

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Tuesday, 6th July, 2021

- 1. The Senate met at 10:56 a.m. The President of the Senate read prayers.
- 2. Votes and Proceedings:

The Senate examined the Votes and Proceedings of Thursday, 1st July, 2021.

Question was put and the Votes and Proceedings were approved.

- 3. Announcements:
 - (a) Conference Committee:

The President of the Senate named the following Senators as Conferees on Petroleum Industry Bill, 2021:

- (i) Senator Yahaya A. Abdullahi Chairman
- (ii) Senator Sabo Mohammed Member North West
- (iii) Senator Albert B. Akpan Member South South
- (iv) Senator Mohammed D. Goje Member North East
- (v) Senator Michael O. Bamidele Member South West
- (vi) Senator Stella A. Oduah Member South East
- (vii) Senator Gabriel T. Suswam Member North Central
- (b) All Progressive Congress (APC) Caucus Meeting:

The President of the Senate read a letter from Senator Yahaya A. Abdullahi— (Kebbi North) as follows:

THE SENATE Senator Yahaya A. Abdullahi

KEBBI NORTH SENATORIAL DISTRICT

To: All Distinguished Senators

From: The Senate Leader

Date: 6th July, 2021

ANNOUNCEMENT

This is to inform all APC Senators that there will be a meeting of the APC caucus after plenary today, 6^{th} July, 2021 in Hearing Room 1 at the White House.

Thank you.

(Signed)

Distinguished Senator Yahaya Abdullahi

(c) Meeting:

The President of the Senate read a letter from Senator Robert A. Boroffice— (Ondo North) as follows:

Senator (Professor) Robert Ajayi Boroffice OON

THE ASIWAJU OF AKOKOLAND
OFFICE OF THE DEPUTY MAJORITY LEADER
FEDERAL REPUBLIC OF NIGERIA

6th July, 2021

His Excellency,

Senator Ahmad Ibrahim Lawan, Ph.D., CON President of the Senate, National Assembly, Federal Republic of Nigeria.

URGENT MEETING OF SOUTH WEST GOVERNORS WITH SENATORS AND HON. MEMBERS FROM THE SOUTH WEST.

Dear Distinguished Senators and Honourable Members;

We are directed by the Leadership of the South West Caucus in the National Assembly to communicate the invitation of South West Governors to an urgent meeting of the Governors with Distinguished Senators and Hon. Members of the House of Representatives as follows:

Date: Tuesday, 6th July, 2021.

Time: 7pm

Venue: Osun Hall, Transcorp Hilton Maitama, Abuja.

AGENDA:

- 1. PIB
- 2. Electoral Act (Amendment) Bill
- $3. \qquad A.O.B.$
- 1. Sen. Michael Opeyemi Bamidele
- 2. Hon. Olufemi Fakeye

(Signed)

Senator (Prof.) Robert Ajayi Boroffice, OON.

4. Petitions:

Rising on Order 41, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to five (5) petitions received from the Office of the President of the Senate as follows:

- (i) Evang. Linus Ukachukwu, against the Honourable Minister of FCT over an alleged disobedience of court judgement;
- (ii) Comrade Imeabe Saviour Oscar & four others, against the Honourable Minister of Niger Delta Affairs, over an alleged sabotage during the inauguration of the screened and confirmed Niger Delta Development Commission (NDDC) Board;

- (iii) Kayode Taiwo Samson, Esq., against the Nigeria Police Force, over an appeal for the restatement of CPL Ojo Mckenzie;
- (iv) David John Bature, against the Acting Chairman, Fiscal Responsibility Commission, over alleged fraudulent and mal-administration practices; and
- (v) Olalekan I. Oladipo, Esq., against the Chairman of Nigeria Law Reform Commission, over an alleged flagrant breach of Nigeria Law Reform Commission Act.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 41(3)] to report within four (4) weeks.

5. Matter of Urgent Public Importance:

Rising on Orders 42 and 52, Senator Tolulope A. Odebiyi (*Ogun West*) drew the attention of the Senate to the urgent need for the Senate to investigate the continued illegal encroachment(s) into Nigeria's territory and the illegal arrests of Nigerians by security officials from Benin Republic. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

recall the numerous reports of alleged encroachments into Nigeria's territory by authorities of our country's neighbour (The Republic of Benin) which has become increasingly disturbing;

recall also that the reports revealed by Nigeria's major news outlets like the PUNCH newspaper, published on the 22nd of April 2021, and another report published on the 5th of July 2021 bears testament to these facts;

notes that, according to a report by Channels TV station posted on the 2nd of July 2021, it was reported that, "gendarmes" from the Republic of Benin crossed illegally into Nigeria territory to carry out the arrest of one Pastor Kunle Garb and Mr. Benjamin Amosu, his interpreter, who are residents of Igbokofi Village in Yewa North Local Government Area of Ogun State for demanding the reversal of the land encroachment by Government of the Republic of Benin;

notes that the arrest of these Nigerians is based on the allegation that they are resisting encroachment into Nigerian Land through Igbokofi village in Yewa-North Local Government Area of Ogun State;

further notes that these allegations of encroachment have been also flayed by the Government of the State as published in a release from the State Government calling on the Federal Government to immediately secure the release of Nigerian citizens currently languishing in detention in the Republic of Benin as a result of their resistance to the continued encroachment;

aware that, the continuous "unchecked" Egress and Ingress of persons at the different entry points and borders between Nigeria and the Republic of Benin - The country's closest neighbour, are largely the result of the porosity of our country's borders;

further aware that the said Pastor Kunle Garb and Mr. Benjamin Amosu were allegedly arrested in Nigeria in a gestapo style and shipped to prison in Ajase, Port Novo Area of Benin Republic, without an order of a competent court of jurisdiction in Nigeria;

disturbed that this very sad event is in contradiction to the mutually beneficial bilateral relationship that is currently in place between both countries and is a huge deviation from the provisions of Section 6 of the Extradition Act, Cap E25, Laws of the Federation of Nigeria 2004 which clearly states the processes in matters of Extradition;

further disturbed, that this action by the Government and agents of the Republic of Benin are capable of causing huge unrest, and can lead to mass action against citizens residing in both countries; and

concerned that if these actions as allegedly committed by the Government and agents of the Republic of Benin is not urgently investigated and properly looked into, it might degenerate into a diplomatic row between both countries.

The Senate accordingly resolves to:

- (i) condemn any act of unlawful encroachment and the unlawful arrest of Nigerians by the authorities of Republic of Benin; and
- (ii) urge the Federal Ministry of Foreign Affairs, the Federal Ministry of Justice and the National Border Commission to urgently put in place the necessary mechanism that would provide lasting solutions to this issue (Senator Tolulope A. Odebiyi Ogun West).

Debate:

Proposed Resolution (i):

Question: That the Senate do condemn any act of unlawful encroachment and the unlawful arrest of Nigerians by the authorities of Republic of Benin — Agreed to.

Proposed Resolution (ii):

Question: That the Senate do urge the Federal Ministry of Foreign Affairs, the Federal Ministry of Justice and the National Border Commission to urgently put in place the necessary mechanism that would provide lasting solutions to this issue.

Amendment Proposed:

Leave out Proposed Resolution (ii) and insert the following instead thereof:

"That the Senate do mandate its Committees on Foreign Affairs; Judiciary, Human Rights and Legal Matters; and State and Local Governments to interface with the Federal Ministry of Foreign Affairs; Federal Ministry of Justice; and the National Border Commission to urgently put in place the necessary mechanism that would provide lasting solutions to this issue (Senator Yahaya A. Abdullahi — Kebbi North).

Question that the amendment be made, put and agreed to.

Resolved:

That the Senate do:

- (i) condemn any act of unlawful encroachment and the unlawful arrest of Nigerians by the authorities of Republic of Benin; and
- (ii) mandate its Committees on Foreign Affairs; Judiciary Human Rights and Legal Matters; and State and Local Governments to interface with the Federal Ministry of Foreign Affairs; Federal Ministry of Justice; and the National Border Commission to urgently put in place the necessary mechanism that would provide lasting solutions to this issue (S/Res/008/03/21).

6. Privileges:

Rising on Orders 14, 15, 16 and 47 Senator George T. Sekibo (*Rivers East*) drew the attention of the Senate to the inability of the Committee on Rules and Business to issue Notice Paper to Senators to prepare for the business of the day. He stated that most of the items of the day are seen by him for the first time on the floor and this has impeded his preparation to contribute

meaningfully to debates and other activities on the floor. He sought and obtained the intervention of the Senate on the matter.

The Chairman of Rules and Business should take note and act accordingly.

7. Presentation of Bills:

- (i) Orthopedic Hospitals Management Board Act (Amendment) Bill, 2021 (HB. 1284) Read the First Time.
- (ii) Code of Conduct and Anti-Corruption Tribunal Bill, 2021 (SB. 726) Read the First Time.
- (iii) Institute of Agriculture and Technology Bekwara (Establishment) Bill, 2021 (SB. 765)

 Read the First Time.
- (iv) Historical Sites and Preservation Protection Bill, 2021 (SB. 766) Read the First Time.
- (v) Counterfeit Goods Bill, 2021 (SB. 768) Read the First Time.

8. Committee on Appropriations:

Report on the Supplementary Appropriation Bill, 2021 (SB. 754):

Motion made: That the Senate do receive the Report of the Committee on Appropriations on the Supplementary Appropriation Bill, 2021 (Senator Barau I. Jibrin — Kano North).

Question put and agreed to.

Report Laid.

9. Committee on Establishment and Public Service:

Report on the Chartered Institute of Directors of Nigeria (Establishment) Bill, 2021 (SB. 495):

Motion made: That the Senate do receive and consider the Report of the Committee on Establishment and Public Service on the Chartered Institute of Directors of Nigeria (Establishment) Bill, 2021 (Senator Ibrahim Shekarau — Kano Central).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF DIRECTORS OF NIGERIA TO PROVIDE PROFESSIONAL TRAINING TO DIRECTORS AND TO PROMOTE EFFECTIVE GOVERNANCE, PUBLIC ACCOUNTABILITY, PROFESSIONAL EFFICIENCY AND RELATED MATTERS, 2021.

PART 1 - APPLICATION, OBJECTIVES AND ESTABLISHMENT OF THE INSTITUTE

Clause 1: Application

This Bill shall apply to:

(a) Members of the Institute.

- (b) Persons performing the role of directors by whatever designation the office may deem appropriate to address the position.
- (c) Persons who have the power to act on behalf of an institution without the prior express written approval of the Board subject only to certain limitations by the Board for substantial financial transactions.

That the provision in Clause 1 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Establishment of the Institute

- (a) There shall be established a body to be known as the Chartered Institute of Directors Nigeria (in this Bill referred to as 'the Institute').
- (b) The Institute shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (c) Subject to the provision of Land Use Act, the Institute shall have power to acquire, hold or dispose of any property, movable and immovable, for the purpose of carrying out any of its functions under this Bill.
- (d) The Institute shall not engage in any partisan activities nor shall any Director or Officer of the Institute engage in such activities on behalf of the Institute.

Committee's Recommendation:

That the provision in Clause 2 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Objectives of the Institute

The objectives of the Institute are to:

- (a) Promote the practice of good directorship in both the public and private sectors in Nigeria;
- (b) Provide well-trained directors who are persons with critical and analytical thinking and creative problem-solving skills;
- (c) Prepare knowledgeable, skilled, competent, capable and compassionate corporate governance practitioners;
- (d) Collaborate with individuals, organizations, and agencies interested and committed to building the capacity of Nigeria's directors and advocating for good corporate governance with the aim of developing professional and technical know-how and improving productivity and national development;
- (e) Promote integrity, ethical leadership and standards in the conduct and behaviour of persons seeking to qualify as members of the Institute;
- (f) Ensure that its members maintain a reputable and high standard of conduct expected of any professional practice:

- (g) Provide for the training and examination of persons desiring to become members of the Institute and to promote and protect the interest of its members:
- (h) Arrange conferences, seminars, symposia and meetings for discussion on practices related to the profession;
- (i) Ensure the establishment and maintenance of a register of its members as well as the publication of their lists from time to time; and
- (j) Establish a library that will enhance the study of the profession in Nigeria and beyond.
- (k) Perform such other functions as may be determined by Council from time to time, in furtherance of the realization of the objectives of the Institute.

That the provision in Clause 3 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Functions of the Institute

The Institute shall:

- (a) Determine the standards of knowledge and skill to be attained by persons seeking to be members of the Institute;
- (b) Establish, maintain and periodically review the standards of performance of all the powers and duties attached to the offices and positions of members of the Institute;
- (c) Promote the theory and practice of good corporate governance amongst members in accordance with international best practice;
- (d) Ensure observance of high standards of ethical values and professional conduct, including certification and accreditation of members;
- (e) Build a body of professionals that are skilled and experienced in administration;
- (f) Regulate the admission of persons into the membership of the Institute in accordance with the provisions of this Bill, including the establishment, registration and maintenance of a Register for each category of members stipulated under this Bill;
- (g) Facilitate the exchange of ideas, to promote better understanding, and disseminate to the public professional opinions on the subject of directorship, good governance, corporate governance, corporate management and the problems associated therewith;
- (h) Organize and conduct examinations for members and prospective members, in the theory and practice of good corporate governance;
- (i) Establish and maintain a library for the use of members and the public, and collect, print, publish and distribute to members and the general public, newspapers, periodicals, journals, books, circulars and leaflets;

- (j) Make recommendations to the Government and other organizations on any changes in the law relating to Directors and corporate governance; and promote policies intended to improve corporate governance; and
- (k) Carry out such other functions in furtherance of the objectives of the Institute.

That the provision in Clause 4 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: Offices of the Institute

The Institute shall have its Head office in Nigeria and Branch Offices across the Federation (Senator Ibrahim Shekarau — Kano Central).

Amendment Proposed

Leave out the provision in Clause 5 and insert the following instead thereof:

"The Institute shall have its Head Office in Abuja, Federal Capital Territory (FCT), and branch offices in each State Capital of the Federation (Senator Ovie A. Omo-Agege — Delta Central).

Question that the amendment be made, put and agreed to.

Question that Clause 5 as amended do stand part of the Bill, put and agreed to.

Clause 6: Establishment, Composition & Tenure of the Members of the Governing Council

- (1) There is established for the Institute, a Governing Council (in this Bill referred to as 'The Council), which shall be responsible for the general governance and oversight of the Institute.
- (2) The Council shall consist of:
 - (a) the President of the Institute who shall be the Chairman;
 - (b) The 1st Vice President of the Institute who shall be the Vice-Chairman;
 - (c) The 2nd Vice President of the Institute;
 - (d) The last three past Presidents of the Institute;
 - (e) Three Chairmen of branches of the Institute on a rotational basis every two years;
 - (f) The Director-General of the Institute;
 - (g) The Honorary Legal Adviser;
 - (h) The Honorary Treasurer;
 - (i) Twelve (12) other elected members provided that one-third of these elected members would retire by rotation at every Annual General Meeting but may be subject to re-election; and provided that no person shall be a Council member for more than 10 years;

- (j) A representative of:
 - i. The Federal Ministry responsible for trade and investment, not below the rank of a Director, to be nominated by the Minister,
 - ii. The Federal Ministry responsible for education, not below the rank of Director, to be nominated by the Minister;
 - iii. The Securities and Exchange Commission, not below the rank of Director;
 - iv. The Corporate Affairs Commission, not below the rank of Director;
 - v. The Financial Reporting Council of Nigeria, not below the rank of a Director; and
 - vi. An academic not below the rank of a professor, to be appointed by the Council on the recommendation of the President
- (3) The provisions set out in the schedule to this Bill shall have effect with respect to qualifications, tenure of office and meetings of the Council and other matters therein mentioned.
- (4) All Council members shall act in a manner consistent with their obligations to the Institute and applicable laws, regardless of any other affiliation, membership or position.

That the provision in Clause 6 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 6 do stand part of the Bill, put and agreed to.

Clause 7: Powers of the Council.

The powers of the Council shall include to:

- a. Appoint and discipline the Director-General and other members of staff of the Institute:
- b. Appoint and discipline the Secretary who shall report to the Council and the Director-General;
- c. Approve the remuneration of staff of the Institute, and allowances of members of the Council;
- d. Approve the recommendation, from the Director-General of the Institute, for the establishment of branch office (s) for the Institute;
- e. Establish committees or relevant departments for the purpose of effective regulation and discharge of the administrative functions of the Institute under the Bill;
- f. Issue rules or regulation for the Institute;
- g. Prescribe costs or penalties for violation of any provision of the Bill;

- h. Prescribe yearly dues for members of the Institute;
- i. Enforce the provisions of this Bill;
- j. Approve donations for charitable purposes; and
- k. Do any other thing for the purpose of achieving the objectives of the Institute.

That the provision in Clause 7 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: Resignation, Cessation and Removal of Members of the Council

- (1) The President of the Institute and member of the Governing Council may resign their appointment by notice in writing addressed to the:
 - (i) Governing Council in the case of the President; and
 - (ii) President, in the case of members of the Council.
- (2) A member of the Council may cease his membership, if he:
 - (a) dies or becomes of unsound mind;
 - (b) becomes bankrupt;
 - (c) is convicted of a felony or any offence involving dishonesty;
 - (d) is guilty of serious misconduct in relation to the office; or
 - (e) is disqualified or suspended from practicing the profession.
- (3) A member of the Council may be removed, at any time, from office by the Council, if the Council is satisfied that it is not in the interest of the Institute or the public that the member should continue to hold office.
- (4) Where vacancy exists in the membership of the Council, the vacancy shall be filled;
 - (a) In the case of an elected member, by conducting a bye-election; and
 - (b) In the case of an appointed person, by appointing a person by the Council, on the recommendation of the President to fill the vacancy, from where the vacancy exists, to complete the remainder of the term of office of the predecessor, and such appointment shall be eligible for renewal for a further term, subject to satisfactory performance.

Committee's Recommendation:

That the provision in Clause 8 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: Election and Tenure of Offices of the President and the Vice Presidents of the Institute

- (1) The President and two Vice Presidents, shall be elected by the Council in accordance with the provisions of this Bill.
- (2) The President and the Vice Presidents shall hold office for a term of two (2) years each, from the date of their election.
- (3) If a vacancy exists in the Office of the President, the 1st Vice President shall act in his stead for the unexpired term of his office. In the absence of the 1st Vice President, the 2nd Vice President shall act, and in the absence of all of them, the Council shall fill the vacancy in accordance with the provisions of this Bill.
- (4) The President shall preside at the meetings of the Council. In the absence of the President, the First Vice President shall preside in his stead for the purpose of the meeting. In the absence of the 1st Vice President, the 2nd Vice President shall preside. In the absence of all of them, the Council shall choose one member from amongst themselves to preside at the meeting.

Committee's Recommendation:

That the provision in Clause 9 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 9 do stand part of the Bill, put and agreed to.

Clause 10: Appointment of Honorary Legal Adviser and Honorary Treasurer for the Institute

- (1) There shall be appointed for the Institute, a Honorary Legal Adviser and Honorary Treasurer, both of whom shall be appointed by the Council on the recommendation of the President and their tenure shall expire with the tenure of the President.
- (2) The Honorary Legal Adviser shall:
 - (a) be a legal practitioner, with a minimum of ten (10) years cognate experience in corporate Law and related fields of Law;
 - (b) provide legal advice to the Institute;
 - (c) be answerable to the Council.
- (3) The Honorary Treasurer shall:
 - (a) be a Chartered Accountant with a minimum of ten (10) years cognate experience;
 - (b) keep the financial records of the Institute; and
 - (c) participate in the budget processes of the Institute.

Committee's Recommendation:

That the provision in Clause 10 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 10 do stand part of the Bill, put and agreed to.

PART II- STAFF & EMPLOYEES OF THE INSTITUTE

Clause 11: Appointment of Director-General and Other Staff of the Institute

- (1) There shall be appointed for the Institute a Director-General by the Council, who shall be the Chief Executive Officer of the Institute, and such other persons as the Council may, from time to time, deem necessary to assist the Director-General in the performance of the function of his office.
 - (a) The Director-General shall hold office for a term of four (4) years in the first instance and subject to satisfactory performance, be eligible for re-appointment for a further term of four (4) years and no more.
 - (b) The Director-General shall report to the Council, and shall receive such salary and allowances as may be approved, from time to time, by the Council.
- Qualification of the Director-General:
 A person shall be qualified to be appointed as Director-General of the Institute if:
 - a. he is a citizen of Nigeria;
 - b. he possesses a minimum of a post graduate qualification in a field relevant to the objectives of the Institute, from a recognized institution of higher learning; and
 - c. he has at least Ten (10) years cognate experience in the field relevant to the objectives of the Institute.
- (3) Functions and Duties of Director-General The Director-General shall:
 - (a) be bound by the terms and condition of service contained in his letter of appointment.
 - (b) be responsible for the general administration of the Institute;
 - (c) from time to time, make necessary alteration in the register of members as may be directed by Council;
 - (d) remove from the membership register, the name of any registered member who has ceased to be a member of the Institute in accordance with the provisions of Section 8(2)
 - (e) keep records of the names of the members that are in default of payment of annual subscription for a consecutive period of six (6) months and take necessary actions, including removal of such member from the Register of Members as the Council may direct.
- (4) Removal of Director-General

The Director-General of the Institute may be removed from office in accordance with disciplinary procedure issued from time to time by the Council.

