be known as the Joint Admissions and Matriculation Board (in this Act referred to as "the Board") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.	1. Establishment of the Joint Admissions and Matriculation Board: There is hereby established a body to be known as the Joint Admissions and Matriculation Board (in this Act referred to as "the Board") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.	Long Title: 1. Establishment of the Joint Admissions and Matriculation Board: There is hereby established a body to be known as the Joint Admissions and Matriculation Board (in this Act referred to as "the Board") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.
1.	5. Functions of the Board. (1) Notwithstanding the provisions of any other enactment, the Board shall be responsible for - (a) the general control of the conduct of matriculation examinations for admissions into all Universities, Polytechnics (by whatever name called) and Colleges of Education (by whatever name called) in Nigeria;	1. Sections 5(1)(a) and 5(2) of the Principal Act are amended. Section 5(1)(a) is amended also to add sub-section (i) and (ii) under (a) as follows: 5(1)(a) (i) the general control of the conduct of matriculation examinations and admissions to courses leading to award of First Degrees, Higher National Diploma, National Diploma, and Nigeria Certificate in Education by	Retained as in the Bill

	(2) For the avoidance of doubt, the Board shall be responsible for determining matriculation requirements and conducting examinations leading to undergraduate admissions and also for admissions to National Diploma and the Nigerian Certificate in Education courses, but shall not be responsible for examinations or any other selective process for postgraduate courses and any other courses offered by the tertiary institutions.	Universities (by whatever name called), Monotechnic/Polytechnics (by whatever name called), Colleges of Education (by whatever name called) and Innovation Enterprise Institutions (by whatever name called) in Nigeria. (ii) the conduct of entrance examinations and admission to any post Secondary Institution with a minimum training period of two years leading to the award of a Certificate, a Diploma or Registration by appropriate Agency of Government. (2) for the avoidance of doubt, the Board shall be responsible for determining matriculation requirements and conducting examinations in and admissions to tertiary institutions in Nigeria offering academic programmes leading to the award of First Degrees, Higher National Diploma, National Diploma, Nigeria Certificate in Education, and any other Diploma, g Certificate or Registration awarded by any Post Secondary Institutions, but shall not be responsible for examination or any other selective processes for postgraduate courses/programme.	
2	7. Registrar of the Board (3) The Registrar shall hold office in the first instance for a period of five years and shall be eligible for re-appointment for such further periods as the President, Commander-in-Chief of the Armed Forces may, from time to time, determine.	2. Registrar of the Board Section 7 (3) of the Principal Act is amended as follows: The Registrar shall hold office in the first instance for a period of five years and shall be eligible for re-appointment for another term of five years and no more.	Retained as in the Bill

3	3. Section 17 of the Principal Act is replaced as follows: 17. Legal Proceedings (1) Limitation of suits Against the Board (a) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against an officer or employee of the Board. (b) Notwithstanding anything contained in any enactment, no suit against a member of the Board, or the Registrar, or any officer, or employee of the Board done in pursuance of this Act or any enactment of law or of any public duty or authority shall lie or be instituted in any court unless it is commenced- (i) Within 3 months next after the act, neglect or default complained of; or (ii) In the case of damage or injury, within six months next after the ceasing thereof. (c) No suit shall lie against a member of the Board, or the Registrar or any officer or employee of the Board before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Board by the intending plaintiff or his agent. (d) The notice referred to in subsection (c) of this section shall clearly and explicitly state the cause of action, the particulars of claim, the name and place of abode of the intending plaintiff and the relief he claims.
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(2) Service of Documents

A notice, summons or other documents required or authorized to be served on the Board under the provisions of this Act or any other enactment or law may be served by delivering it to the Registrar or by sending it by registered post addressed to the Registrar at the registered office of the Board.

(3) Restriction of Execution against property of the Board.

In any action or suit against the Board, no execution or attachment of process in the nature thereof shall be issued against the Board unless not later than three months of the intention to execute or attach has been given to the Board.

(4) Indemnity of members, Registrar, Officers, etc

A member of the Board, or the Registrar or any officer or employee of the Board shall be indemnified out of the assets of the Board against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, Registrar, or other officer or employees of the Board.

(5) Legal Representation of the Board

(a) Any legal practitioner in the employment of the Board may with the consent of the Registrar prosecute or defend in the name of and on behalf of the Board in any Court of Law in the Country.

		(b) A person so appointed will equally be entitled to represent the Board as legal Practitioner for the purpose and in the course of his employment without prejudice to the power of the Board to engage private legal practitioners in any proceedings.	
4		4. A new Section 18 is added which shall provide as follows: 18. Illegal admission Illegal admission by Tertiary Institutions It shall be an offence for any tertiary institution or person to offer admission to any candidate in contravention of the provisions of this Act; such institution or person shall upon conviction be liable to a term not exceeding 3 months imprisonment or a fine of Five Hundred Thousand Naira or both.	Retained as in the Bill
5	17. Interpretation (1) In this Act, unless the context otherwise requires- "Tertiary Institutions" means any tertiary institutions in Nigeria and includes any other institution in Nigeria providing courses leading to the award of first degrees.	5. The existing Section 17 is renumbered as Section 19 and amended as follows: 19. Interpretation Tertiary Institution Means: Any Post Secondary Education in Nigeria with a minimum of two years training leading to the award of First Degree, Higher Diploma, National Diploma, Nigerian Certificate in Education and any other Certificate or Diploma or Registration approved by appropriate Agency of Government.	Retained as in the Bill
	18. Citation This Act may be cited as the Joint Admissions and Matriculation Board Act.	The existing Section 18 is renumbered as 20. 20. Citation This Act may be cited as the Joint Admissions and Matriculation Board (Amendment) Bill, 2018.	Retained as in the Bill