That the provision in Clause 11 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 11 do stand part of the Bill, put and agreed to.

Clause 12: Appointment of Secretary for the Institute

- 1. There shall be appointed for the Institute, a Secretary, who shall serve as the Secretary to the Governing Council of the Institute.
- 2. The Secretary to the Governing Council shall;
 - a. be a legal practitioner with a minimum of Ten (10) years cognate experience in corporate law or related field of law; or
 - b. be a Chartered Secretary with a minimum of Ten years (10) years cognate experience
- 3. Functions and Duties of the Secretary:

The Secretary shall:

- Attend meetings of the Council and its Committees and provide all necessary secretarial services in respect of these meetings;
- b. Maintain register and other records required to be maintained by the Institute in compliance with the statutory provisions of the Companies and Allied Matters Act 2020 (CAMA)
- c. Provide proper returns and ensure requisite returns and notifications are given to the Corporate Affairs Commission (CAC) as required by CAMA
- d. Carry out such other assignments and duties as may be directed from time to time by the Council.
- 4. Removal of Secretary of the Institute

 The Secretary of the Institute may be removed from office in accordance with the disciplinary procedure issued from time to time by the Council.

Committee's Recommendation:

That the provision in Clause 12 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Establishment of Management Committee of the Institute

- (1) There is established for the Institute, a Management Committee, comprising the Director-General and all the Directors of the Institute.
- (2) The Director-General of the Institute shall be the Head of the Committee and the Director responsible for Human Capital shall be the Secretary of the Committee.
- .. (3) The Management Committee shall be responsible for the general administration of the Institute, including the recruitment, promotion and discipline of staff of the Institute.

(4) Other Staff of the Institute may be removed from office in accordance with disciplinary procedure issued from time to time by the Council.

Committee's Recommendation:

That the provision in Clause 13 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 13 do stand part of the Bill, put and agreed to.

PART III - MEMBERSHIP OF THE INSTITUTE

Clause 14: Categories of Membership of the Institute

- (1) Subject to the provisions of this Bill, the category of persons to be admitted as members of the Institute are:
 - (a) Associate Member;
 - (b) Member;
 - (c) Fellow;
 - (d) Honorary Fellow;
 - (e) Distinguished Fellow;
 - (f) Chartered Director; and
 - (g) Such other category that may be created by the Council from time to time.
- (2) The requirements for each category of persons to be admitted as members of the Institute under sub clause (1), of this clause shall be as prescribed in the regulation issued by the Council.
- (3) Where a person is duly registered as a member of the Institute under this Act, the person shall be entitled to use such suffix after his name as may be provided in the regulation issued by the Council.
- (4) Requirements for Registration Subject to the provisions of Clause 14(2), the applicant shall:
 - (a) be of good character;
 - (b) have attained the age of 21 years;
 - (c) not be convicted of any offence involving criminal act, fraud or dishonesty within and outside Nigeria;
 - (d) be of sound mind;
 - (e) not be adjudged a bankrupt; and
 - (f) fulfil all requirements stipulated by the Council under this Bill.

Committee's Recommendation:

That the provision in Clause 14 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 14 do stand part of the Bill, put and agreed to.

PART IV - REGISTER OF MEMBERS

Clause 15: Register of Members

- 1. The Register of members shall be made of such parts as may be necessary to reflect the categories of members in accordance with the provisions of section 14(1) of this Bill.
- 2. Alteration of Register

Subject to the approval of Council, the Director-General shall have the powers to effect necessary alterations in the Register of Members, and such alterations may include any of the following:

- (a) correction of wrong entry;
- (b) de-registration of the name of deceased members of the Institute;
- (c) removal of names of members that failed to comply with the provisions of this Bill;
- (d) Removal of names of suspended or expelled members of the Institute; and
- (e) Removal of name of a member of the Institute for any reason as may be approved by the Council in furtherance of the objectives of the Institute.
- 3. Restoration of Names of Suspended or Expelled Members
 - (1) Where the name of a member is removed from the Register on the account of an issue that can be rectified, upon rectification of such issue, or compliance with the law, the Council may direct the Director-General to restore the name of the member in the Register.
 - (2) The Director-General shall publish from time to time updated register of members, in accordance with the directives of the Council under this Bill each edition of the Register shall be available at the principal office of the Institute for public view.
 - (3) The Register shall be made available for inspection by any member of the public during official hours.

Committee's Recommendation:

That the provision in Clause 15 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 15 do stand part of the Bill, put and agreed to.

PART V - FINANCIAL PROVISIONS

Clause 16: Funds of the Institute

There shall be established for the Institute a fund into which shall be paid all monies due to the Institute including but not limited to the following:

(a) Annual subscriptions, levies or fees collected for services rendered by the Institute;

- (b) Penalties imposed for violation of any provisions of this Bill, rules and regulations made thereunder.
- (c) Donations from Government, philanthropists, and other Donor agencies and organisations made in furtherance of the objectives of the Institute.

2. Application of Funds

- (1) The Institute shall apply the Funds established under Clause 16 of this Bill on:
 - a. the general administration of the Institute;
 - b. The payment of salaries, remuneration and allowances of the Members of the Council, Director-General and other employees of the Institute;
 - Such expenses incurred for travelling and subsistence allowance by members of the Council and staff of the Institute as may be approved by Council
 - d. Any other expenses approved by the Council in the discharge of its functions under this Bill.
- (2) Subject to the approval of the Council, the Institute, may invest Funds in equities and such other investment portfolios that may yield reasonable income to the Institute.

3. Borrowing Power

Subject to the approval of Council, the Institute may, from time to time, borrow money to carry out any assignment in furtherance of the objectives of the Institute.

4. Accounts and Audit

- (1) The Institute shall keep proper books of accounts or records in respect of each financial year and the Council shall cause the accounts to be audited by auditors, not later than the first quarter of the following year. The Council shall submit the audited accounts to the members of the Institute for approval at the next Annual General Meeting.
- (2) The Auditors, for the purpose of subsection (1) of this section, shall be appointed at the Annual General Meeting of the Institute on the recommendation of the President and the Auditors so appointed shall not be members of the Council.

Committee's Recommendation:

That the provision in Clause 16 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 16 do stand part of the Bill, put and agreed to.

PART VI - ESTABLISHMENT, POWERS AND COMPOSITION OF INVESTIGATIVE PANEL AND DISCIPLINARY TRIBUNAL

Clause 17: Establishment of Investigative Panel

- (1) There is established for the Institute an Investigative Panel (in this Bill referred to as 'The Panel')
- (2) Powers of the Investigative Panel
 The Panel shall have the powers to:
 - (a) conduct preliminary investigation into any case of alleged misconduct by a member, which for any reason, shall be subject of proceedings before the tribunal to be established under this Bill; and;
 - (b) power to decide whether a prima facie case has been established; to be referred to the Tribunal for adjudication.
- (3) Appointment & Composition of the Investigative Panel
 - a. Members of the Panel shall be appointed by the Council
 - b. The Panel shall consist of three (3) members, one of whom shall be a Legal Practitioner of not less than ten years (10) post-call experience and two others, one of whom must be a member of Council.

Committee's Recommendation:

That the provision in Clause 17 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 17 do stand part of the Bill, put and agreed to.

Clause 18: Establishment of Disciplinary Tribunal

- (1) Establishment
 - There is established for the institute a body to be known as the Disciplinary Tribunal (in this Bill referred to as 'Tribunal'), which shall be responsible for considering and determining any case referred to it by the Investigative Panel established under S.17 of this Bill and any other case of which the Tribunal has taken cognisance of, under the provisions of this Bill
- (2) Appointment & Composition of the Investigative Panel
 Members of the Tribunal shall be appointed by the Council and shall
 consist of a Chairman and four (4) other members, one of whom shall
 be a legal practitioner with not less than ten years (10) post-call
 experience ant the members shall not be members of the Council.
- (3) Powers and Procedure of the Disciplinary Tribunal
 The powers and procedures of the Tribunal shall be contained in the
 regulation issued by the Council from time to time.
- (4) Appeals arising from the decision of the Tribunal shall be made to the Federal High Court

Committee's Recommendation:

That the provision in Clause 18 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 18 do stand part of the Bill, put and agreed to.

Clause 19: Offences and Penalties for Unprofessional Conduct

Offences

A member is guilty of unprofessional conduct, if such a member:

- (a) is convicted of a felony by any court of law in Nigeria or anywhere else for an offense which is incompatible with his status as a member.
- (b) has been fraudulently registered, the Tribunal may reprimand the member or order the Director-General to strike out the name of the member from the Register.
- (c) makes a misrepresentation of qualifications, experience, or any other thing relating to the requirement for registration of membership of the Institute and obtains registration;
- violates any of the provisions contained in the rules of professional conduct;
- violates any of the provisions of this Bill, commits an offence and shall be liable on conviction to a fine of N500,000.00
 (Five Hundred Thousand Naira) or imprisonment for a term of not less than 1 year or both.
- 2. Any person who is not a registered member of the Institute and fraudulently parades and practices as a member commits an offense and shall be liable on conviction to a fine of N500,000 or to imprisonment of a term of not less than 1 year or both.
- 3. The offences under this section shall be tried by the Federal High Court

Committee's Recommendation:

That the provision in Clause 19 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 19 do stand part of the Bill, put and agreed to.

PART VII — MISCELLANEOUS

Clause 20: Provision for Library

The Institute shall:

- establish and maintain a library comprising books and publications for the advancement of knowledge of the theory and practice of corporate governance and directorship
- b. stimulate and promote research and publication on the theory and practice of corporate governance and directorship

Committee's Recommendation:

That the provision in Clause 20 be retained (Senator Ibrahim Shekarau - Kano Central).

Question that Clause 20 do stand part of the Bill, put and agreed to.

Clause 21: Pre-action Notice

A person who has a cause of action against the Institute shall:

(a) give the Institute three months' notice in writing of his intention to commence an action, disclosing the cause of action and serve the processes on a principal officer at the Head office of the Institute;

(b) commence the legal action within two years from the date the cause of action arose.

Committee's Recommendation:

That the provision in Clause 21 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 21 do stand part of the Bill, put and agreed to.

Clause 22: Indemnity

- (1) If any person who is or was a director, officer, employee, trustee, authorised representative, or agent of the Institute, acting in good faith and in a manner reasonably believed to be in the interest of the Institute, has been made a party, or is threatened to be made a party, to any action or proceeding by reason of being a representative, whether civil, criminal, administrative or investigative, such representative may be indemnified against reasonable expenses and liabilities, including attorney fees actually and reasonably incurred.
- (2) The indemnity provided under this section shall not be deemed exclusive of any other rights to which those seeking indemnity may be entitled under any law, and any such indemnity shall continue to a person who has ceased to be a director, officer, employee trustee, authorised representative, or agent, and shall inure to the benefit of the heirs, executors, and administrators of such person.
- (3) The indemnity made pursuant to this section shall not be made in any case where the act or failure to act, giving rise to the claim for indemnity is determined by the court to have constituted wilful misconduct or recklessness of the director, officer, employee, trustee, authorised representative, or agent of the Institute.

Committee's Recommendation:

That the provision in Clause 22 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 22 do stand part of the Bill, put and agreed to.

Clause 23: Insurance

The Institute shall have power to-

- (a) require members to take up insurance;
- (b) maintain such liability insurance or bonding scheme for which members shall subscribe to and pay for; and
- (c) maintain such other funds for the protection of third parties against director's liability for gross negligence, breach of fiduciary obligations, fraud, defalcation, etc.

Committee's Recommendation:

That the provision in Clause 23 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 23 do stand part of the Bill, put and agreed to.

Clause 24: Transitional Provision

(1) Qualification of Members before Commencement of the Bill
Any person, who is qualified to be registered as a member of the
Institute before the commencement of this Bill, shall immediately after

the commencement of the Bill or at the time provided by the Council, apply in an appropriate form for registration under the qualified category.

- (2) All assets and liabilities held or incurred immediately before the commencement date of this Bill by or on behalf of the Institute of Directors Nigeria shall vest in the Chartered Institute of Directors Nigeria, established under this Bill and be held by it for the purpose of the Institute.
- (3) The provision of the second schedule to this Bill shall have effect with respect to the matters arising from transfer of assets and liabilities to the Chartered Institute of Directors Nigeria, the properties of the Institute of Directors Nigeria and with respect to other matters mentioned in the schedule.

Committee's Recommendation:

That the provision in Clause 24 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 24 do stand part of the Bill, put and agreed to.

Clause 25: Regulations

The Council may subject to the provisions of this Bill, make regulations, for-

- a. the proceedings of the Panel and the Tribunal
- b. election of the President, Vice Presidents and other members of the Council;
- c. determine the procedure for becoming a member of the Institute;
- d. the disciplinary procedure for members of the Institute;
- e. appointment, promotion and discipline of staff of the Institute;
- f. all categories of training suitable for the purposes of the objectives of this Bill;
- g. prescribing the amount and due date for payment of annual subscriptions and any other levy;
- h. restricting right to practice as directors, in default of payment of the annual subscription;
- i. establishing the professional scale of rates chargeable by members for the various types of directorial services;
- j. making applications for enrolment or registration and providing for the evidence to be produced in support of such applications;
- k. specifying the particulars for notification to the Director-General, by the person to whom any registered particulars relate, or any change in those particulars;
- authorising a registered member to have any qualification which, in relation to the relevant division of the profession, is either an approved qualification or an accepted qualification for the purpose of this Bill, registered in relations to his name in addition to, or as he may elect in substitution for any other qualifications so registered; and

m. Any other thing for effective implementation of the provision of this Bill.

Committee's Recommendation:

That the provision in Clause 25 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 25 do stand part of the Bill, put and agreed to.

Clause 26: Interpretation

In this Bill-

"Appointed Day" means the commencement date of the Bill;

"Council" means the Council established as the governing Council of the Institute;

"Director' includes all categories of members of the Institute;

"Fees' includes annual subscription and license fees;

"Fund" includes all income, investments and liquid assets of the Institute;

"Panel" means Investigating Panel of the Institute;

"President, 1st and 2nd Vice President means elected members of the Council to act in those capacities.

"The President" means President and Chairman of the Governing Council"

"Unenrolled person" means a person not admitted to membership under this Bill.

"Register" means the names of registered members of the Institute

"Rules of Professional Conduct" means the set of rules that guide the conduct of members.

Committee's Recommendation:

That the provision in Clause 26 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 26 do stand part of the Bill, put and agreed to.

Clause 27: Short Title

This Bill may be cited as the Chartered Institute of Directors Nigeria (Establishment, Etc.) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 27 be retained (Senator Ibrahim Shekarau — Kano Central).

Question that Clause 27 do stand part of the Bill, put and agreed to.

SCHEDULES

FIRST SCHEDULE

(Clause 5 (3))

Qualifications and Tenure of Office of Members

- 1. Subject to the provisions of this Bill and this schedule, a member of the Council shall hold office for a period of two (2) years, beginning from the date of his election or nomination.
- 2. Any member of the Institute who ceases to be a member thereof shall, if he is also a member of the Council, cease to be a member of the Council.
- 3. Any elected member may by notice in writing under his hand addressed to the President, resign his office, and any nominated member may, with the consent of the nominating authority, likewise so resign his office.
- 4. A person who retires from or otherwise ceases to be an elected member of the Council shall be eligible again to become a member of the Council, and any nominated member may likewise be re-appointed.
- 5. Members of the Council shall at its meeting next before the Annual General Meeting of the Institute, arrange for four (4) elected members of the Council that are longest in office, to retire at the Annual General Meeting.
- 6. Election to the Council shall be held in such manner as may be prescribed by the Rules and Regulations made by the Council and until so prescribed, they shall be by secret ballot.
- 7. If for any reason there is a vacation of office by a member and:
 - a. such member was appointed by the appointing authority, that appointing authority shall appoint another person from the establishment in respect of which the vacancy occurs; or
 - b. such member was elected, the Council may, if the time between the unexpired term of office and the next general meeting of the Institute appears to warrant the filing of vacancy, co-opt another member for such time as aforesaid.

Power of Council

The Council shall have the power to do anything, which in its considered opinion will facilitate the carrying on of the functions of the Institute.

Quorum of the Council and Committees

The quorum of the Council shall be nine (9), and the quorum of a committee of the Council shall be as determined by the Council.

Meetings of the Institute

- 1. The Council shall convene the Annual General Meeting of the Institute not later than six (6) months after the year-end or on such other days as the Council may, from time to time, determine, in so far as not more than fifteen (15) months shall elapse between the respective dates of the two meetings.
- 2. An extraordinary general meeting of the Institute may be convened by the Council at any time, if not less than twenty (20) members of the Institute require it by notice in writing addressed to the President of the Institute, setting out the objects of the proposed meeting, the President of the Institute shall convene an extraordinary general meeting of the Institute for that purpose.

- 3. The quorum of any general meeting of the Institute shall be twenty (20) members and that of any extraordinary general meeting of the Institute shall be twenty-five (25) members.
- 4. The notice of any general meeting of the Institute shall be 21 days, and that of an extraordinary general meeting shall be 14 days.
- 5. Notices and reports may be issued and served on members electronically.

Meeting of the Council

- 1. Subject to the provisions of the Rules and Regulations of the Institute, the Council shall have its regular meetings whenever it is summoned by the President and Chairman of Council. However, if a notice in writing is given to the President by not less than five (5) members of Council, the President is required to summon a meeting of the Council to be held within seven (7) days from the date on which the notice is given.
- 2. At any meeting of the Council, the President or in his absence, 1st Vice President shall preside; or in the absence of the 1st Vice President, the 2nd Vice President, shall preside; but if all are absent, after 30 minutes from the time the meeting is scheduled to commence, the members present at the meeting shall appoint one of their members to preside over the meeting.
- 3. Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him/her as a member for such period as the Council deems fit. However, a person who is a member by virtue of this sub-paragraph; shall not be entitled to vote at any meeting of the Council, and shall not count towards a quorum.
- 4. Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the President, and the Council shall approve such directions as it deems fit as to the procedure which shall be followed at Council meetings.

Committees

- 1. The Council may appoint one or more Committees to carry out on behalf of the Institute or the Council, such functions as the Council may determine.
- A decision of a Committee appointed under this paragraph shall not be adversely affected by any defect in the appointment of a member of the Committee or by reason that a person not entitled to do so, took part in the proceedings.
- 3. Any member of the Institute or of the Council, and any person holding office on a Committee of the Council, who has a personal interest in any contract, investigation, complaint, investigation or other related matters or arrangements entered into or under consideration by the Council on behalf of the Institute, or on behalf of the Council or a Committee thereof, shall forthwith disclose his interest in writing to the President or the Council, and shall not vote on any question relating to the matter, contract or arrangement.
- 4. A person shall not by reason only of his membership of the Institute be required to disclose any interest, relating solely to the audit of the accounts of the Institute.

5. A decision of a committee of the Council shall be of no effect until it is laid before Council and duly approved or confirmed.

Miscellaneous

- 1. The fixing of the seal of the Institute shall be authenticated by the signature of the President and the Director General of the Institute or other member of the Council authorized generally or specially by the Institute, to act for that purpose.
- 2. 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 Institute or of the Council, as the case may be by any person generally or specially authorized to act for that purpose by the Council.
- 3. Any document purporting to be a document duly executed under the seal of the Institute shall be received in evidence, and shall unless the contrary is proved, be deemed to be so executed.
- 4. The validity of any proceedings of the Institute or a Committee of the Council shall not be affected by any vacancy in the membership of the Committee or Council.

Question that the First Schedule stand part of the Bill - Agreed to.

SECOND SCHEDULE

(Clause 37 (2))

Transfer of Properties

- 1. Every agreement to which the Incorporated Institute was a part immediately before the commencement of this Bill, whether it is in writing or not, and whether or not is in such nature that the rights, liabilities and obligations thereunder could be assigned by the Incorporated Institute, shall unless the terms or subject matter make it impossible that it should have effect or be modified in the manner provided by this subparagraph, have effect from the appointed day so far as it relates to property transferred by this Bill to the Council as if:
 - (a) The Institute had been a party to the agreement;
 - (b) For any reference (however worded, and whether express or implied) to the incorporated Institute, there were substituted as respects anything failing to be done on or after the commencement of bill, a reference to the Council; and
 - (c) For any reference (however worded and whether express or implied) to a member or members of the Council; and of the incorporated Institute there were substituted, as respect anything failing to be done on or after the commencement of the Bill, reference to a member or members of the Council under this Bill.
- 2. Other documents, which refer, whether specifically or generally, to the incorporated Institute shall be constructed in accordance with subparagraph (1) of this paragraph so far as applicable.
- 3. Without prejudice to the generality of the foregoing provisions of this schedule, whereby the right, liability or obligation shall vest in the Institute and all other persons shall, as from the commencement of this Bill, have the same rights as to the taking or resisting of legal proceedings, of the making or resisting of applications to any

authority for ascertaining, perfecting or enforcing that right, liability or obligation of the Institute.

- 4. Any legal proceeding or application to any authority pending on the commencement of this Bill or against the incorporated Institute may be continued on or after that day or against the Institute.
- 5. On the commencement of this Bill, any person holding any paid appointment in the Incorporated Institute shall hold corresponding appointment in the Chartered Institute of Directors Nigeria on the same terms and conditions as to tenure or otherwise but shall not be entitled to receive remuneration from the incorporated Institute in respect of the same period of service.
- 6. If the law in force at the place where any property transferred by this Bill is situated provides for the registration or transfer of property of the kind in question (whether by reference to the instrument of transfer or otherwise), the law shall, so far as it provides for alteration of a register (but not for avoidance to transfer the payment of fees or any other matter), apply with the necessary modifications to the property, and the Institute shall transfer to the officer of the registration authority, and the transfer effected accordingly.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the Chartered Institute of Directors of Nigeria to Provide Professional Training to Directors and to Promote Effective Governance, Public Accountability, Professional Efficiency and Related Matters and approved as follows:

Clauses 1-4 — As Recommended

Clause 5 — As Amended

Clauses 6-27 — As Recommended

Schedules 1-2 — As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole - Resolved in the Affirmative.

Motion made: That the Bill be now Read the Third Time (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

10. Committee on Tertiary Institutions and TETFUND:

Report on the Nigerian French Language Village Badagry (Establishment) Bill, 2021 (SB.483):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Nigerian French Language Village Badagry (Establishment) Bill, 2021 (Senator Nora L. Daduut — Plateau South).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NIGERIAN FRENCH LANGUAGE VILLAGE AS AN INTER-UNIVERSITY CENTRE FOR FRENCH STUDIES AND FOR OTHER MATTERS CONNECTED THEREWITH, 2021.

PART I — CONSTITUTION AND FUNCTIONS OF THE FRENCH VILLAGE AND ITS CONSTITUENT BODIES, ETC.

Clause 1: Establishment of the French Village

There is hereby established a body to be known as the Nigeria French Language Village as an Inter-University Centre for French Studies, Badagry, in this Bill referred to as "The French Village".

Committee's Recommendation:

That the provision in Clause 1 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Objects of the French Village.

The Village shall:

- [a] encourage the learning of the French Language in an environment that will prepare the students in the French Village to-
 - [i] speak French fluently:
 - [ii] acquire proficiency in French:
 - [iii] acquire competence in the writing of the French Language;
 - [iv] translate to and from the French Language with reference to the English languages; and
 - [v] interpret simultaneously and consequently to and from French language with reference to the English and Nigerian languages.
- [b] hold out to all persons without distinction to race, creed, sex or political conviction the opportunity of acquiring proficiency in the use of French Language.
- [c] provide courses of instructions and other facilities for the pursuit of learning French Language:
- [d] develop appropriate curricular to suit the needs of learners of French in Nigeria;

- [e] work closely with the French Embassy in matters relating to the French studies in Nigeria;
- [f] award Testimonials, Certificates, Diplomas, Post graduate Diplomas, and Post Graduate Degrees to persons who complete the courses of study undertaken in the Village;
- [g] provide an environment, having all the socio-cultural, physical and psychological facilities, that will facilitate the learning of French language, through a coordinated stimulated process that allows the learner to achieve the linguistic and cultural immersion that is indispensable for communicative competence in French.;
- [h] operate with the multi-dimensional and Omni-directional strategy of language acquisition for the benefit of -
- [i] French Language undergraduates from Nigerian Universities, for their statutory French Language Immersion Programme:
 - [i] students of Colleges of Education, for their compulsory Summer French Language Immersion Programme;
 - [ii] secondary school teachers and students, primary school teachers and pupils; and
 - [iii] Government and non-Governmental personnel;
- [j] serve as a centre for the exchange of information of French studies and of sourcing researches in the area of French studies;
- [k] encourage research into problems of learning and teaching of French as a foreign language in Nigeria, with a view to carrying out research into those problems and finding solutions to them;
- [1] encourage the development and publication of materials, including books, journals and teaching aids for proficiency programmes and for secondary and tertiary institutions;
- [m] compile, assemble and publish the results of researches in French studies in Nigeria and popularize those findings where their general recognition, in the opinion of the Village, is of importance to Nigeria and to French studies in Nigeria; and
- [n] carry out other activities as are necessary or expedient for the performance of its functions under this Bill.
- [0] to undertake any other activities, appropriate for a French Village of the highest standard.

That the provision in Clause 2 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Constitution of Principal Officers of the French Village

- [1] The French Village shall consist of
 - [a] a Council;
 - [b] a Director-General and an Academic Board;
 - [c] a body to be called Congregation;
 - [d] a body to be called Convocation;
 - [e] the faculties, departments, institutes and other teaching units of the French Village;
 - [f] the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs [a] to [c]of this subsection;
 - [g] all students and
 - [h] all other persons who are members of the French Village in accordance with provision made by statute in that behalf.
- [2] The First Schedule to this Bill shall have effect with respect to the principal officers of the French Village there mentioned.
- [3] Subject to section 5 of this Bill, provision shall be made by statute with respect to the constitution of the following bodies, namely, the Council, the Academic Board, Congregation and Convocation.

Committee's Recommendation:

That the provision in Clause 3 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Powers of the French Village, and their exercise

- [1] For carrying out its objects as specified in section 1 of this Bill, the French Village shall have power
 - [a] To establish such faculties, departments, institutes, schools, extra-mural departments and other teaching units within the French Village as may be approved by the National Universities Commission;
 - [b] To institute professorships, readerships, lectureships and other posts and offices and to make appointment thereto;
 - [c] To institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions and forms of assistance;
 - [d] To provide for the residence, discipline and welfare of members of the French Village;
 - [e] To hold examinations and grant postgraduate degrees, diplomas, postgraduate diplomas, certificates and other distinctions to persons who have pursued a course of study

- approved by the French Village and have satisfied such other requirements as the French Village may lay down
- [f] To demand and receive from any student or any other person attending the French Village for the purpose of instruction, such fees as the French Village may from time to time determine:
- [g] Subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
- [h] To accept gifts, legacies and donations but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- [i] to enter into contract, establish trusts, Bill as trustee, solely or jointly with any other person, and employ and Bill through agents;
- [j] to erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things [whether in Nigeria or elsewhere] necessary or suitable or convenient for any of the objects of the French Village;
- [k] to hold public lectures and to undertake publishing and bookselling;
- [1] subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the French Village by way of endowment, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments, and to deposit any moneys for the time being un-invested with any bank on deposit or current account.
- [m] to borrow, whether at interest or not and if need be upon the security of any or all of the property, movable or immovable, of the French Village, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow;
- [n] to make gifts for any charitable purpose;
- [o] to do anything which it is authorized or required by this Bill or by statute to do;
- [p] to do all such Bills or things, whether or not incidental to the foregoing powers, as may advance the objects of the French Village.

- [2] Subject to the provisions of this Bill and of the statutes, and without prejudice to section 8[2] of this Bill, the powers conferred on the French Village by subsection [1] of this section shall be exercisable on behalf of the French Village by the Council or by the Academic Board or in any other manner which may be authorized by statute.
- [3] The power of the French Village to establish further departments within the French Village shall be exercisable by statute as may be approved by the National Universities Commission.

That the provision in Clause 4 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: Composition of the Council

The Council of the French Village shall consist of-

- [a] one representative of Federal Ministry of Education;
- [b] one person to represent the National Universities Commission;
- [c] one person to represent the National Commission for Colleges of Education;
- [d] four persons representing a variety of interest appointed by the President;
- [e] the Director-General of the Village;
- [f] the Deputy Director-General of the Village;
- [g] one representative of the French Village Congregation for one term of two years at a time;
- [h] one representative of the Academic Board for one term of two years at a time.

Committee's Recommendation:

That the provision in Clause 5 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6: Functions of the Council and its Finance and General Purposes Committee

- [1] Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the French Village and shall be charged with the general control and superintendence of the policy, finances and property of the French Village, including its public relations.
- [2] There shall be a committee of the Council; to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the French Village, and perform such other functions of the Council as the Council may from time to time delegate to it.

- [3] Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- [4] The Council shall ensure that proper accounts of the French Village are kept and that the accounts of the French village are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditor-General for the Federation; and that an annual report is published by the French Village together with certified copies of the said accounts as audited.
- [5] Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purposes of exercising any of their respective functions or of regulating their own procedure.
- [6] Rules made under subsection [5] of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far as any rules so made by that Committee conflict with any directions given by the Council [whether before or after the coming into force of the rules in question], the directions of the Council shall prevail.
- [7] There shall be paid to the members of the Council, of the Finance and General Purposes Committee and of any other committee set up by the Council respectively allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Council
- [8] The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least three times in every year.
- [9] Any three members of the Council may by notice in writing signed by them require the Director-General to convene a special meeting of the Council.

That the provision in Clause 6 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 6 do stand part of the Bill, put and agreed to.

Clause 7: Functions of the Academic Board

- [1] Subject to section 6 of this Bill and subsections [3] and [4] of this section, and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Academic Board to organize and control the teaching of the French Village and the admission and discipline of students, and to promote research at the French Village.
- [2] Without prejudice to the generality of subsection [1] of this section and subject as therein mentioned, it shall in particular be the function of the Academic Board to make provision for-
 - [a] the establishment, organization and control of faculties, schools, institutes, and other teaching units of the French Village subject to the approval of the National Universities Commission;

- [b] the organization and control of courses of study at the French Village and of the examinations held in conjunction with those courses, including the appointment of examiner, both internal and external and the allocation of responsibility for different branches of learning;
- [c] the award of postgraduate degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;
- [d] the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
- [e] the selection of persons for admission as students of the French Village;
- [f] the establishment, organization and control of halls of residence and similar institutions at the French Village;
- [g] the supervision of the welfare of students at the French Village and the regulations of the conduct.
- [h] the granting of fellowships, scholarships, prizes and similar awards, in so far as the awards are within the control of the French Village; and
- [i] determining what descriptions of dress shall be academic dress for the purposes of the French Village, and regulating the use of academic dress.
- [3] The Academic Board shall not establish any new faculty, school, institute or other teaching units of the French Village or any hall of residence or similar institution at the French Village without the approval of the Council.
- [4] Subject to this Bill and the statutes, the Academic Board may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- [5] Regulations shall provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study of the French Village is not a teacher at the French Village but is a teacher of the branch of learning to which the course relates at some other Universities of high repute.
- [6] Subject to a right of appeal to the Council from a decision of the Academic Board under this subsection, and to the Director-General from a decision of the Council on such an appeal, the Academic Board may deprive any person of any degree, diploma or other award of the French Village which has been conferred upon him if after the due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in obtaining that award.

That the provision in Clause 7 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: Functions of the Director-General

- [1] The Director-General shall, in relation to the French Village, take precedence before all other members of the French Village, subject to section 6 of this Bill, and when he is present shall preside at all meetings of Congregation held for conferring degrees and at all meetings of Convocation;
- [2] Subject to sections 6 and 7 of this Bill and the provisions of this Bill relating to the Visitor, the Director-General shall to the exclusion of any other person or authority have the general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the French Village, and shall be the Chief Executive and Academic Officer of the French Village and ex-officio Chairman of the Academic Board

Committee's Recommendation:

That the provision in Clause 8 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 8 do stand part of the Bill, put and agreed to.

PART II-TRANSFER OF PROPERTY

Clause 9: Transfer of Property, functions, etc

- [1] upon the entry into force of this Bill, all property held immediately before that day by or on behalf of the provisional Council shall, by virtue of this subsection and without further assurance, vest in the French Village and be held by it for the purposes of the French Village; and
- [2] The provisions of the Third schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that schedule.

Committee's Recommendation:

That the provision in Clause 9 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 9 do stand part of the Bill, put and agreed to.

Clause 10: General Funds of the Village

- [1] There shall be a general source for funding the Nigerian French Language Village, Badagry, which shall consist of the following:—
 - [a] Annual budgetary allocation by the Federal Government through; Appropriation by the National Assembly
 - [b] grants-in-aid;
 - [c] fees;

- [d] income derived from investments;
- [e] gifts, legacies, endowments and donations not accepted for a particular purpose;
- [f] income derived from the exercise of any functions conferred or imposed on the Village by this Bill;
- [g] any other amounts, charges or dues recoverable by the Village;
- [i] revenue, from time to time, accruing to the Village by way of subvention;
- [j] interests on investments;
- [k] donations and legacies accruing to the Village from any source for the general or special purposes of the Village; and
- [I] Regular TETFund interventions;
- [2] The general fund shall be applied for the purposes of the Village.

That the provision in Clause 10 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 10 do stand part of the Bill, put and agreed to.

PART III-STATUTES OF THE FRENCH VILLAGE

Clause 11: Powers of French Village to make statutes

- [1] Subject to this Bill, the French Village may make statutes for any of the following purposes, that is to say-
 - [a] making provision with respect to the composition and constitution of any authority of the French Village;
 - [b] specifying and regulating the powers and duties of any authority of the French Village, and regulating any other matter connected with the French Village or any of its authorities:
 - [c] regulating the admission of students and their discipline and welfare;
 - [d] determining whether any particular matter is to be treated as an academic or a non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder;
 - [e] making provision for any other matter for which provision by statute is authorized or required by this Bill;
- [2] Subject to section 26 [6] of this Bill, the Interpretation Bill shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 25 [1] of that Bill.

- [3] The Statute contained in the Third Schedule to this Bill shall come into force on the appointed day and shall be deemed to have been made under this section.
- [4] The power to make statute conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Fourth Schedule to this Bill or any subsequent statute

That the provision in Clause 11 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 11 do stand part of the Bill, put and agreed to.

Clause 12: Mode of exercising power to make statutes.

- [1] The power of the French Village to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- [2] A proposed statute shall not become law unless it has been approved
 - [a] at a meeting of the Academic Board, by the votes of not less than two-thirds of the members present and voting; and
 - [b] at a meeting of the Council, by the votes of not less than two-thirds of the members present and voting.
- [3] A proposed statute which provides for the establishment of a new department or for the amendment or revocation of any statute whereby a department is established may originate only in the Academic Board, and must be approved as required by subsection [2] of this section by the Academic Board before being so approved by the Council.
- [4] Subject to subsection [3] of this section, a proposed statute may originate either in the Academic-Board or in the Council, and may be approved as required by subsection [2] of this section by either one of those bodies before the other.
- [5] A statute which-
 - [a] makes provision for or alters the composition or constitution of the Council, the Academic Board or any other authority of the French Village shall not come into effect without the prior approval of the Visitor; or
 - [b] provides for the establishment of a new department or for the amendment or revocation of any statute whereby a department is established, shall not come into operation unless it has been approved by the Council.
- [6] For the purposes of section 3 [2] of the Interpretation Act a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Academic Board or on the date on which it is duly approved be the Academic Board after having been duly approved by the Council as the case may be, or, in the case of a statute falling within subsection [5] of this section, on the date on which it is approved by the Council.

That the provision in Clause 12 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Proof of statutes

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Director-General, the Deputy Director-General or the Registrar, to the effect that the copy is a true copy of a statute of the French Village.

Committee's Recommendation:

That the provision in Clause 13 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Ouestion that Clause 13 do stand part of the Bill, put and agreed to.

Clause 14: Power of Visitor to decide meaning of statutes

- In the event of any doubt or dispute arising at any time as to the meaning of any provision of a statute, the matter may be referred to the visitor, who shall take such advice and make such decision thereon as he shall think fit.
- [2] The decision of the visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of the French Village, and where any question as to the meaning of any provision of a statute has been decided by the visitor under this section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria: provided that nothing in this subsection shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria 1999.
- [3] Subsections [1] and [2] of this section shall apply in relation to any doubt or dispute as to whether any matter is for the purposes of this Bill an academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subsection [1] of this section and accordingly the references in subsection [2] of this section to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes and academic or a non-academic matter.

Committee's Recommendation:

That the provision in Clause 14 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 14 do stand part of the Bill, put and agreed to.

PART IV — SUPERVISION AND DISCIPLINE

Clause 15: The Visitor

- [1] The President shall be the Visitor of the French Village
- [2] The Visitor shall as often as circumstances may require, not being less

than once every five years, conduct a visitation of the French Village or direct that such a visitation be conducted by such persons and in respect of any of the affairs of the French Village as the Visitor may direct.

- [3] It shall be the duty of the bodies and persons comprised in the French Village
 - [a] to make available to the visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they reasonably require for the purposes of a visitation: and
 - [b] to give effect to any instructions consistent with the provisions of this Bill which may be given by the Visitor in consequences of a visitation

Committee's Recommendation:

That the provision in Clause 15 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 15 do stand part of the Bill, put and agreed to.

Clause 16: Removal of certain members of Council

- If it appears to the Council that a member of the Council [Other than an ex-officio member] should be removed from office on the grounds of misconduct or of inability to perform the function of his office, the Council shall make a recommendation to that effect through the Minister to the Visitor, and if the Visitor, after making such enquiries [if any] as he/she considers appropriate, approves the recommendation, he/she may, by an instrument in writing signed by him/her, remove the person in question from office.
- [2] It shall be the duty of the Visitor, on signing an instrument of removal in pursuance of this section, to use his/her best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:

That the provision in Clause 16 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 16 do stand part of the Bill, put and agreed to.

Clause 17: Removal of academic and administrative officers and staff

- if it appears to the Council that there are reasons for believing that the Deputy Director-General[s], the Deans, the Heads of Department, or any other person employed as a member of the academic or administrative staff of the French Village should be removed from his office or employment on the grounds of misconduct or of inability to perform the functions of his/her office or employment, the Council shall-
 - [a] give notice of those reasons to the person in question;

- [b] make arrangements:
 - [i] for a joint committee of the Council and the Academic Board to investigate the matter, where it relates to the Deputy Director-General, the Registrar, the Deans, the Heads of Department, and to report on it to the Council; or
 - [ii] for a committee of the Academic Board to investigate the matter, where it relates to any other member of the Staff of the French Village, and to report on it to the Academic Board and to the Council; and
- [c] make arrangements for the person in question or his/her representative to be afforded an opportunity of appearing before and being heard by the investigative committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him/her by an instrument in writing signed on the directions of the Council.
- [2] It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection [1] of this section to use his/her best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- [3] If it appears-
 - [a] in the case of the Director-General, to the Council;
 - [b] in the case of the Deputy Director-General, the Dean and Heads of Departments or any other person employed as mentioned in subsection [1] of this section, to the Director-General, that the person in question should be removed from his/her office or employment on either of the grounds mentioned in the said subsection [1], the Council or, as the case may be, the Director-General, may by a notice signed on the directions of the Council or by the Director-General, prohibit him from exercising the functions of his/her office or employment with a view to his/her removal; and on exercising his/her powers under this subsection the Director-General shall forthwith refer the case to the Council and Council shall give such directions in the matter as it thinks proper.
- [4] Nothing in subsection [3] of this section shall be construed as affecting a person's entitlement to the emoluments of his/her office or employment during the period of any prohibition imposed in pursuance of that subsection
- [5] Nothing in the foregoing provisions of this section shall apply to employments of such descriptions as may be designated for the purposes of this subsection by stature or by regulations.

That the provision in Clause 17 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 17 do stand part of the Bill, put and agreed to.

Clause 18: Removal of examiners

- [1] if it appears to the Director-General that a person appointed as an examiner for any examination of the French Village ought to be removed from his office or appointment, then, except in such cases as may be prescribed, he/she may, after affording to the examiner an opportunity of making representations in persons on the matter to the Director-General, remove the examiner from the appointment by an instrument in writing signed by the Director-General, and subject to the provisions of regulations made in pursuance of section 7[5] of this Bill, the Director-General may appoint an appropriate person as examiner in the place of the examiner removed in pursuance of this subsection.
- [2] It shall be the duty of the Director-General, on signing an instrument of removal in pursuance of this section, to use his/her best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:

That the provision in Clause 18 be retained (Senator Nora-L. Daduut — Plateau South) — Agreed to.

Question that Clause 18 do stand part of the Bill, put and agreed to.

Clause 19: Discipline of students

- [1] Subjects to the provisions of this section, where it appears to the Director-General that any students of the French Village have been guilty of misconduct, the Director-General may, without prejudice to any other disciplinary powers conferred on him/her by statue or regulations direct-
 - [a] that the student shall not, during such period as may be specified in the direction, participate in such activities of the French Village, or make use of such facilities of the French Village, as may be so specified; or
 - [b] that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
 - [c] that the student be rusticated for the period as may be specified in the direction; or
 - [d] that the student be expelled from the French Village
- [2] Where a direction is given under subsection [1] [c] or [d] of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the direction of the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.

- [3] The fact that an appeal from a direction is brought in pursuance of the last foregoing subsection, shall not affect the operation of the direction while the appeal is pending
- [4] The Director-General may delegate his powers under this section to a disciplinary board consisting of such members of the French Village as he may nominate
- [5] The Director-General may empower the master of a hall or residence to inflict punishment [short or rustication or expulsion] for breach of the hall rules.
- [6] Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the French Village otherwise than on the grounds of misconduct
- [7] it is hereby declared that a direction under subsection [1] [a] of this section may be combined with a direction under subsection [1] [b] of this section

That the provision in Clause 19 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 19 do stand part of the Bill, put and agreed to.

PART V - MISCELLANEOUS AND GENERAL

Clause 20: Exclusion of discrimination on account of race, religion, etc

- [1] No person shall be required to satisfy requirements as to any of the following matters, that is to say, race [including ethnic grouping] sex, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the French Village, the holder of any degree of the French Village or of any appointment or employment at the French Village, or a member of anybody established by virtue of this Bill; and no person shall be subjected to any disadvantage or accorded any advantage, in relation to the French Village, by reference to any of those matters;
- [2] Provided that nothing in this section shall be construed as preventing the French Village from imposing any disability or restriction on any of the aforementioned persons, where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the French Village reasonably justifiable in the national interest.

Committee's Recommendation:

That the provision in Clause 20 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 20 do stand part of the Bill, put and agreed to.

Clause 21: Compulsory acquisition of land

For the purpose of the Land Use Bill [which provided for the compulsory acquisition of land for public purposes] the purposes of the French Village shall be public purposes of the Federation; and where an estate or interest in land is acquired by the President in pursuance of this section, the President may, by a certificate under hand and seal of the Registrar of Deeds, transfer it to the French Village.

Committee's Recommendation:

That the provision in Clause 21 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 21 do stand part of the Bill, put and agreed to.

Clause 22: Restriction on disposals of land by French Village

The French Village shall not dispose of or charge any land or an interest in any land [Including any land transferred to the French Village by this Bill] except with the prior written consent, either general or special, of the President; provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 25 years or any lease or tenancy to a member of the French Village for residential purposes

Committee's Recommendation:

That the provision in Clause 22 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 22 do stand part of the Bill, put and agreed to.

Clause 23: Quorum and procedure of bodies established by this Bill

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of anybody or persons established by this Bill shall be such as may be determined by that body.

Committee's Recommendation:

That the provision in Clause 23 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 23 do stand part of the Bill, put and agreed to.

Clause 24: Appointment of committees, etc

- Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it-
 - [a] to exercise, on its behalf, such of its functions as it may determine; and
 - [b] to co-opt members, and may direct whether or not co-opted members [if any] shall be entitled to vote in that committee.
- [2] Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.

- [3] Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- [4] Nothing in the foregoing provisions of this section shall be construed as-
 - [a] enabling statutes to be made otherwise than in accordance with section 11 of this Bill; or
 - [b] enabling the Academic Board to empower any other body to make regulations or to award degrees or other qualifications.
- [5] The Director-General shall be member of every committee of which the members are wholly or partly appointed by the Council [other than a Committee appointed to inquire into the conduct of the officer in question]; and the Director-General shall be a member of every committee of which the members are wholly or partly appointed by the Academic Board.

That the provision in Clause 24 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 24 do stand part of the Bill, put and agreed to.

Clause 25: Transfer of Land to the Village

- [1] For the purpose of the Land Use Act [which provides for the compulsory acquisition of land for public purposes] any purpose of the Village shall be the same as that of the Federation.
- [2] Where an estate or interest in land is acquired by the Government pursuant to this clause, the Government may, by a certificate under the hand and seal of the person so authorized or any other person authorized in that behalf transfer it to the Village.

Committee's Recommendation:

That the provision in Clause 25 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 25 do stand part of the Bill, put and agreed to.

Clause 26: Retirement Age of Academic and Administrative Staff of the French Village

- [1] Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of academic and administrative staff of a French Village shall be 65 years except an academic staff on the professorial cadre who shall retire at 70 years.
- [2] A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to any academic or administrative staff of the French Village.

That the provision in Clause 26 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 26 do stand part of the Bill, put and agreed to.

Clause 27: Special Provisions Relating to Pension of Professors

A person who retires as a professor having served

- [a] a minimum period of 20 years as a professor in the French Village or continuously in the service of a University in Nigeria up to the retiring age; and
- [b] who during the period of service was absent from the French Village only on approved national or French Village assignments, shall be entitled to pension at a rate equivalent to his/her last annual salary and such allowances, as the Council may, from time to time, determine as qualifying for pension and gratuity, in addition to any other retirement benefits to which he may be entitled.

Committee's Recommendation:

That the provision in Clause 27 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 27 do stand part of the Bill, put and agreed to.

Clause 28: Transitional and Savings Provisions

- On the commencement of this Bill, any person employed by or serving in French Language Village shall be deemed to have been employed or serving in the Village established under this Bill.
- [2] All Assets or liabilities belonging to French Language Village shall be deemed to belong to the Village established under this Bill.

Committee's Recommendation:

That the provision in Clause 28 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 28 do stand part of the Bill, put and agreed to.

Clause 29: Miscellaneous Administrative Provisions

- [1] The seal of the French Village shall be such as may be determined by the Council and approved by the Director-General; and the affixing of the seals shall be authenticated, in the case of the seal of the French Village, by any member of the Council and by the Director-General, Registrar or any other person authorised by statute.
- [2] Any document purporting to be a document executed under the seal of the French Village as aforesaid shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- [3] Any Bill 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 French Village by any person generally or specially authorised to do so by the Council.

- [4] The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body, or by reason that any person not entitled to do so took part in the proceedings.
- [5] Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.
- [6] Nothing in section 12 of the Interpretation Act [which provides for the application, in relation to subordinate legislation, of certain incidental provisions] shall apply to statutes or regulations made in pursuance of this Bill; but the power conferred by this Bill to make statutes or regulations shall include power to revoke or vary any statute [including the Statute contained in the Third Schedule to this Bill] or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation, and statutes and regulations may make different provision in relation to different circumstances.
- [7] No stamp or other duty shall be payable in respect of any transfer of property to the French Village by virtue of sections 10 of this Bill or the Second Schedule to this Bill or of any transfer of property from the French Village to a third party.
- [8] Any notice or other instrument authorised or required to be served by virtue of this Bill may, without prejudice to any other made of service, be served by post.

That the provision in Clause 29 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 29 do stand part of the Bill, put and agreed to.

Clause 30: Interpretation

[1] In this Bill, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say

"Appointed Day" means the day on which this Bill comes into force

"Council" means the Council established by this Bill for the French Village;

"Minister" means the person charged with the responsibility of higher education

"Graduate" means a person on whom a degree [other than an honorary degree] has been conferred by the French Village;

"Notice" means notice in writing;

"Officer" does not include the Visitor;

"Prescribed" means prescribed by regulations;

"Professor" means a person designated as a professor of the French Village in accordance with provision in that behalf made by statute or by regulations;

"Property" includes rights, liabilities and obligations;

"Provisional Council" means the provisional council established under this Bill;

"Regulations" means regulations made by the Academic Board;

"Academic Board" means the Academic Board established by this Bill for the French Village;

"Statute" means a statute made by the French Village under section 11 of this Bill in accordance with the provisions of section 12 of this Bill, and

"The Statutes" means all such statutes as are in force from time to time;

"Student" means both undergraduate and post graduate and any person of such description as may be prescribed for the purposes of this definition;

"Teacher" means a person holding a full time appointment as a member of the teaching or research staff of the French Village;

"French Village" means the Nigeria French Language Village as incorporated and reconstituted by this Bill.

[3] It is hereby declared that where in any provision of this Bill, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Committee's Recommendation:

That the provision in Clause 31 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 31 do stand part of the Bill, put and agreed to.

Clause 32: Short Title

This Bill may be cited as the Nigerian French Language Village Bill, 2021

Committee's Recommendation:

That the provision in Clause 32 be retained (Senator Nora L. Daduut — Plateau South) — Agreed to.

Question that Clause 32 do stand part of the Bill, put and agreed to.

FIRST SCHEDULE
PRINCIPAL OFFICERS

- 1. The Director-General
 - [1] There shall be a Director-General of a French Village [in this Bill referred to as "The Director-General"] who shall be appointed by the Governing Council in accordance with the provisions of this section.
 - [2] Where a vacancy occurs in the post of the Director-General, the Council shall;
 - [a] Advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying -
 - [i] The qualities of the persons who may apply for the post, and
 - [ii] The terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
 - [b] Constitute a Search Team consisting of -
 - [i] A member of the Council, who is not a member of the Academic Board, as chairman;
 - [ii] Two members of the Academic Board who are not members of the Council, one of whom shall be a professor;
 - [iii] Two members of Congregation who are not members of the Council, one of whom shall be a professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they feel that it is not proper to do so.
 - [3] A joint Council and Academic Board Selection Board consisting of -
 - [a] Two members of the Council, not being members of the Academic Board;
 - [b] Two members of the Academic Board who are professors, but who were not members of the Search Team, shall consider the candidates and persons on the short list drawn up under subsection [2] of this section through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.
 - [4] The Council shall select and appoint as the Director-General one candidate from among the three candidates recommended to it under subsection [3] of this section and thereafter inform the Visitor.
 - [5] The Director-General shall hold office for a single term of five years only on such terms and conditions as may be specified in his/her letter of appointment.
 - [6] For the avoidance of doubt, the provisions of subsection [6] of this section shall only be applicable to those appointed to the office of Director-General after the commencement of this Bill;
 - [7] The Director-General may be removed from office by the Governing Council on grounds of gross misconduct or inability to discharge the functions of his/her office as a result of infirmity of the body or mind, at the initiative of the Council, Academic Board or the Congregation after due process.

- [8] When the proposal for the removal of the Director-General is made, the Council shall constitute a joint committee of Council and Academic Board consisting of -
 - [i] Three members of the Council one of whom shall be the Chairman of the committee,
 - [ii] Two members of the Academic Board, provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- [9] The Committee shall conduct investigation into the allegations made against the Director-General and shall report its findings to the Council.
- [10] The Council may, where the allegations are proved, remove the Director-General or apply any other disciplinary action it may deem fit and notify the Visitor accordingly, provided that a Director-General who is removed shall have right of appeal to the Visitor.
- [11] There shall be no sole administration in the Nigeria French Language Village.
- [12] In any case of a vacancy in the office of the Director-General, the Council shall appoint an acting Director-General on recommendation of the Academic Board.
- [13] An acting Director-General in all circumstances shall not be in office for more than 6 months.

2. Deputy Director-General

- [1] There shall be for the French Village a Deputy Director-General as the Council may, from time to time, deem necessary for the proper administration of the Village.
- [2] Where a vacancy occurs in the post of the Deputy Director-General, the Director-General shall forward to the Council his/her name for confirmation.
- [4] Deputy Director-General shall -
 - [a] Assist the Director-General in the performance of his/her functions;
 - [b] Act in the place of the Director-General when the post of the Director-General is vacant or if the Director-General is, for any reason, absent or unable to perform his functions as Director-General; and
 - [c] Perform such other functions as the Director-General or the Council may, from time to time, assign to him/her.

[5] Deputy Director-General -

- [a] shall hold office for a period of two years beginning from the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment; and
- [b] May be re-appointed for one further period of two years and no more.
- [6] A Deputy Director-General may be removed from office for good cause by the Council acting on the recommendations of the Director-General;

[7] "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his/her office arising from infirmity of body or mind

3. Office of the Registrar

- [1] There shall be a Registrar, who shall be the chief administrative officer of the French Village and shall be responsible to the Director-General for the day-to-day administrative work of the French Village except as regards matters for which the Bursar is responsible in accordance with section 6[2] of this Bill.
- [2] The person holding the office of the Registrar shall, by virtue of that office be, secretary to the Council, the Academic Board, Congregation and Convocation.
- [3] The Registrar shall hold office for a single term of five [5] years only, beginning from the effective day of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment.
- [4] Notwithstanding sub-section [3] of this section, the Council may, upon satisfactory performance extend the tenure of the Registrar for a further period of one [1] year only and thereafter, such Registrar shall relinquish his/her post and be assigned to other duties in the Village.

4. Other Principal Officers of the French Village

- [5] The officers aforesaid shall be appointed by' the Governing Council for a tenure for a single term of Five years and Council may upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year and thereafter such Registrar, Bursar or Librarian shall relinquish his/her post and be assigned to other duties in the Village. This is in line with the provisions of the Universities [Miscellaneous Provision] Act 1993 [As amended].
- [6] Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Director General

5. Selection Board for other principal officers

- [1] There shall be, for the French Village, a Selection Board for the appointment of principal officers, other than the Director-General or Deputy Director-General, which shall consist of -
 - [a] The Director-General, as chairman;
 - [b] Four members of the Council not being members of the Academic Board; and
 - [c] Two members of the Academic Board
- [2] The functions, procedure and other matters relating to the Selection Board constituted under subsection [10] of this section shall be as the Council may, from time to time, determine.

6. Resignation and re-appointment

- [1] Any officer mentioned in the foregoing provisions of this schedule may resign his/her office in -
 - [a] the case of the Director General or Deputy Director General, by notice to the Visitor;

- [b] the case of the Director General by notice to the Council which shall immediately notify the Minister; and
- [2] A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.
- 7. Director Of Works

There shall be for the Village, a Director of Works, who shall be responsible to the Director General for the administration of the Works Department. He/she shall be responsible for all works, services and maintenance of Village facilities

8. Director of Health Services

There shall be for the Village, a Director of Health Services who shall be responsible to the Director General for the administration of the Health Centre and he shall be the Chief Medical Officer of the Village and shall coordinate all matters relating to the health of all staff and students.

- [1] Any officer mentioned in this Schedule may resign his office in: -
 - [a] The case of the Director General, by notice to the Visitor;
 - [b] in the case of the Director General, by notice to the Council which shall immediately notify the Minister.
- [2] A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

Question that the First Schedule stand part of the Bill — Agreed to.

SECOND SCHEDULE TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC

- 1. Transfer of property to French Village
 - [1] Without prejudice to the generality of paragraph [a] of section 9[1] of this Bill
 - [a] the reference in that paragraph to property held by the provisional council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the provisional council;
 - [b] all debts liabilities of the provisional council outstanding immediately before the appointed day shall on that day become debts or liabilities of the French Village.
- 2. Transfer of Documents
 - [1] All agreements, contracts, deeds and other instruments to which the provisional council was a party immediately before the appointed day shall, so far as possible and subject to any necessary modifications, have effect from the appointed day, as respects anything failing to be done on or after that day, as if the French Village had been a party thereto in place of the provisional council.
 - [2] Documents not falling within sub-paragraph [1] of this paragraph, including enactments, which refer, whether specially or generally to the provisional council, shall be construed in accordance with that sub-paragraph so far as applicable.

[3] any legal proceedings or application to any authority pending immediately before the appointed day by or against the provisional council may be continued on or after that day by or against the French Village.

3. Registration of transfers

If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers of property of the kind in question [whether by reference to an instrument of transfer or otherwise], the law shall, so far as it provides for alterations of a register [but not for avoidance of transfers, the payment of fees or any other matter] apply with the necessary modifications to the transfer of the property aforesaid; and it shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

4. Transfer of functions etc.

- [1] The first meetings of the Council shall be convened by the Visitor for such dates [not being later than three months after the appointed day] and in such manner as he/she may determine.
- [2] The persons who immediately before the appointed day were members of the Provisional Council shall respectively be deemed to constitute the Council until the respective dates determined in pursuance of the sub-paragraph [1] of the Paragraph.
- [3] The first meeting of the Academic Board as reconstituted by this Bill shall be convened by the Visitor for such date [not being later than three months after the appointed day] and in such manner as he/she may determine.
- [4] The persons who immediately before the appointed day were members of the Academic Board of the Nigeria French Language Village shall be deemed to constitute the Academic Board of the French Village until the date determined in pursuance of sub-paragraph [3] of this paragraph.
- [5] Persons who immediately before the appointed day were Deans, shall on and after that day continue to be Deans, or become members of the Academic Board.

Question that the Second Schedule stand part of the Bill — Agreed to.

THIRD SCHEDULE

1. The Council

- [1] The composition of Council shall be as provided in section 5 of this Bill.
- [2] Any member of the Council holding office otherwise than in pursuance of Section 5 [a], [b], [c] or [d] of this Bill may, by notice to the Council, resign his office.
- [3] A member of the Council holding office otherwise than in pursuance of section 5 [a], [b], [c] or [d] of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he/she was appointed.

- [4] Where a member of the Council holding office otherwise than in pursuance of section 4 [a], [b], [c] or [d] of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he/she was appointed may appoint a successor to hold office for the residue of the term of his/her predecessor.
- [5] A person ceasing to hold office as a member of the Council otherwise than by the removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- [6] The quorum of the Council shall be seven, at least one of whom shall be a member appointed pursuant to section 4 [d], [e] or [h] of this Bill.
- [7] If the Director-General is not present at a meeting of the Council, such other members of the Council present at a meeting as the Council may appoint the chairman at the meeting, and subject to section 4 of the Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- [8] Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote

2. The Finance and General Purposes Committee

- [1] The Finance and General Purposes Committee of the Council shall consist of-
 - [a] the Director-General, who shall be the chairman of the Committee at any meeting at which he is present;
 - [b] the Deputy Director-General:
 - [c] six other members of the Council appointed by the Council, of whom two shall be selected from among the members of the Council appointed by the Academic Board and Congregation respectively;
 - [d] the Council member representing the Federal Ministry of Education.
- [2] The quorum of the Committee shall be six.
- [3] Subject to any direction given by the Council, the Committee may regulate its own procedure.

3. The Academic Board

- [1] There shall be an Academic Board for the French Village powers consisting of:
 - [a] The Director-General;
 - [b] The Deputy Director-General;
 - [c] All professors of the French Village;
 - [d] All deans of the French Village,
 - [e] All heads of academic departments, units and research institutes of the French Village;
 - [f] The French Village Librarian; and

- [g] Academic members of the Congregation who are not professors as specified in the Laws of the French Village.
- [2] The Academic Board shall have powers in all academic matters including the organization and control of-
 - [a] Teaching and research;
 - [b] Admission of students;
 - [c] Award of degrees including Honoris Causa, Certificates and Diplomas;
 - [d] Promotion of research; and
 - [e] The exercise of other functions in accordance with the Laws and Stanutes of the French Village.
- [3] The Director-General shall be the chairman at all meetings of the Academic Board when he/she is present; and when he is not present the Deputy Director-General, or in his/her absence such other member of the Academic Board present at the meeting as the Academic Board may appoint for that meeting, shall be the chairman at the meeting.
- [4] The quorum of the Academic Board shall be one third of its total membership; and subject to paragraph [2] of this Article, the Academic Board may regulate its own procedure

4. Congregation

- [1] Congregation shall consist of-
 - [a] the Director-General and the Deputy Director-General;
 - [b] all graduate staff of the French Village within the meaning of the Bill;
- [2] subject to section 6 of the Bill, the Director-General shall be the Chairman at all meetings of Congregation when he is present; and when he is not present, the Deputy Director-General, or in his/her absence such other member of Congregation presents at the meeting as Congregation present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.
- [3] The quorum of Congregation shall be one third, of the whole number nearest to one third, of the total number of members of congregation.
- [4] A certificate signed by the Director-General specifying-
 - [a] the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
 - [b] the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- [5] Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.

[6] Congregation shall have such functions, in addition to the function of appointing representative[s] to the Council, as may be provided by statute or regulations.

5. Convocation

- [1] Convocation shall consist of-
 - [a] the officers of the French Village mentioned in the First Schedule to the Bill; and
 - [b] all teachers within the meaning of the Bill; and
 - [c] all other persons whose names are registered in accordance with paragraph [2] of this Article.
- [2] A person shall be entitled to have his/her name registered as a member of Convocation if-
 - [a] he/she is either a graduate or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - [b] he/she applies for the registration of his/her name in the prescribed manner and pays the prescribed fees, and regulations shall provide for the establishment and maintenance of a register for the purposes of this paragraph and, subject to paragraph [3] of this article, may provide for the payment from time to time of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- [3] The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of convocation by virtue of paragraph [1] [a] or [b] of this article are entered and retained on the register.
- [4] A person who reasonably claims that he/she is entitled to have his/her name on the register shall be entitled on demand to inspect the register, or a copy of the register, at the principal offices of the French Village at all reasonable times.
- [5] The register shall, unless the contrary is proved, be sufficient evidence that any person 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.
- [6] The quorum of convocation shall be one-third [or the whole number nearest to one-third] of the total number of members of convocation, whichever is the less.
- [7] Subject to section 5 of the Bill, the Director-General shall be chairman at all meetings of Convocation when he is present, and when he is not present the Deputy Director-General, or in his absence such other member of Convocation present at the meeting as Convocation may appoint for that meeting, shall be the chairman at the meeting.
- [8] Convocation shall have such functions, in addition to the function of appointing a representative to the Council, as may be provided by statute.

- 6. Organization of academic work of the French Village
 - [1] Subject to the statutes, the academic work of the French Village shall be organized in such manner as may be prescribed by the Academic Board.
 - [2] The academic work of the French Village shall be distributed, in such manner as may be prescribed, among the departments, schools, institutes or other teaching units as may be established by regulations.
 - [3] Regulations may provide for any school established in pursuance of paragraph [1] of this bill

7. Board of Studies

- [1] There shall be a board of studies established for the French Village.
- [2] the board of studies shall consist of-
 - [a] the Director-General and the Deputy Director-General;
 - [b] the Academic Heads of Department;
 - [c] Professors on sabbatical leave in the French Village as may be approved by the Academic Board.
- [3] The quorum of a board of studies shall be one third [or the whole number nearest to one third] of the total number of the members for the time being of the board, whichever is the greater, and subject to article 8[3] of this Statute and to any provision made by regulations in that behalf, the board may regulate its own procedure.
- [4] Subject to the provisions of the Bill, it shall be the function of the board of studies-
 - [a] to advise and report to the Academic Board on all matters relating to the organisation of education, teaching and research including curricula and examinations;
 - [b] to consider the progress and conduct of students in that teaching unit and to report thereon;
 - [c] to recommend to the Academic Board persons for appointment as examiners; and
 - [d] to deal with any academic matters referred to it by the Academic Board.

8. Dean of Studies

- in the case of departments established by regulations, one of the professors assigned to that teaching unit shall be Dean of that teaching unit.
- [2] The Dean of a teaching unit shall be appointed in such manner as may be prescribed and shall hold the office of Dean for such period and on such terms as may be prescribed.
- The Dean shall be chairman at all meetings of his/her board of studies when he/she is present; and when he/she is not present, such other member of the board present at the meeting as may be prescribed, or in that member's absence such other member of the board present at the meeting as the board may appoint for that meeting, shall be the chairman at the meeting.

- [4] It shall be the function of the Dean of a teaching unit to present to Congregation for the conferment of degrees persons who have qualified for degrees of the French Village at examinations held in the branches of learning for which responsibility is allocated to the board of studies of that unit.
- 9. Creation of academic posts
 Recommendations for the creation of academic posts other than principal officers shall
 be made by the Academic Board to the Council through the Finance and General
 Purposes Committee and the Appointment and Promotions Committee.
- 10. Appointment of academic staff
 - [1] Subject to the Bill and the statutes, the filling of vacancies in academic posts [including newly created ones] shall be the responsibility of the Academic Board.
 - [2] For the purpose of filling such vacancies, the Academic Board shall set up suitable selection board to select and make appointments on its behalf.
 - [3] For appointments to professorships, a board of selection [with power to appoint] shall consist of-
 - [a] the Director-General
 - [c] if the post is within a teaching unit, the Dean of that teaching unit;
 - [d] two members appointed by the Council;
 - [e] such other persons as the Academic Board may from time to time appoint.
 - [4] Subject to paragraph [5] of this Article, for appointments to associate professorships, readerships, senior lectureships and other academic posts, a selection board [with power to appoint] shall consist of-
 - [a] the Director-General;
 - [b] if the post is within a teaching unit of the French Village, the Dean of that teaching unit;
 - [c] two members of the Academic Board appointed by the Academic Board; and
 - [d] such other persons as the Academic Board may from time to time appoint.
 - [5] All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic staff; and for all such posts, other than that of librarian, the librarian shall be a member of the selection board.
 - [6] Boards of selection may interview candidates directly or consider the reports of assessors or specialist interviewing panels.
- 11. Appointment of administrative and technical staff
 - [1] The administrative and technical staff of the French Village, other than Principal Officers, shall be appointed by the Council or on its behalf by the Director-General or the Registrar in accordance with any delegation of powers made by the Council in that behalf.

- [2] In the case of administrative or technical staff who have close and important contracts with the academic staff, there shall be Academic Board participation in the process of selection.
- 12. Interpretation

In this Statute, the expression "the Bill" means the Nigeria French Language Village Bill and any expression defined in the Bill has the same meaning in this Statute.

Question that the Third Schedule stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bili for an Act to Provide for the Establishment of the Nigerian French Language Village as an Inter-university Centre for French Studies and for Other Matters Connected Therewith, 2021 and approved as follows:

Clauses 1-32

As Recommended

Schedules 1-3

As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole - Resolved in the Affirmative.

Motion made: That the Bill be now Read the Third Time (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. Donkey Slaughter Regulation and Export Certification Bill, 2021 (SB. 496):

Motion made: That a Bill for an Act to regulate the slaughter of donkeys and establish the breeding and ranching of donkeys through the Export Certification Value Chain to mitigate the extinction of donkeys and for Related Matters, 2021 be read the Second Time (Senator Yahaya A. Abdullahi — Kebbi North).

Question put and agreed to.

Debate:

Bill accordingly read the Second Time and referred to the Committee on Agriculture and Rural Development to report within two (2) weeks.

12. Nigerian Ports Authority Act, Cap N126 LFN, 2004 (Repeal and Re-enactment) Bill, 2021 (SB. 432):

Motion made: That a Bill for an Act to repeal the Nigerian Ports Authority Act, Cap N126 LFN, 2004 and to establish the Nigerian Ports and Harbours Authority to provide for the ownership, management and development of ports and harbours and for Related Matters, 2021 be read the Second Time (Senator Mohammed D. Goje — Gombe Central).

Question put and agreed to.

Debate:

Bill accordingly read the Second Time and referred to the Committee on Marine Transport to report within four (4) weeks.

13. University Teaching Hospitals (Establishment and Reconstitution of Boards, etc) Act No.10 1985 (Amendment) Bill, 2021 (SB. 638):

Motion made: That a Bill for an Act to amend the University Teaching Hospitals (Establishment and Reconstitution of Boards, etc) Act No.10 1985 and for Related Matters, 2021 be read the Second Time (Senator Patrick A. Akinyelure — Ondo Central).

Question put and agreed to.

Debate:

Bill accordingly read the Second Time and referred to the Committee on Health (Tertiary and Secondary) to report within four (4) weeks.

14. Federal College of Education Act 1998 (Repeal and Re-enactment) Bill, 2021 (SB. 531): Motion made: That a Bill for an Act to Repeal the Federal College of Education Act, 1998 and to re-enact the Federal Colleges of Education and for Other Matters Connected Therewith, 2021 be read the Second Time (Senator Patrick A. Akinyelure — Ondo Central).

Question put and agreed to.

Debate:

Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within four (4) weeks.

15. Federal College of Agriculture Kirikasamma, Jigawa State (Establishment) Bill, 2021 (HB. 382) — Concurrence:

Motion made: That a Bill for an Act to Establish the Federal College of Agriculture Kirikasamma, Jigawa State (Establishment) Bill, 2021 be read the Second Time (Senate Leader).

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Order 81, that the Senate do resolve into the Committee of the Whole to Consider a Bill for an Act to Provide for the Establishment of the Federal College of Agriculture Kirikasamma, Jigawa State, to Provide Full-time Courses, Teaching Instructions and Training in Agriculture and Carry out its Due Administration and Management and for Related Matters, 2021 (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF AGRICULTURE KIRIKASAMMA, JIGAWA STATE, TO PROVIDE FULL-TIME COURSES, TEACHING INSTRUCTIONS AND TRAINING IN AGRICULTURE AND CARRY OUT ITS DUE ADMINISTRATION AND MANAGEMENT AND FOR RELATED MATTERS, 2021.

Clause 1: Establishment and objects of the Federal College of Agriculture

- (1) There is hereby established a College to be known as the Federal College of Agriculture, Kirikasamma, Jigawa State (in this Bill referred to as "the College") which shall have such powers and exercise such functions as are conferred on it by this Bill.
- (2) The College shall be a body corporate with perpetual succession and a common seal and shall have power to acquire and dispose of interests in movable and immovable properties and may sue and be sued in its corporate name.
- (3) The objects of the College shall be
 - to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in agriculture;
 - (b) to develop and offer academic and professional programmes leading to the award of Professional certificates, Ordinary National Diplomas and Higher National Diplomas which emphasise planning, adaptive, technical, maintenance, developmental and productive skills in agriculture, and to contribute to the scientific transformation of agriculture in Nigeria;
 - (c) to act as agents and catalysts, through training, research and innovation for the effective and economic utilisation, exploitation and conservation of Nigeria's natural, agricultural, economic and human resources;
 - (d) to identify the agricultural problems and needs of Nigeria and to find solutions to them within the context of overall national development;
 - (e) to provide and promote sound basic scientific training as a foundation for the development of agriculture and allied disciplines, taking into account indigenous culture, the need to enhance national unity, the need to vastly increase the practical content of student training, and adequate preparation of graduates for self-employment in agriculture and allied professions;
 - (f) to promote and emphasise teaching, research and extension of agricultural knowledge, including agriculture extension services and outreach programmes, in-service training, continuing education, and on-farm adaptive research;
 - (g) to organise research relevant to training in agriculture with emphasis on small-scale farming;
 - (h) to organise extension services and out-reach programmes for technology transfer;
 - (i) to establish institutional linkages in order to foster collaboration and integration of training, research, and extension activities; and

(j) to undertake any other activity appropriate for Colleges of Agriculture.

Committee's Recommendation:

That the provision in Clause 1 be retained (Senate Leader) - Agreed to.

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Governing Council of the College

- (1) The governance of the College and the direction of its affairs shall vest in the Governing Council of the College (in this Bill referred to as "the Council").
- (2) Without prejudice to the generality of subsection (1) of this section, it shall be the responsibility of the Council to consider and approve
 - (a) the plan of activities of the College;
 - (b) the programme of studies, courses, and research to be undertaken by the College;
 - (c) the annual estimates of the College; and
 - (d) the investment plans of the College.
- (3) The provisions of the First Schedule to this Bill shall have effect with respect to the Council as specified therein.

Committee's Recommendation:

That the provision in Clause 2 be retained (Senate Leader) — Agreed to.

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Membership of the Council

The Council shall consist of a chairman and the following other members, to be appointed by the Minister of education —

- (a) a representative of the Federal Ministry responsible for education;
- (b) a representative of the Federal Ministry responsible for Agriculture;
- (c) a representative of the National Board for Technical Education (NBTE)
- (d) a representative of the alumni association of the College;
- (e) three persons appointed on individual merit on a nationwide basis who should have wide experience of service in the public or private sector;
- (f) two representatives of the Academic Board of the College;
- (g) the Provost of the College.

Committee's Recommendation:

That the provision in Clause 3 be retained (Senate Leader) — Agreed to.

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Tenure of office of members of the Council

- (1) A member of the Council (other than an ex-officio member) shall hold office for a term of three years and shall be eligible for re-appointment for a further period of three years and no more.
- (2) Any member of the Council other than an ex-officio member may by notice to the Council resign his appointment.
- (3) Any vacancy occurring in the membership of the Council shall be filled by the appointment of a successor who shall represent the same interest as his predecessor for the remainder of the term of the predecessor.

Committee's Recommendation:

That the provision in Clause 4 be retained (Senate Leader) — Agreed to.

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: Powers of the Council

For the carrying out of its objects as specified in section 1 of this Bill, the Council shall have power to —

- (a) hold examinations and grant diplomas, professional certificates and other distinctions to persons who have pursued a course of study approved and accredited by the National Board for Technical Education (NBTE) and have satisfied such other requirements as the Council may lay down;
- (b) demand and receive from any student or any other person attending the College for the purpose of instruction such fees as the Council may, with the prior approval of the Minister, from time to time determine:
- (c) establish agricultural and rural extension services in various parts of Nigeria;
- (d) hold public lectures and undertake printing, publishing and bookselling;
- (e) provide amenities for and make such other provision for the welfare of the staff of the College;
- (f) invest the funds of the College in securities specified by law or in such other securities in Nigeria as may be approved by the Minister;
- (g) borrow money within Nigeria in such manner and upon such security as the Minister may from time to time authorise;
- (h) enter into such contracts as may be necessary or expedient for carrying into effect the objectives of the College;
- (i) recruit staff of the right calibre and determine the career structure of such staff;

- establish and maintain such schools, institutes, extramural departments and other teaching and research units within the College as the Council may, from time to time, deem necessary;
- (k) institute and award fellowships, scholarships, medals, prizes and other titles;
- (l) erect, provide, equip and maintain such educational, recreational and residential facilities as the College may require;
- (m) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- (n) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents; and
- (o) do such acts and things whether or not incidental to the foregoing powers as may advance the objects of the College.

That the provision in Clause 5 be retained (Senate Leader) — Agreed to.

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6: Visitation

- (1) The Minister shall be the Visitor of the College.
- (2) The Visitor shall, not less than once in every five years, conduct a visitation of the College or appoint a visitation panel consisting of not less than five experts to conduct the visitation—
 - (a) for the purpose of evaluating the academic and administrative performance of the College; or
 - (b) for such other purpose or in respect of any other affairs of the College as the Visitor may deem fit.

Committee's Recommendation:

That the provision in Clause 6 be retained (Senate Leader) — Agreed to.

Question that Clause 6 do stand part of the Bill, put and agreed to.

Clause 7: Power of Minister to give directions to the Council

Subject to the provisions of this Bill, the Minister may give to the Council directions of a general character or relating generally to matters of policy with regard to the exercise by the Council of its functions under this Bill and it shall be the duty of the Council to comply with such directions.

Committee's Recommendation:

That the provision in Clause 7 be retained (Senate Leader) — Agreed to.

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: The Academic Board and its Functions

(1) There shall be established for the College a board to be known as the Academic Board which shall consist of the following members —

- (a) the Provost of the College who shall be the chairman;
- (b) all heads of departments;
- (c) the College Librarian; and
- (d) not more than two members of the academic staff other than heads of departments to be appointed by the Council.
- (2) The Academic Board shall be responsible for
 - (a) the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, prizes and other academic distinctions;
 - (b) making periodic reports on such academic matters to the Council as the Council may from time to time direct;
 - (c) discharging any other functions which the Council may from time to time delegate to it.

That the provision in Clause 8 be retained (Senate Leader) — Agreed to.

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: The Provost of the College

- (1) There shall be a Provost of the College (in this Bill referred to as "the Provost") who shall be appointed by the Minister, in accordance with the provisions of this section.
- (2) Where a vacancy occurs in the post of Provost, the Council shall
 - (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying
 - (i) the qualities of the person who may apply for the post;
 - (ii) the terms and conditions of service applicable to the post; and thereafter draw up a short list of suitable candidates for consideration;
 - (b) constitute a search team consisting of
 - (i) a member of the Council not being a member of the Academic Board, as chairman;
 - (ii) two members of the academic Board not below the rank of chief lecturer;
 - (iii) two members of the academic community of the College not below the rank of chief lecturer to be selected by the Council, to identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason whatsoever.
- (3) A Joint Council and Academic Selection Board consisting of
 - (a) the Chairman of the Council;

- (b) two members of the Council not being members of the Academic Board;
- (c) two members of the Academic Board not below the rank of chief lecturer, who were not members of the search team, shall consider the candidates and persons on the short lists drawn up under subsection (2) of this section through an examination of their curriculum vitae and interaction with them and recommend through the Council to the Minister, three candidates for his consideration.
- (4) The Minister shall appoint as Provost one of the candidates recommended to him under the provisions of subsection (3) of this section.
- (5) Subject to this Bill and 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 operations of the College
- (6) The Provost
 - (a) shall hold office for a period of four years beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be reappointed for one further period of four years and no more.

That the provision in Clause 9 be retained (Senate Leader) — Agreed to.

Question that Clause 9 do stand part of the Bill, put and agreed to.

Clause 10: Deputy Provost

- (1) There shall be for the college a Deputy Provost.
- (2) The Council shall appoint the Deputy Provost from among the chief lecturers in the College in one of the following ways, that is
 - (a) from a list of three candidates in order of preference, submitted by the Provost; or
 - (b) on the recommendation of a Selection Board constituted under this section for that purpose; or
 - (c) on the nomination of the Provost.
- (3) The Selection Board referred to in subsection (2) of this section shall
 - (a) consist of
 - (i) the chairman of the Council;
 - (ii) the Provost;
 - (iii) two members of the Council not being members of the Academic Board;

- (iv) two members of the Academic Board; and
- (b) make such inquiries as it deems fit before making the recommendation required under that subsection.
- (4) The Deputy Provost shall
 - (a) assist the Provost in the performance of his functions;
 - (b) act in the place of the Provost when the post of Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions as Provost; and
 - (c) perform such other functions as the Provost or the Council may, from time to time, assign to him.
- (5) The Deputy Provost
 - (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be reappointed for one further period of two years and no more.

That the provision in Clause 10 be retained (Senate Leader) — Agreed to.

Question that Clause 10 do stand part of the Bill, put and agreed to.

Clause 11: The Registrar and other staff of the College

- (1) The Council shall appoint a Registrar to the College (hereinafter referred to as "the Registrar") who shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council and subject thereto as the Provost may from time to time direct.
- (2) The Registrar shall, in addition to other duties conferred on him by or under this Bill, be the secretary to the Council, the Academic Board and any committee of the Council and in his absence, the Councilor any such committee may appoint some other person to act as secretary, and he shall not vote on any question before the Councilor count towards a quorum.
- (3) The Registrar
 - (a) shall hold office for a period of four years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be reappointed for one further period of four years and no more.

Committee's Recommendation:

That the provision in Clause 11 be retained (Senate Leader) — Agreed to.

Question that Clause 11 do stand part of the Bill, put and agreed to.

Clause 12: Other Principal Officers of the College

- (1) There shall be for the College the following principal officers in addition to the Registrar, that is
 - (a) the Bursar; and
 - (b) the College Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 10 (3) of this Bill.
- (2) The Bursar shall be the chief financial officer of the College and be responsible to the Provost for the day-to-day administration and control of the financial affairs of the College.
- (3) The College Librarian shall be responsible to the Provost for the administration of the College Library and the coordination of the library services in the teaching units of the College.
- (4) The Bursar or Librarian
 - (a) shall hold office for a period of four years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be reappointed for a further period of four years and no more.

Committee's Recommendation:

That the provision in Clause 12 be retained (Senate Leader) — Agreed to.

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Resignation of Appointment of Principal Officers

A Principal Officer may resign his appointment —

- (a) in the case of the Provost, by notice to the Visitor; and
- (b) in any other case, by notice to the Council.

Committee's Recommendation:

That the provision in Clause 13 be retained (Senate Leader) — Agreed to.

Question that Clause 13 do stand part of the Bill, put and agreed to.

Clause 14: Other Employees of the College

- (1) The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the principal officers of the College in the performance of their functions under this Bill.
- (2) Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council.

Committee's Recommendation:

That the provision in Clause 14 be retained (Senate Leader) — Agreed to.

Question that Clause 14 do stand part of the Bill, put and agreed to.

Clause 15: Selection Board for Other Principal Officers

- (1) There shall be, for each College, a selection Board which shall consist of
 - (a) the Chairman of the Council;
 - (b) the Provost;
 - (c) four members of the Council not being members of the Academic Board; and
 - (d) two members of the Academic Board.
- (2) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this section shall be as the Council may, from time to time, determine.

Committee's Recommendation:

That the provision in Clause 15 be retained (Senate Leader) — Agreed to.

Question that Clause 15 do stand part of the Bill, put and agreed to.

Clause 16: Pensions

- (1) It is hereby declared that service in the College shall be approved service for the purposes of the Pensions Reform Act and, accordingly, officers and other persons employed in the College shall in respect of their service in the College be entitled to pensions, gratuities and other retirement benefits as are prescribed there under, so however that nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.
- (2) For the purposes of the application of the provisions of the Pensions Reform Act, any power exercisable there under by a Minister or other authority of the Government of the Federation (other than the power to make regulations) shall be exercisable by the College and not by any other person or authority.

Committee's Recommendation:

That the provision in Clause 16 be retained (Senate Leader) — Agreed to.

Question that Clause 16 do stand part of the Bill, put and agreed to.

PART II — FINANCIAL PROVISIONS

Clause 17: Establishment of fund of the College

- (1) The Council shall establish and maintain a fund which shall be applied towards the promotion of the objectives specified in this Bill.
- (2) There shall be paid and credited to the fund established under subsection (1) of this section
 - (a) such sums as may from time to time be granted to the Council by the Federal Government through the National Board for Technical Education (NBTE);
 - (b) all moneys raised for the purposes of the Council by way of gifts, grants-in-aid or testamentary disposition; and

- (c) all subscriptions, fees and charges for services rendered by the Council and all other sums that may accrue to the Council from any source.
- (3) The Council shall submit to the Minister, through the National Board for Technical Education (NBTE), not later than three months before the end of each financial year or at such other time as he may direct, an estimate of its revenue and expenditure for the next succeeding financial year.

That the provision in Clause 17 be retained (Senate Leader) — Agreed to.

Question that Clause 17 do stand part of the Bill, put and agreed to.

Clause 18: Accounts and Audit

The Council shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited.

Committee's Recommendation:

That the provision in Clause 18 be retained (Senate Leader) — Agreed to.

Question that Clause 18 do stand part of the Bill, put and agreed to.

Clause 19: Annual Reports

The Council shall as soon as may be after the expiration of each financial year, prepare and submit to the Minister a report of its activities during the immediately preceding financial year and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report on the accounts.

Committee's Recommendation:

That the provision in Clause 19 be retained (Senate Leader) — Agreed to.

Question that Clause 19 do stand part of the Bill, put and agreed to.

PART III — MISCELLANEOUS AND SUPPLEMENTARY

Clause 20: Offices and Premises

- (1) For the purpose of providing offices and premises necessary for the performance of its functions, the Council may
 - (a) purchase any interest in or take on lease any land; and
 - (b) build, equip and maintain offices and premises.
- (2) The Council may, with the approval of the Minister, sell any interest in or lease any land, offices or premises held by it and no longer required for the performance of its functions.

Committee's Recommendation:

That the provision in Clause 20 be retained (Senate Leader) — Agreed to.

Question that Clause 20 do stand part of the Bill, put and agreed to.

Clause 21: Discipline of Students

- (1) The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline (including lack of diligence) by students and such rules may make different provisions for different circumstances.
- (2) The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this section.
- (3) Subject to the provisions of subsection (1) of this section, where it is proved during the enquiry that any student of the College has been guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Bill or any regulations made there under, direct
 - (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he may specify; or
 - (b) that the activities of the student shall during such period as may be specified in the directions, be restricted in such manner as may be so specified; or
 - (c) that the student may be suspended for such period as may be specified in the direction; or
 - (d) that the student be expelled from the College.
- (4) Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in subsection (3) of this section to any student of the College who is guilty of misconduct.
- (5) Where a direction is given under subsection (3) (c) or (d) of this section in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him, appeal from the direction to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may think fit.
- (6) The fact that an appeal from a direction is brought in pursuance of subsection (5) of this section shall not affect the operation of the direction while the appeal is pending.
- (7) The Provost may delegate his powers under this section to a disciplinary committee consisting of such members of the College as he may nominate.
- (8) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the College otherwise than on the ground of misconduct.

- (9) It is hereby declared that the direction under subsection (3) (a) of this section may be combined with a direction under subsection (3) (b) of this section.
- (10) In all cases under this section, the decision of the Council shall be final unless reversed by the Minister on appeal by the student.

That the provision in Clause 21 be retained (Senate Leader) — Agreed to.

Question that Clause 21 do stand part of the Bill, put and agreed to.

Clause 22: Interpretation

In this Bill, unless the context otherwise requires — "Chairman" means the chairman of the Council;

"Council" means the Governing Council of the College established by or pursuant to section 2 of this Bill;

"Provost" means the Provost of the College appointed under section 9 of this Bill;

"Powers" includes functions and duties;

"Minister" means the Minister charged with responsibility for matters relating to education;

"Member" means a member of the Council including the chairman.

Committee's Recommendation:

That the provision in Clause 22 be retained (Senate Leader) — Agreed to.

Question that Clause 22 do stand part of the Bill, put and agreed to.

Clause 23: Short Title

This Bill may be cited as the Federal College of Agriculture, Kirikasamma (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 23 be retained (Senate Leader) — Agreed to.

Question that Clause 23 do stand part of the Bill, put and agreed to.

SCHEDULE

[Section 2 (3)]

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Terms of Service

- There may be paid to the members of the Councilor any committee, other than ex-officio members, such remuneration and allowances as may from time to time be determined by the Minister.
- 2. The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

Proceedings

- 3. (1) The Council shall meet for the conduct of business at such times, place and on such days as the chairman may appoint but shall meet not less than once every four months.
 - (2) The chairman may at any time and shall, at the request in writing of not less than five members, convene a meeting of the Council.
 - (3) At any meeting of the Council the chairman shall preside; but in his absence, members present shall elect one of their members to preside at the meeting.
 - (4) Where the Council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are not members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.
 - (5) The quorum of the Council shall be one half of the total members of the Council, at least one of whom shall be a member appointed by the Minister.
 - (6) Decisions of the Council shall be made on approval by a simple majority of members.

Miscellaneous

- 4. (1) The fixing of the seal of the College shall be authenticated by the signature of the chairman, Provost and of some other members of the Council authorised generally or specially by the Council to act for that purpose.
 - (2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made or executed on behalf of the College by any person generally or specially authorised to act for that purpose by the Council.
 - (3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

Question that the Schedule Stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Provide for the Establishment of the Federal College of Agriculture Kirikasamma, Jigawa State, to Provide Full-time Courses, Teaching Instructions and Training in Agriculture and Carry out its Due Administration and Management and for Related Matters, 2021 and approved as follows:

Clauses 1-23 — As Recommended

Schedule – As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — Resolved in the Affirmative.

Motion made: That the Bill be now Read the Third Time (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

16. Orthopaedic Hospitals Management Board Act (Amendment) Bill, 2021 (HB. 1284) — Concurrence:

Motion made: That a Bill for an Act to Amend the Orthopaedic Hospitals Management Board, Benin, Edo State and Jalingo, Taraba State (Establishment) Bill, 2021 be read the Second Time (Senate Leader).

Question put and agreed to.

Motion made: That the Senate do resolve into Committee of the Whole to consider the Report (Senate Leader).

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Order 81, that the Senate do resolve into the Committee of the Whole to Consider a Bill for an Act to Amend the Orthopaedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria, 2004, to Provide for the Establishment of Orthopaedic Hospitals, Benin, Edo State and Jalingo, Taraba State; and for Related Matters, 2021 (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE ORTHOPAEDIC HOSPITALS MANAGEMENT BOARD ACT, CAP. O10, LAWS OF THE FEDERATION OF NIGERIA, 2004, TO PROVIDE FOR THE ESTABLISHMENT OF ORTHOPAEDIC HOSPITALS, BENIN, EDO STATE AND JALINGO, TARABA STATE; AND FOR RELATED MATTERS, 2021

Clause 1: Amendment of the Principal Act

The Orthopaedic Hospitals Management Board Act, Cap, O10, Laws of the Federation of Nigeria, 2004 is amended as set out in this Bill.

Committee's Recommendation:

That the provision in Clause 1 be retained (Senate Leader) — Agreed to.

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Amendment of the Second Schedule

The Second Schedule to the Orthopaedic Hospitals Management Board Act is amended by inserting a new paragraphs 5 and 6 as set out below:

- "5. The Orthopaedic Hospital, Benin, Edo State.
- 6. The Orthopaedic Hospital, Jalingo, Taraba State".

Committee's Recommendation:

That the provision in Clause 2 be retained (Senate Leader) — Agreed to.

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Amendment of the Third Schedule

The Third Schedule to the Orthopaedic Hospitals Management Board Act is amended by inserting a new paragraph 4 as set out below:

"The Orthopaedic Hospital, Benin, Edo State;

Affiliated Hospital:

University of Benin Teaching Hospital, Benin, Edo State; and

The Orthopaedic Hospital, Jalingo, Taraba State;

Affiliated Hospital:

University of Maiduguri Teaching Hospital, Maiduguri, Borno State".

Committee's Recommendation:

That the provision in Clause 3 be retained (Senate Leader) — Agreed to.

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Citation

This Bill may be cited as the Orthopaedic Hospitals Management Board Act (Amendment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 4 be retained (Senate Leader) — Agreed to.

Question that Clause 4 do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Amend the Orthopaedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria, 2004, to Provide for the Establishment of Orthopaedic Hospitals, Benin, Edo State and Jalingo, Taraba State; and for Related Matters, 2021 and approved as follows:

Clauses 1-4 — As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — Resolved in the Affirmative.

Motion made: That the Bill be now Read the Third Time (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

20. Chartered Institute of Public Administration of Nigeria (Establishment) Bill, 2021 (HB.329) — Concurrence:

Motion made: That a Bill for an Act to Establish the Chartered Institute of Public Administration of Nigeria Bill, 2021 be read the Second Time (Senate Leader).

Question put and agreed to.

Motion made: That the Senate do resolve into Committee of the Whole to consider the Report (Senate Leader).

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Order 81, that the Senate do resolve into the Committee of the Whole to Consider a Bill for an Act to Establish the Chartered Institute of Public Administration of Nigeria and to Make Provisions, among Other Things, for Membership and Control of the Profession of Public Administration, and for Related Matters, 2021 (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF PUBLIC ADMINISTRATION OF NIGERIA AND TO MAKE PROVISIONS, AMONG OTHER THINGS, FOR MEMBERSHIP AND CONTROL OF THE PROFESSION OF PUBLIC ADMINISTRATION, AND FOR RELATED MATTERS BILL, 2021.

PART I — ESTABLISHMENT OF THE CHARTERED INSTITUTE OF PUBLIC ADMINISTRATION OF NIGERIA

-Clause 1: Establishment of the Chartered Institute of Public Administration of Nigeria.

- (1) There is established the Chartered Institute of Public Administration of Nigeria (in this Bill referred to as "the Institute") which
 - (a) shall be a body corporate with
 - (i) perpetual succession, and
 - (ii) a common seal which shall be kept in such custody as the Council may direct;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold and dispose of any property, moveable or immovable.
- (2) The Institute shall have the general duty of
 - (a) determining the level of knowledge and skills to be attained by persons seeking to become members of the profession and reviewing such standards from time to time as may be required;
 - (b) establishing and maintaining of register of members and the publication of the register in line with the provisions of this Bill:
 - (c) regulating the practice of Public Administration in Nigeria in all its ramifications; and

(d) performing all other functions conferred on the Council pursuant to the provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 1 be retained (Senate Leader) — Agreed to.

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Membership of the Institute.

- (1) Subject to the provisions of section 12 of this Bill, a person admitted to membership of the Institute shall be registered as a member of the profession in the category of
 - (a) Fellows;
 - (b) Full Members;
 - (c) Associate Members;
 - (d) Graduate Members;
 - (e) Student Members; or
 - (f) Corporate or Institutional Members.
- (2) Every member of the Institute in all the categories listed in subsection
 (1) shall attend Mandatory Continuous Professional Training
 Programme (MCPTP) as specified by the Council for reorientation and development processes.

Committee's Recommendation:

That the provision in Clause 2 be retained (Senate Leader) — Agreed to.

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Membership Privileges.

- (1) A member of the Institute is entitled to receive, from the Council, a certificate in such form as the Council may approve for that purpose.
- (2) A member is entitled to use such letters after his name as may be authorised by the Council and, if registered into the category of
 - (a) Fellows, he shall use the initials, "FCIPA";
 - (b) Full Members, he shall use the initials, "MCIPA"; and
 - (c) Associate Members, he shall use the initials, "ACIPA".

Committee's Recommendation:

That the provision in Clause 3 be retained (Senate Leader) — Agreed to.

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Principal Officers of the Institute and their Responsibilities.

- (1) The Principal Officers of the Institute are
 - (a) President;
 - (b) Deputy President; and

- (c) National Treasurer.
- (2) The Principal Officers shall
 - (a) be members of the Institute;
 - (b) be elected at the Annual General Meeting (AGM) of the Institute; and
 - (c) hold office each for a term of two years and may be eligible for re-election for one further term and no more.
- (3) The President shall be the Chairman at the meetings of the Institute and, in the event of the death, incapacitation or inability for any reason of the President to perform the functions of his office, the Deputy President shall act in his place for the unexpired portion of the term of office or as the case may require, and references in this Bill to the President shall be construed accordingly.
- (4) The President, Deputy President, and the National Treasurer shall be the Chairman, Deputy Chairman and the Treasurer of Council respectively.
- (5) If the President, the Deputy President, or the National Treasurer ceases to be a member of the Institute, he shall cease to hold any office designated under this section.

That the provision in Clause 4 be retained (Senate Leader) — Agreed to.

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: Establishment of the Governing Council.

- (1) There is established for the Institute a Governing Council (in this Bill referred to as "the Council") charged with responsibility for the administration and general management of the Institute.
- (2) The Council shall consist of
 - (a) the President of the Institute as Chairman;
 - (b) the Deputy President of the Institute as Vice-Chairman;
 - (c) the Treasurer;
 - (d) the Registrar as Secretary;
 - (e) one person, representing the Federal Ministry of Education,
 - (f) five (5) members who are Heads of Service of states and nominated by Council for two (2) years;
 - (g) three educational and training Institutions nominated by the
 - (h) Chairman, Board of Fellows; and

- (i) the immediate past President of the Institute and Chairman of the Council.
- (3) The provisions of the First Schedule to this Bill shall have effect with respect to the qualifications and tenure of office of members of the Council and other matters mentioned in the First Schedule.

That the provision in Clause 5 be retained (Senate Leader) — Agreed to.

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6: Board of Fellows.

- (1) There shall be appointed annually by the Council a Board of Fellows to coordinate the activities of Fellows of the Institute and to recommend to the Council on a yearly basis admission of members to the membership category of Fellows.
- (2) The Board of Fellows shall consist of persons who have been duly elected as Fellows of the Institute.

Committee's Recommendation:

That the provision in Clause 6 be retained (Senate Leader) — Agreed to.

Question that Clause 6 do stand part of the Bill, put and agreed to.

PART II — FINANCIAL PROVISIONS

Clause 7: Fund of the Institute.

- (1) The Council shall establish and maintain a Fund, the management and control of which shall be in the hands of the Council and into which shall be paid
 - (a) all fees and other money payable to the Institute under this Bill; and
 - (b) all revenue from other sources both local and international.
- (2) There shall be paid out of the Fund of the Institute
 - (a) all expenditure incurred by the Council in the discharge of its functions under the Bill;
 - (b) the remuneration and other allowances of the Registrar and other staff of the Institute; and
 - (c) such reasonable traveling and subsistence allowances of members of the Council in respect of the time spent on the duties of the Council as the Council may determine.
- (3) The Council may invest money in any bond or other security created, issued by, or guaranteed on behalf of the Federal Government or in any other securities in Nigeria approved by the Council.

Committee's Recommendation:

That the provision in Clause 7 be retained (Senate Leader) — Agreed to.

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: Power to Borrow.

The Council may borrow money for the purposes of the Institute and any interest payable on the money borrowed shall be paid out of the Fund of the Institute.

Committee's Recommendation:

That the provision in Clause 8 be retained (Senate Leader) — Agreed to.

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: Accounts and Audit.

- (1) The Council shall keep proper accounts on behalf of the Institute in respect of each year and proper records in relation to those accounts and the Council shall cause the accounts to be audited by an auditor appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.
- (2) The report of the audited accounts shall be submitted to the members of the Institute for approval by them at a meeting of the Institute.
- (3) The auditor appointed for the purpose of this section shall not be a member of the Council.

Committee's Recommendation:

That the provision in Clause 9 be retained (Senate Leader) — Agreed to.

Question that Clause 9 do stand part of the Bill, put and agreed to.

PART III — REGISTRAR AND THE REGISTER

Clause 10: Appointment, Duties and Responsibility of the Registrar.

- (1) The Council shall appoint a fit and proper person as the Registrar of the Institute for the purpose of this Bill.
- (2) The Registrar shall be a
 - (a) financial member of the Institute; and
 - (b) Fellow of the Institute.
- (3) The Registrar shall be the Chief Executive of the Institute and Secretary to the Council.
- (4) The Registrar shall prepare and maintain, in accordance with the rules made by the Council under subsection (5), a register of names, addresses, approved qualifications and other relevant requirements as may be specified from time to time for all persons who are enrolled as Fellows, Full Members, Associate Members, Graduate Members and Student Member of the Institute.
- (5) The Council shall make rules as to the form and keeping of the register and the making of entries thereon in particular for
 - (a) application for enrolment;
 - (b) determining the qualification which is relevant to the profession and accepted for the purpose of this Bill; and

(c) specifying the fees and subscription to be paid to the Institute in respect of the entry of names into the register and authorising the Registrar to refuse to enter any name until a specified fee is paid.

Committee's Recommendation:

That the provision in Clause 10 be retained (Senate Leader) — Agreed to.

Question that Clause 10 do stand part of the Bill, put and agreed to.

Clause 11: Publication of Register and List of Corrections.

- (1) The Registrar shall
 - (a) correct in accordance with the Council's direction, any entry in the register which the Council directs him to correct as being in the Council's opinion an entry which is incorrectly made;
 - (b) make, from time to time, any alterations in the registered particulars of registered members;
 - (c) remove from the register, the name of a registered member who has died or a person whose name is directed to be struck off as a result of disciplinary action;
 - (d) record the names of members of the Institute who are in default for more than four years in the payment of annual subscription and to take such actions as may be deemed fit under this Bill;
 - (e) cause the register to be printed, published and put on sale to members of the public not later than two months from the commencement of this Bill:
 - (f) subsequently, in each year after the year in which the register is first published under paragraph (a), cause to be printed, published and put on sale either a corrected edition of the register or a list of corrections made to the register since it was last printed;
 - (g) cause a print of each edition of the register and of its list of corrections to be deposited at the principal office of the Institute; and
 - (h) keep the register and list so deposited and make the register and list available, at all reasonable times, for inspection by members of the public, either physically or virtually through an internet portal.
- (2) A document purporting to be a print of an edition of the register published under this section by authority of the Registrar, or document purporting to be print of an edition so published, shall without prejudice to any other mode of proof, be admissible in any proceeding as evidence that any person specified in the documents read together, as being registered was so registered at the date of the edition or of the list of corrections as the case may be, and that any person not so specified was not so registered.

(3) Where a person is, in any proceeding, shown to have been or not to have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purpose of those proceedings as having at all material times thereafter continued to be, or not to be, so registered.

Committee's Recommendation:

That the provision in Clause 11 be retained (Senate Leader) — Agreed to.

Question that Clause 11 do stand part of the Bill, put and agreed to.

Clause 12: Qualification for Membership.

- (1) Subject to the provisions of this Bill, an individual is eligible to be registered as a Public Administrator if he
 - (a) passes the qualifying examination accepted by the Council;
 - (b) completes the practical training prescribed by the Institute under this Bill;
 - (c) holds any other qualification accepted by the Institute for the time being; or
 - (d) qualifies for enrolment as a member in any of the categories specified for the purposes of this Bill.
- (2) An applicant shall, in addition to evidence of qualification, satisfy the Council that
 - (a) he is of good character;
 - (b) has attained the age of 21 years; and
 - (c) has not been convicted by any court of law in Nigeria or elsewhere for an offence involving fraud or dishonesty.

Committee's Recommendation:

That the provision in Clause 12 be retained (Senate Leader) — Agreed to.

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Approval of Qualification.

- (1) The Council shall, from time to time, publish particulars of qualifications accepted by the Council for registration.
- (2) The Council shall approve any institution for the purpose of this Bill, and may for such purpose approve
 - (a) any course of training at an approved institution which is intended for persons seeking to become or are already Public Administration of Nigeria practitioners and which the Council considers as designed to confer on persons relevant and sufficient knowledge and skills for admission into the Institute; or
 - (b) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating in the opinion of the

members of the Council, that the candidates have sufficient knowledge and skill to practice the profession.

- (3) The Council may, if it deems fit, withdraw any approval given under this section in respect of any course, qualification or institution, but before withdrawing the approval, the Council shall
 - (a) give notice that it proposes to withdraw the approval to each person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the Institution is controlled, as the case may be;
 - (b) give the person an opportunity of making representation to the Council with regard to the proposal; and
 - (c) take into consideration any representation made in respect of the proposal.
- (4) Any period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section, but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.
- (5) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in that instrument, and the Council shall
 - (a) publish, as soon as possible, a copy of every such instrument in the print media; and
 - (b) not later than seven days before its publication, send a copy of the instrument to the Minister.
- (6) The members of the Council shall keep themselves informed of the nature of
 - (a) the instruction given at approved institutions to persons attending approved courses of training; and
 - (b) the examination as a result of which approved qualifications are granted, and for the purpose of performing that duty, the Council may appoint, either from among its own member or otherwise, persons to visit approved institutions, or to attend such examinations.

Committee's Recommendation:

That the provision in Clause 13 be retained (Senate Leader) — Agreed to.

Question that Clause 13 do stand part of the Bill, put and agreed to.

PART IV — MISCELLANEOUS PROVISIONS

Clause 14: Visitation Panel.

(1) The Council shall set up a Visitation Panel which shall, from time to time, report to the Council on —

- (a) the sufficiency of the instruction given to persons attending the approved course of training at the institution visited;
- (b) the sufficiency of the examinations attended; and
- (c) any other matter relating to the institution or examination on which the Council may, either generally or in a particular case, request the Visitation Panel to report, but the Visitation Panel shall not interfere with the giving of any instruction or the holding of any examination.
- (2) On receiving a report made under this section, the Council may, if it deems fit, and shall, if so required by the Institute, send a copy of the report to the person appearing to the Council to be in charge of the Institution or responsible for the examination to which the report relates, requesting that person to make observations on the report to the Council within the period as may be specified in the request, not being less than one month beginning with the date of request.

That the provision in Clause 14 be retained (Senate Leader) — Agreed to.

Question that Clause 14 do stand part of the Bill, put and agreed to.

Clause 15: Establishment of an Investigating Panel and Disciplinary Tribunal.

- (1) There is established the Chartered Institute of Public Administration of Nigeria Investigating Panel (in this Bill referred to as "the Panel"), charged with the duty of
 - (a) conducting preliminary investigation into any case where it is alleged that a person registered has misbehaved in that person's capacity as member or shall for any other reason, be subject of proceedings before the Tribunal; and
 - (b) deciding whether the case may be referred to the Tribunal.
- (2) The Panel shall be appointed by the Council and shall consist of two members of the Council and three registered members who are not members of the Council.
- (3) There is established the Chartered Institute of Public Administration of Nigeria Disciplinary Tribunal (in this Bill referred to as "the Tribunal") charged with the duty of considering and determining any case referred to it by the Investigating Panel established under subsection (1).
- (4) The Tribunal shall consist of the Chairman of the Council and six other members appointed by the Council, one of who may be a legal practitioner with at least 10 years post call experience.

Third Schedule.

(5) The provisions of the Third Schedule to this Bill shall, so far as applicable to the Tribunal and Panel respectively, have effect with respect to those bodies.

Committee's Recommendation:

That the provision in Clause 15 be retained (Senate Leader) — Agreed to.

Question that Clause 15 do stand part of the Bill, put and agreed to.

Clause 16: Penalties for Unprofessional Conduct.

- (1) Where
 - (a) a member is adjudged by the Tribunal to be guilty of infamous conduct in any professional respect,
 - (b) a member is convicted by any court of law in Nigeria or elsewhere, having powers to award imprisonment for an offence (whether or not punishable with imprisonment) which, in the opinion of the Tribunal, is incompatible with the status of a professional Public Administrator consultant, or
 - (c) the Tribunal is satisfied that the name of any person has been fraudulently registered,

the Tribunal may, if it deems fit, give a direction reprimanding that person or ordering the Registrar to strike his name off the register.

- (2) The Tribunal may, if it deems fit, defer its decision as to the action taken under subsection (1) of this section until a subsequent meeting of the Tribunal, but
 - (a) no decision shall be deferred under this provision for a period exceeding one year; and
 - (b) no person shall be a member of the Tribunal for the purpose of reaching a verdict on a deferred or further deferred decision unless he was present as a member of the Tribunal when the decision was deferred.
- (3) For the purpose of subsection (1) (b), a person shall not be treated as a convict unless the conviction stands at a point where no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (4) When the Tribunal gives a directive for the purpose of effecting penalties for unprofessional conduct, the Tribunal shall cause notice of the directive to be served on the person to whom it relates.
- (5) The person to whom such a directive relates, at any time within 28 days from the date of service on him of notice of the directive, may appeal against the directive to the Federal High Court and the Tribunal may appear as respondent to the appeal and, for the purpose of enabling directive to be given as to the costs of the appeal and proceeding before the Federal High Court, the Tribunal shall be deemed to be a party to the appeal whether or not it appears on the hearing of the appeal.
- (6) A directive of the Tribunal under subsection (1) shall take effect where
 - (a) no appeal under this section is brought against the directive within the time limited for such an appeal, or at the expiration of the time;

- (b) such an appeal is brought and is withdrawn or struck out for want of prosecution, or dismissed for lack of merit; or
- (c) an appeal is brought and is not withdrawn or struck out, if and when the appeal is dismissed, shall not take effect under the provision of this section.
- (7) A person whose name is removed from the register following a directive of the Tribunal under this section is not entitled to be registered again except in pursuant to a direction in that behalf given by the Tribunal on the application of that person and a directive under this section for the removal of a person's name from the register may prohibit an application under this subsection by that person until the expiration of that period from the date of the direction (and where he has duly made an application, from the date of his last application) as may be specified in the direction.

That the provision in Clause 16 be retained (Senate Leader) — Agreed to.

Question that Clause 16 do stand part of the Bill, put and agreed to.

Clause 17: When a Person is Deemed to Practice as a Professional Public Administration of Nigeria Practitioner.

- (1) From the commencement of this Bill, any person who was not a member of the Institute before this Bill and who under this Bill, is qualified to apply for and obtain membership of the profession may, within the period of three months beginning with the date of the commencement of this Bill, apply for membership of the Institute in the manner prescribed by the Council and if approved, he shall be enrolled or registered, as the case may be, according to the person's qualification.
- (2) A person shall be deemed to be a professional Public Administration of Nigeria practitioner if, for consideration of remuneration to be received whether by himself or in partnership with any other person
 - (a) he engages in the practice of Public Administration of Nigeria or holds himself out to the public as a professional Public Administration of Nigeria consultant;
 - (b) he renders professional service or assistance in or about matters of principle or detail relating to Public Administration of Nigeria or data; or
 - (c) renders any other service that may, by regulations made by the Council, be designated as service constituting practice as a professional Public Administration of Nigeria practitioner or consultant.

Committee's Recommendation:

That the provision in Clause 17 be retained (Senate Leader) — Agreed to.

Question that Clause 17 do stand part of the Bill, put and agreed to.

Clause 18: Rules of Practice.

- (1) The Council may make rules for
 - (a) the training of suitable persons in Public Administration of Nigeria;
 - (b) the licensing of persons employed in the Public Administration;
 - (c) prescribing the fees to be paid by Public Administration practitioners or consultants; and
 - (d) the restriction of right of practice where conditions are not met.
- (2) The Council may also make rules prescribing the amount and due date for payment for membership of annual subscription and for such purposes, different amounts may be prescribed by the rules according to the category of membership of the Institute.
- (3) Rules made under this section shall, if the Chairman of the Council directs, be published in the print media.

Committee's Recommendation:

That the provision in Clause 18 be retained (Senate Leader) — Agreed to.

Question that Clause 18 do stand part of the Bill, put and agreed to.

Clause 19: Honourary Membership.

The Council may award honorary membership of the Institute to persons it considers worthy of such honour, on terms and conditions prescribed by the Council and approved by the Institute in its general meeting.

Committee's Recommendation:

That the provision in Clause 19 be retained (Senate Leader) — Agreed to.

Question that Clause 19 do stand part of the Bill, put and agreed to.

Clause 20: Library Facilities.

The Institute shall —

- (a) provide and maintain a library comprising books and publications for the advancement of knowledge in Public Administration of Nigeria and such other books and publications as the Council may consider necessary for that purpose;
- (b) encourage research into Public Administration in Nigeria, methods and allied subjects to the extent that the Council may consider necessary; and
- (c) encourage the production and sale of materials, books and journals arising from its research and consultancy activities.

Committee's Recommendation:

That the provision in Clause 20 be retained (Senate Leader) — Agreed to.

Question that Clause 20 do stand part of the Bill, put and agreed to.

Clause 21: Rules and Regulations.

Rules and regulations made under this Bill shall be subject to confirmation by the Institute at its next AGM or at a special meeting of the Institute convened for the purpose, and if annulled, shall cease to have effect on the day after the date of annulment, but without prejudice to anything done under any such rules.

Committee's Recommendation:

That the provision in Clause 21 be retained (Senate Leader) — Agreed to.

Question that Clause 21 do stand part of the Bill, put and agreed to.

Clause 22: Transfer of Property.

- (1) From the commencement of this Bill
 - (a) all properties held by or on behalf of the Incorporated Institute before this Bill, by virtue of this section shall be vested on the Institute; and
 - (b) subject to subsection (2), any act, or matter made or done by the Incorporated Institute before this Bill shall continue to have effect.
- (2) The provisions of this Act shall have effect with respect to matters arising from the transfer by this section to the Institute of the property of the Incorporated Institute before this Bill, and with respect to the other matters mentioned in the Second Schedule to this Bill.

Committee's Recommendation:

That the provision in Clause 22 be retained (Senate Leader) — Agreed to.

Question that Clause 22 do stand part of the Bill, put and agreed to.

Clause 23: Interpretation.

In this Bill -

"Board" means the Board of Fellows:

"Council" means the Governing Council of the Institute established under section 5 (1) of this Bill;

"fees" includes annual subscription;

"fund" means fund of the institute established under this Bill;

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

"President" and "Deputy President" respectively mean the office holders as specified under section 4 of this Bill;

"register" means the register prepared and maintained under section 10 (4) of this Bill; and

"tribunal" means the Disciplinary Tribunal established under section 15 (1) of this Bill.

Committee's Recommendation:

That the provision in Clause 23 be retained (Senate Leader) — Agreed to.

Question that Clause 23 do stand part of the Bill, put and agreed to.

Clause 24: Citation.

This Bill may be cited as the Chartered Institute of Public Administration of Nigeria (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 24 be retained (Senate Leader) — Agreed to.

Question that Clause 24 do stand part of the Bill, put and agreed to.

FIRST SCHEDULE

Section 5 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualification and Tenure of Office of Principal Officers of the Council

- 1. (1) Subject to the provisions of this paragraph, every elected principal officer of the Council shall hold office for a term of two years in the first instance beginning with the date of his appointment, and may be eligible for re-election for another term of two years and no more.
 - (2) A principal officer of the Institute who ceases to be a member shall, if he is also a member of Council, cease to hold office on the Council.
 - (3) Any elected member of the Council may by notice in writing under his hand addressed to the President resign his office, and any appointed member may, likewise resign his office.
 - (4) A person who retires from or otherwise ceases to be an elected member of the Council shall be eligible again to become a member of the Council, and any appointed member may be reappointed.
 - (5) Election to the Council shall be held in the manner prescribed in the rules made by the Council and unless otherwise prescribed, they shall be decided by a secret ballot.
 - (6) If an elected member vacates office, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Institute appears necessary to fill the vacancy, co-opt some fit persons for the period.
 - (7) The election of members of the Council shall be effected in the manner prescribed
 - (a) at least eight weeks before each AGM of the Institute, the Council may nominate candidates for election to the Council, provided that the number of candidates nominated shall not exceed 50 per cent of those retiring;
 - (b) not less than seven weeks before each AGM of the Institute, the Secretariat shall issue to all professional members a notice which shall
 - (i) specify the names of elected Council members whose terms of office will expire at the close of the next AGM;
 - (ii) specify any other vacancies in the membership of the Council which may be filled by election;

- (iii) specify the names of any candidates nominated by the Council for election to the Council;
- (iv) invite nominations of other candidates on the prescribed nomination form; and
- (v) contain other particulars as may be prescribed by the Council;
- (c) candidates for election to the Council, other than candidates nominated in the following manner
 - (i) at least five weeks before each AGM, nomination forms including details of all particulars required to be given shall be duly completed in the manner set out below and shall be sent to the Secretariat of the Institute, and
 - (ii) each nomination form shall relate to one candidate only and shall contain his class and grade of membership in the Institute, his full-time managerial or other appointment (if any) or, if retired, such appointment immediately before retirement and his date of retirement; and such other particulars as may be prescribed by the Council;
- (d) each candidate shall be sponsored by two persons who shall be members of the Institute entitled to vote and each nomination form shall contain, in addition to the particulars referred to in sub paragraph (c), a statement of the names, addresses, class and grade of membership of each of the sponsors; and
- (e) vote shall be taken by secret ballot at the AGM.

Powers of the Council.

- 2. (1) The Council shall
 - (a) have powers to engage in legal activities, which in its opinion will facilitate the carrying on of the activities of the Institute:
 - (b) exercise such powers of the Institute and do on behalf of the Institute such acts as may be exercised and done by the Institute;
 - (c) exercise any power granted by the Institute in a general meeting, and subject to such byelaws or provisions, as may be prescribed by the Institute in a general meeting, but no byelaw made by the Institute in a general meeting shall invalidate any prior act of the Council which would have been valid if such byelaw had not been made;
 - (d) exercise powers on behalf of the Institute to borrow money, to mortgage or charge its undertaking and property or any part thereof and to issue debentures, debenture stocks, and other securities whether outright or security for any debt, liability or obligation of the Institute;
 - (e) set up every year as soon as practicable after the AGM, an executive committee of the Council, which shall meet regularly and carry out the normal business of Council between the regular meetings of Council; and
 - (f) establish a branch of the Institute in any locality within the country.

Power to Make, Alter or Repeal Byelaws of the Institute.

(2) The Council shall have power to make, alter or repeal any byelaw as the Council may deem necessary for the proper conduct and management of the Institute and the Council shall adopt the means deemed sufficient to bring to the notice of the Institute and all its members, any byelaws, alterations or repeals made under the powers conferred by this paragraph; provided that no byelaw shall be inconsistent with, affect or repeal anything contained in this Bill or constitute an amendment of, or addition to these presents as could only lawfully be made by special resolution.

Proceedings of the Council.

- 3. (1) Subject to the provisions of this Bill, the Council may, in the name of the Institute, make standing orders regulating the proceedings of the Institute or of the Council and, in the exercise of its powers under this Bill may, set up committees in the general interest of the Institute, and make standing orders for the committees.
 - (2) Standing orders shall provide for decisions to be taken by a majority of the members and, in the event of equality of votes, for the President or the Chairman, as the case may be, to have a second or casting vote.
 - (3) Standing orders made for a committee shall provide that the committee is to report back to the Council on any matter not within its competence to decide.
 - (4) The quorum of the Council shall be seven and the Council shall fix the quorum of a committee.

Meetings of the Institute.

- (a) Annual General Meetings
- 4. (1) An Annual General Meeting of the Institute shall be held once in every calendar year, at a time and place as may be determined by the Council, provided that every AGM after the first annual general meeting shall be held not more than 15 months after the holding of the last preceding such meeting.
 - (b) Extra Ordinary General Meeting
 - (2) All general meetings of the Institute, which are not annual general meetings, shall be called Extra Ordinary General Meetings.
 - (3) The Council may call an Extraordinary General Meeting whenever it deems fit and an Extraordinary General Meeting shall be convened on request.

Quorum at General Meetings.

(4) No business shall be transacted at any general meeting unless a quorum is present when the meeting proceeds to business, and unless otherwise provided, the quorum shall be 35 members present in person.

Adjournment of Meetings.

(5) If within an hour from the time appointed for the holding of a general meeting a quorum is not present, the meeting, if convened on the requisition of members, shall be dissolved and in any other case it shall stand adjourned to the same day in the next week, at the same time and place, or at such other place as the Chairman of the meeting shall appoint, and if at such adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting, the members present shall be a quorum.

Special Business.

5. All business transacted at an Extraordinary Meeting, and an AGM except for the consideration of the account and balance sheet, the report of the Council and of auditors, the fixing of the remuneration of the auditors and the election of members of the Council at an Annual General Meeting, shall be deemed to be special business.

Notices - Mode of Service.

- 6. (1) A notice may be served by the Institute upon any member of the Council, its committees and the Institute either personally or by sending it through the post in prepaid letter addressed to the member at his address as it appears in the professional register of members or other records of members not being professional members.
 - (2) A notice if served by post shall be deemed to have been served on the day following that on which the letter containing the notice is put into the post/email and in proving such service, it shall be sufficient to prove that the letter containing the notice was properly addressed and put in the email or post office as a prepaid letter.

Annual or Extra-Ordinary Meetings.

- (1) An Annual or Special Meeting of the Institute shall be convened by at least 21 days' notice in writing.
 - (2) The notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it is given and shall specify the place, day and hour of the meeting, and in case of business other than ordinary annual business of the Institute, the general nature of business.
 - (3) In the case of an AGM, the Secretary shall also send to each member with the notice, a copy of the annual report of the Council, a copy of the accounts of the Institute with the auditors' report thereon, and particulars of all motions to be brought before the meeting.

Special Motions at Annual General Meetings.

- 8. A member desiring to bring before the AGM any motion not relating to the ordinary business of the AGM of the Institute may do so provided that
 - (a) notice in writing of the proposed motion is sent or given to the Secretary not later than 45 days before the date of the AGM; and
 - (b) no less than 10 members entitled to vote at the AGM shall have sent or given notice in writing to the Secretary not later than 30 days before the date of the AGM expressing their desire that the proposed motion be brought before the AGM and that the proposed motion relates to matters affecting the Institute.

Voting at General Meetings.

- 9. (1) Except as provided in this Schedule regarding voting to elect members to fill vacancies on the Council, a resolution put to the vote at any AGM or Extra Ordinary Meeting of the Institute shall be decided on a show of hand unless (before or on the declaration of the show of hands) a poll is demanded by at least 10% of those present provided that the matter arrived at is not less than five.
 - (2) No amendment shall be permitted to resolution, amend the Bill or the rules and byelaws of the Institute except with the consent of the Chairman of the meeting (whose decision shall be final) if the amendment is one of form only and not of substance.

- (3) If a poll is duly demanded or required to be taken, it shall be taken in accordance with the relevant byelaws and the result of the poll shall be deemed to be the resolution of the meeting at which the poll is demanded.
- (4) Except as provided in this Schedule regarding voting to elect members by ballot to fill vacancies on the Council, in the case of an equality of votes, whether on a show of hands or on a poll, the Chairman of the meeting, at which the show of hands takes place or at which the poll is required to be taken, shall be entitled to a second or casting vote.
- (5) A poll demanded on the election of a Chairman or on any question of adjournment shall be taken and a poll demanded or required to be taken of any other question shall be taken at such time and place as the Chairman of the meeting directs and any business other than that upon which a poll has been demanded or is required may be proceeded with pending the taking of the poll.
- (6) On a show of hands or a poll, every member present in person shall (except as provided in the case of electing members to fill vacancies of the Council) have one vote.

Voting Rights of Corporate Members.

10. Each corporate member's voting power at any meeting of the Institute shall be vested in a single person entitled as a "Voting Representative", who, if he is a professional member of the Institute in his own right, may exercise his rights to vote as an individual member in addition to voting as a representative.

Meeting of the Council.

- 11. (1) Subject to the provisions of any standing order or byelaw of the Council, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by not less than five other members, he shall summon a meeting of the Council to be held within seven days from the date on which the notice is given.
 - (2) At any meeting of the Council, the Chairman or, in his absence, the Vice-Chairman shall preside, but if both are absent, the members present at the meeting shall appoint one of them to preside at that meeting.
 - (3) Where the Council desires to obtain advice from any person on a particular matter, the Council may co-opt him as a member for such period as the Council deems fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.
 - (4) Notwithstanding anything in this paragraph, the first meeting of the Council shall be summoned by the Minister of Education, who may give such direction as he thinks fit as to the procedure which shall be followed at the meeting.

Committees.

- 12. (1) The Council may appoint one or more committees to carry out, on behalf of the Institute or of the Council, such functions as the Council may determine.
 - (2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council, and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

Miscellaneous.

- 13. (1) The fixing of the seal of the Institute shall be authenticated by the signature of the President or of some other member of the Council authorised generally or specially by the Institute to act for that purpose.
 - (2) A 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 Institute or the Council as the case may require, by any person generally or specially authorised to act for that purpose by the Council.
 - (3) A document purporting to be duly executed under the seal of the Institute shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
 - (4) The validity of any proceeding of the Institute, Council or committee of the Council shall not be affected by any vacancy in membership, any defect in the appointment of member of the Institute, the Council or a person to serve on the committee or by reason that a person not entitled to do so took part in the proceedings.
 - (5) A member of the Institute or the Council, and any person holding office on a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council on behalf of the Institute, the Council or a committee, shall disclose his interest to the President or the Council as the case may be, and shall not vote on any question relating to the contract or arrangement.
 - (6) A person shall not, by reason only of his membership of the Institute, be required to disclose any interest relating solely to the audit of the accounts of the Institute.

Question that the provision in the First schedule stand part of the bill, put and agreed to.

SECOND SCHEDULE

Section 22 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTY, ETC.

Transfer of Property.

- 1. (1) Every agreement to which the Incorporated Institute was a party immediately before the commencement of this Bill, whether in writing or not and whether or not of such nature that the rights, liabilities and obligations thereunder could be assigned by the Incorporated Institute, shall have effect from the commencement of the Bill so far it relates to property transferred by this Bill to the Institute, as if
 - (a) the Institute had been a party to the agreement; and
 - (b) for any reference (however worded and whether express or implied) to a member or members of the Council or the Incorporated Institute there were substituted as respects anything failing to be done on or after the commencement of the Act
 - (i) a reference to the Institute; and
 - (ii) a reference to a member or members of the Council under this Bill.

- (2) Other documents referring, whether specifically or generally, to the Incorporated Institute shall be construed in accordance with subparagraph (1).
- (3) Without prejudice to the generality of the provisions of this Schedule, where, by the operation of any of them or any section of this Bill, any right, liability or obligation vests in the Institute, the Institute and all other persons shall, as from the commencement of this Bill, have the same rights, powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Institute.
- (4) Any legal proceeding or application to any authority pending on the commencement of this Bill by or against the Incorporated Institute and relating to property transferred by this Act to the Institute may be continued on or after that day by or against the Institute.
- (5) If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers or property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far it provides for alterations of a register but not for avoidance of transfers, the payment of fees or any other matter, apply with the necessary modifications to the transfer of the property and the Council shall furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer in charge of the transfer accordingly.

Transfer of Functions.

- 2. (1) At its first meeting, the Council of the Institute shall fix a date not later than six months after the commencement of this Bill, for the Annual General Meeting of the Institute.
 - (2) The members of the Council of the Incorporated Institute shall be deemed to be the members of Council of the Institute until the date determined under subparagraph (1) when the Institute shall have its first Annual General Meeting, and they shall cease to hold office at the conclusion of such meeting.
 - (3) A person who, immediately before the commencement of this Bill, held office as the President or Deputy President of the Incorporated Institute by virtue of the Articles of Association shall, on that day, become the President or, as the case may be, the Deputy President of the Institute, and shall be deemed to have been elected
 - (a) to that office in pursuance of the provision of this Bill, corresponding to the relevant provision in the said Articles of Association; and
 - (b) on the date on which he took office, or last took office, in pursuance of the relevant provision of those articles.
 - (4) The members of the Incorporated Institute shall, as from the commencement of this Bill, be registered as members of the Institute and, without prejudice to the generality of the provisions of this Schedule relating to the transfer of property, any person who, immediately before the commencement of this Bill, was a member of the staff of the Incorporated Institute shall on that day become the holder of an appointment with the Institute with the status, designations and functions which correspond as nearly as may be to those appertaining to him in his capacity as a member of staff of the Incorporated Institute.

- (5) A person being an office holder on, or member of, the Council of the Incorporated Institute immediately before the commencement of this Bill and deemed under this paragraph to have been appointed to any position in the Institute, or the Council of the Institute, and hereafter ceasing to hold office otherwise than by reason of his misconduct, shall be eligible for appointment to the office in the Institute or to membership of the Council, as the case may be.
- (6) All regulations, rules and similar instruments made for the purpose of the Incorporated Institute and in force immediately before the commencement of this Bill shall, except in so far as they are subsequently revoked or amended by any authority having power in that behalf, have effect with necessary modifications, as if duly made for the corresponding purpose of the Institute.

Question that the provision in the Second schedule stand part of the bill, put and agreed to.

THIRD SCHEDULE

Section 15 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL

The Tribunal.

- 1. (1) The quorum of the Tribunal shall be four.
 - (2) The Council shall make rules as to the selection of members of the Tribunal for the purpose of any proceeding and as to the procedure to be followed and rules of evidence to be observed in proceedings before the Tribunal.
- 2. The rules shall in particular provide
 - (a) for securing that notice of the proceedings shall be given, at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings;
 - (b) for determining who, in addition to that person, shall be a party to the proceedings;
 - (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Tribunal;
 - (d) for enabling any party to the proceedings to be represented by a legal practitioner;
 - (e) subject to the provisions of section 16 (5) of this Bill, as to the costs of proceedings before the Tribunal;
 - (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
 - (g) for publishing in the print media, a notice of any direction of the Tribunal, which has taken effect provided that a person's name shall be struck off a register.

- 3. For the purpose of any proceeding before the Tribunal, any member of the Tribunal may administer oaths and any party to the proceedings may issue out of the registry of the High Court writs of subpoena ad testificandum and ducestecum, but no person appearing before the Tribunal shall be compelled to
 - (a) make any statement before the Tribunal tending to incriminate himself; or
 - (b) produce any document under such a writ which he could not be compelled to produce at the trial of an action.
- 4. (1) For the purposes of advising the Tribunal on questions of law arising in the proceedings before it, there shall, in all such proceedings, be an assessor to the Tribunal who shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of no less than 10 years standing.
 - (2) The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph and in particular such rules shall contain provisions for securing that
 - (a) where an assessor advises the Tribunal on any question of law as to evidence, procedure or any other matter specified by the rule, he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person shall be informed what advice the assessor has tendered; and
 - (b) every such party or person shall be informed if in any case the Tribunal does not accept the advice of the assessor on such a question.
 - (3) An assessor may be appointed under this paragraph either generally or for any particular proceeding or class of proceeding, and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

The Panel.

- 5. (1) The quorum of the Panel shall be three.
 - (2) The Panel may, at any meeting of the Panel attended by the members of the Panel, make standing orders with respect to the Panel.
 - (3) Subject to the provisions of any such standing orders, the Panel may regulate its own procedure.

Miscellaneous.

6. A person ceasing to be a member of the Tribunal or the Panel shall be eligible for reappointment as a member of that body.

Question that the provision in the Third schedule stand part of the bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the Chartered Institute of Public Administration of Nigeria and to Make Provisions, among Other Things, for Membership and Control of the Profession of Public Administration, and for Related Matters, 2021 and approved as follows:

Clauses 1-24

As Recommended

Schedules 1-3

As Recommended

 $\it Question:$ That the Senate do approve the Report of the Committee of the Whole — $\it Resolved$ in the $\it Affirmative.$

Motion made: That the Bill be now Read the Third Time (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

18. Nigerian Film Commission Bill, 2021 (HB. 324) — Concurrence:

Motion made: That a Bill for an Act to Repeal the Nigerian Film Corporation Act, Cap. N109, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Film Commission Act to Regulate and Develop the Film Industry in Nigeria; and for Related Matters, 2021 be read the Second Time (Senate Leader).

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Order 81, that the Senate do resolve into the Committee of the Whole to Consider a Bill for an Act to Repeal the Nigerian Film Corporation Act, Cap. N109, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Film Commission Act to Regulate and Develop the Film Industry in Nigeria; and for Related Matters, 2021 (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO REPEAL THE NIGERIAN FILM CORPORATION ACT, CAP. N109, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NIGERIAN FILM COMMISSION ACT TO REGULATE AND DEVELOP THE FILM INDUSTRY IN NIGERIA; AND FOR RELATED MATTERS, 2021.

PART I - ESTABLISHMENT OF NIGERIAN FILM COMMISSION, GOVERNING BOARD AND ITS MEMBERSHIP

Clause 1: Establishment of Nigerian Film Commission and its objects.

- (1) There is established the Nigerian Film Commission (in this Bill referred to as the "Commission").
- (2) The Commission:
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name; and
 - may acquire, hold or dispose of any property, movable or immovable in its corporate name, for the purpose of carrying out its functions under this Bill.

- (3) Objects of the Commission are to:
 - (a) develop and regulate a result oriented productivity Commission geared towards revenue generation that reduces total dependence on Government subvention;
 - (b) provide and create a framework for a viable sustainable growth and orderly development of a globally competitive.

 Nigerian film and video industry; and
 - (c) project and protect the rich cultural heritage and the values of the people of Nigeria by encouraging the production of high quality Nigerian films and videos for both domestic consumption and export.

That the provision in Clause 1 be retained (Senate Leader) — Agreed to.

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Establishment of the Board.

- (1) There is established a Governing Board for the Commission (in this Bill referred to as "the Board").
- (2) The Board shall consist of:
 - (a) a Chairman;
 - (b) three persons who, by reasons of their ability, experience or specialised knowledge of the film industry, business or professional attainment, are capable of making useful contributions to the work of the Commission;
 - (c) one representative of the Federal Ministry in charge of information and culture;
 - (d) two most senior Directors of the Commission; and
 - (e) the Director-General of the Commission.
- (3) All members of the Board shall be appointed by the President on the recommendation of the Minister, and members of the Board other than the Director-General and two Directors of the Commission shall be part-time members.
- (4) The Board:
 - (a) shall regulate its proceedings and make standing orders with respect to the holding of its meetings, notices to be given, the keeping of minutes of its proceedings and such other matters as the Board may determine;
 - (b) shall develop performance measurement criteria and targets for the Management;
 - (c) shall recommend the appointment, discipline and removal of the Director-General to the President through the supervising Minister;

- (d) shall approve financial and banking policies including borrowings for the Commission;
- (e) may approve appropriation in accordance with the Constitution and powers of the National Assembly;
- (f) may determine tariffs and charges for goods or services produced or rendered within the utilities charges limitations of the Commission:
- (g) may appoint, promote and discipline senior staff as may be recommended by the Management; and
- (h) may do such other things which in its opinion are necessary to ensure the efficient performance of the functions of the Commission.
- (5) Subject to the provisions of this Bill, a person appointed a member of the Board, not being an ex-officio member shall hold office for a term of three years from the date of his appointment and may be eligible for reappointment for another term of three years and no more.
- (6) A member may resign his appointment by a letter addressed to the Minister and his resignation takes effect on the date of receipt by the Minister.
- (7) The office of the Chairman or member of the Board becomes vacant where:
 - (a) he resigns his appointment by notice in writing under his hand addressed to the President;
 - (b) he becomes of unsound mind or incapable of discharging his duties;
 - (c) he becomes bankrupt or makes compromise with his creditors;
 - (d) he is found guilty of gross misconduct relating to his duties; and
 - (e) the President is satisfied that it is not in the interest of the Commission or public for the person appointed to continue in office.
- (8) Members of the Board are entitled to sitting allowances, travel expenses and such other benefits as may be determined by the appropriate authority.

Schedule.

(9) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board.

Committee's Recommendation:

That the provision in Clause 2 be retained (Senate Leader) — Agreed to.

Question that Clause 2 do stand part of the Bill, put and agreed to.

PART II - FUNCTIONS AND POWERS OF THE COMMISSION

Clause 3: Functions and Powers of the Commission.

- (1) The functions of the Commission are to:
 - initiate and implement national film policies and establish the framework for the growth and development of the film sector in collaboration with development partners;
 - (b) ensure that the guidelines and standards set by the appropriate agencies of government on the establishment of film and video infrastructure such as film schools, film villages, film production studios and film multi- media centres by the public and private sector are complied with;
 - (c) encourage the establishment of film production facilities such as studios, film villages and cinema theatres across the country in collaboration with Federal agencies, States, Local Governments and private investors;
 - (d) advise the Federal Government generally on regulatory and developmental matters relating to the film and video industry;
 - (e) manage, disburse and monitor the proper application of the National Film Development Fund and other government interventions and grants for the film sector;
 - (f) source for and provide grants from government and other sources to any person, organisation or institution for the development and promotion of the film and video industry;
 - (g) use lottery as a means of raising funds for the development of the film industry;
 - (h) maintain a database of persons, organisations, institutions, equipment facilities connected with the film and video industry;
 - (i) provide and encourage the provision of facilities for training and advancing the skills and talents of persons employed in the Nigerian film and video industry;
 - encourage, organise and participate in national and international film festivals, fairs, markets and similar activities to rebrand and enhance the exposure of Nigerian film and video industry;
 - (k) issue shooting licenses to foreign crew upon accreditation by the Ministry and intervene to resolve permit dispute in accordance with the guidelines;
 - (l) acquire, distribute and exhibit films of national interest for training and educational purposes; and
 - (m) perform such other functions that are necessary or expedient for the full performance of all or any of its function under this Bill.

- (2) The Commission shall have powers to:
 - (a) produce films for domestic and international consumption;
 - (b) establish a Directorate of Film Festival that is responsible for the organisation and sustenance of international film festival of Nigeria and participation in other international film festivals and markets;
 - (c) establish a National Film, Video and Sound Archive as a mandatory depository of all films and video related materials;
 - (d) establish the National Film Institute and Media Arts Studies (NAFIMAS) (in this Bill referred to as the "Institute"), which shall:
 - provide training and capacity building for the Nigerian Motion Picture Industry for the development of highly technical and professionally competent film practitioners;
 - (ii) award degrees, diplomas, certificates and other distinctions;
 - establish other teaching and research campuses and centers subject to the approval of the relevant government agencies; and
 - (iv) do all such acts or things, whether or not incidental to the powers as may advance the objects of the Institute;
 - (e) encourage professionalism in the motion picture industry by ensuring the proper take off of the body for the regulation of motion picture practices; and
 - (f) establish the National Film Development Fund (NFDF) (in this Bill referred to as "the Fund") for the development of the film and video industry and shall:
 - (i) be the repository of all government grants, funds and financial incentives to the film and video industry as well as monies, donations and grants from other sources as may be received on behalf of the Fund and shall be administered by a Committee set up by the Commission;
 - (ii) have a Committee headed by a Chairman appointed by the Commission, who shall be a person with experience and specialised knowledge in any of the trades of the film and video industry, business or professional attainment capable of contribution to the Fund; and
 - (iii) be made up of two representatives from the Commission, and one each from the Federal Ministry of Information, and Motion Picture of Nigeria (MOPICON) and two members representing the Guilds and Associations.

(3) The National Film Development Fund (NFDF) Committee shall recommend projects to be funded from the Fund.

Committee's Recommendation:

That the provision in Clause 3 be retained (Senate Leader) — Agreed to.

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Powers of the Minister.

The Minister may, after consultation with the Commission, give to the Commission directions of a general character as to the performance by the Commission of its functions in relation to matters appearing to the Minister to affect the public interest.

Committee's Recommendation:

That the provision in Clause 4 be retained (Senate Leader) — Agreed to.

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: Appointment of Director-General and Other Staff of the Commission.

- (1) The President shall, on the recommendation of the Minister in charge of information and culture matters appoint for the Commission a Director-General who shall:
 - (a) be the chief executive and accounting officer of the Commission;
 - (b) be responsible for the administration of the Commission; and
 - (c) hold office for a term of four years and may be re-appointed for another term of four years and no more.
- (2) The Commission, shall:
 - (a) employ such number of employees as may, in its opinion, be expedient and necessary for the proper and efficient performance of its functions;
 - (b) determine the terms and conditions of service, including disciplinary measures on the employees of the Commission; and
 - (c) fix a competitive remuneration, allowances and benefits for its employees.
- (3) The Board may delegate to the Director-General, generally or specifically, the power to appoint such categories of staff of the Commission as the Commission may specify.
- (4) There shall be a Secretary to the Commission appointed by the Board who shall also be the Legal Adviser to the Commission.

Committee's Recommendation:

That the provision in Clause 5 be retained (Senate Leader) — Agreed to.

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6: Appointment of Secretary and Heads of Departments.

- (1) The Secretary shall be a legal practitioner of not less than ten years post call cognate experience.
- (2) The Secretary shall:
 - (a) have custody of the Commission's seal;
 - (b) keep the records and conduct the correspondences of the Board;
 - (c) render legal advisory services to the Commission; and
 - (d) perform such other functions as the Board may direct.
- (3) The Commission shall appoint Heads of various Departments who shall, together with the Director-General, form the Management of the Commission.
- (4) The Commission may appoint such other staff as may be required for the purposes of the efficient performance of the functions conferred on the Commission.

Committee's Recommendation:

That the provision in Clause 6 be retained (Senate Leader) — Agreed to.

Question that Clause 6 do stand part of the Bill, put and agreed to.

PART III - FINANCIAL PROVISIONS

Clause 7: Funds of the Commission.

- (1) The Commission shall establish and maintain a fund (in this Bill referred to as "the Fund") into which shall be paid:
 - (a) such sums as may be provided to it by the Government of the Federation;
 - (b) such sum as may be lent to it by any person;
 - (c) 1% of proceeds from value added tax (VAT) on film and entertainment related activities and services;
 - (d) fees from the licensing of foreign production companies, and from the issuance of permits to foreign crews;
 - (e) fees from the issuance of import permits to any importer of film equipment, film facilities, films and video works;
 - (f) 2% of revenue from levy charged on admission tickets for film screenings, rentals and sale of local and foreign films;
 - (g) money paid to the Commission by users of its services;
 - (h) donations, contributions and endowments;
 - (i) grants to the Commission, including contributions from philanthropic organisations and development partners;

- (i) income from investments;
- (k) 1% of the proceeds from licences of the National Lottery Commission of Nigeria; and
- (l) such revenue generated by the Commission through the performance of its functions.
- (2) Funds of the National Film Development Fund shall be:
 - (a) a take-off grant for the establishment of the fund and sustainable funding interventions by the Federal Government;
 - (b) 10 % revenue generated by the Commission on film related activities:
 - (c) 10% of all the levies collected by the National Film and Video Censors Board from licensing of distributors and exhibitors of film works;
 - (d) development support loans from international finance and investment institutions and special development agencies in Nigeria;
 - (e) grants and endowments from foreign and local donors, foundations, agencies, multi-national companies and conglomerates; and local councils; and
 - (f) any other source that may be identified by the Fund.

That the provision in Clause 7 be retained (Senate Leader) — Agreed to.

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: Expenditure of the Commission.

The Commission may apply the proceeds of the Fund established under section 7 (1):

- (a) to the cost of administration of the Commission;
- (b) for the execution of approved capital projects of the Commission;
- (c) for reimbursing members and staff of the Commission or any Committee set up by the Commission and in accordance with the rates approved on behalf of the Commission;
- (d) to the payment of fees, salaries and other remuneration, allowances, pensions and other retirement benefits payable to the employees of the Commission; and
- (e) for the maintenance of the Commission's property.

Committee's Recommendation:

That the provision in Clause 8 be retained (Senate Leader) — Agreed to.

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: Power to Accept Gifts.

- (1) The Commission may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Commission shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the objects of the Commission.

Committee's Recommendation:

That the provision in Clause 9 be retained (Senate Leader) - Agreed to.

Question that Clause 9 do stand part of the Bill, put and agreed to.

Clause 10: Borrowing Power.

The borrowing power of the Commission is subject to the financial regulations that may be given by the relevant government agencies.

Committee's Recommendation:

That the provision in Clause 10 be retained (Senate Leader) — Agreed to.

Question that Clause 10 do stand part of the Bill, put and agreed to.

Clause 11: Annual Estimates, Account and Audit

- (1) The Commission shall submit its audited annual account within three months of the end of the financial year to the Supervising Ministry and Auditor-General of the Federation.
- (2) The Commission shall keep proper accounts and records and shall prepare, in respect of each financial year, a statement of accounts in such form as the Minister may direct.
- (3) The accounts of the Commission shall be audited at the end of each financial year by auditors appointed by the Commission in accordance with the guidelines supplied by the Auditor-General for the Federation and the fees of the auditors and the expenses of the audit generally shall be paid from the funds of the Commission.

Committee's Recommendation:

That the provision in Clause 11 be retained (Senate Leader) — Agreed to.

Question that Clause 11 do stand part of the Bill, put and agreed to.

Clause 12: Annual Report.

The Commission shall, not later than 30th of June in each year, submit to the Minister a report on the activities of the Commission during the immediately preceding year and shall include, in such report, the audited accounts of the Commission.

Committee's Recommendation:

That the provision in Clause 12 be retained (Senate Leader) — Agreed to.

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Staff Regulations and Pension. Act No. 4, 2014.

- (1) Service in the Commission shall be pensionable under the Pension Reform Act and employees of the Commission are, in respect of their service, entitled to pension and other retirement benefits.
- (2) Nothing in subsection (1) prevents the appointment of a person to any office on terms which preclude the grant of pension in respect of that office.
- (3) The Commission may, with the approval of the Board, make staff regulations relating generally to the conditions of service of the employees of the Commission and such regulations may provide for the appointment, promotion and disciplinary control of the employees of the Commission and appeals by such employees against dismissal or other disciplinary measures;
- (4) Staff regulations made under subsection (3) shall not have effect until they are approved by the Board and the Commission shall cause them to be brought to the notice of all affected persons in such manner as it may determine.

Committee's Recommendation:

That the provision in Clause 13 be retained (Senate Leader) — Agreed to.

Question that Clause 13 do stand part of the Bill, put and agreed to.

Clause 14: Regulations.

The Commission, may, with the approval of the Board, make regulations and guidelines generally for the purpose of giving effect to the provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 14 be retained (Senate Leader) — Agreed to.

Question that Clause 14 do stand part of the Bill, put and agreed to.

Clause 15: Legal proceedings.

- (1) No suit against the Commission or a member of staff of the Commission for any act done in pursuance or execution of any enactment, law, or any public duty of the Commission, or in respect of alleged neglect or default in the execution of enactment or law, shall lie or be instituted in any court unless it is commenced within 12 months of the neglect or default complained of and, in the case of a continuance of damage or injury, within 12 months next after the ceasing thereof.
- (2) No suit shall be commenced against the Commission before the expiration of a period of one month after a written notice of intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent.
- (3) The notice referred to in subsection (2) shall clearly state the:
 - (a) cause of action;
 - (b) particulars of the claim;

- (c) name and place of abode of the intending plaintiff; and
- (d) relief which the plaintiff claims.

That the provision in Clause 15 be retained (Senate Leader) — Agreed to.

Question that Clause 15 do stand part of the Bill, put and agreed to.

Clause 16: Service of Documents.

The notice referred to in section 14 and any summons or other documents required or authorised to be served on the Commission under the provisions or any other enactment or law may be served by:

- (a) delivering the same to the Director-General of the Commission; or
- (b) sending it through registered post addressed to the Director at the Head office of the Commission.

Committee's Recommendation:

That the provision in Clause 16 be retained (Senate Leader) - Agreed to.

Question that Clause 16 do stand part of the Bill, put and agreed to.

PART IV - MISCELLANEOUS PROVISIONS

Clause 17: Offences and Penalties.

- (1) A person who contravenes a provision of this Bill for which no specific penalty is imposed under this Bill, commits an offence and is liable on conviction to a fine of at least ₩500,000.00 or imprisonment for a term of one year or both.
- A person who aids or abets the commission of any offence under this Bill commits an offence and is liable on conviction to a fine of ₹1,000,000.00 or imprisonment for a term of two years or both.
- (3) In the case of a corporate body, where an offence is proved to have been committed with the consent or connivance of, or to be attributed to any neglect on the part of, a director, manager, secretary, or any person who was purporting to act in any such capacity, the person as well as the corporate body, after investigations, are liable on conviction to:
 - in the case of a the corporate body, a fine of ₩1,000,000.00;
 - (b) in the case of an individual, a fine of ₹1,000,000.00 or imprisonment for a term of two years or both.
- (4) A foreign production company or an individual that carries out shooting activities in Nigeria without obtaining a shooting licence from the Commission, commits an offence and is liable on conviction to:
 - (a) in the case of the foreign production company, a fine of ₹2,000,000.00; and
 - (b) in the case of an individual, a fine of ₹2,000,000.00 or imprisonment for a term of four years or both.

- (5) A Nigerian company or individual who aids or collaborates with any foreign production company to carry out shooting activities in Nigeria without securing a shooting licence from the Commission commits an offence and is liable on conviction to:
 - (a) in the case of a company, a fine of ₹1,000,000.00; and
 - (b) in the case of an individual, a fine of ₹1,000,000.00 or imprisonment for a term of two years imprisonment.
- (6) A film school, film village, production studio and festival held or established in Nigeria without following the necessary guidelines or set standards provided by the Commission and obtaining the license or registration with the Commission, commits an offence and is liable on conviction to a fine of ₹2,000,000.00.
- (7) A person who contravenes the rules and regulations set out by the National Film Policy for the development of film in Nigeria, commits an offence and is liable on conviction to a fine of ₹1,000,000.00 or imprisonment for a term of one year.
- (8) A person who neglects or refuses to follow the rules and regulations in respect of acquisition, preservation and usage of the materials in all audiovisual archives in Nigeria without maintaining a database of these materials, commits an offence under this Bill.
- (9) The Commission shall have power to prosecute any of the offences created by and defend actions arising from carrying out the provisions of this Bill, subject to the powers of the Attorney-General.

That the provision in Clause 17 be retained (Senate Leader) - Agreed to.

Question that Clause 17 do stand part of the Bill, put and agreed to.

Clause 18: Repeal and Savings.

- (1) The Nigerian Film Corporation Act Cap. N109, Laws of the Federation of Nigeria, 2004 is repealed.
- (2) From the commencement of this Bill, all assets, funds, resources and other movable or immovable property which immediately before the commencement of this Bill were vested in the Nigerian Film Corporation by virtue of this Bill, shall be vested in the Commission.
- (3) From the commencement of this Bill, all rights, interests, obligations and liabilities of the Corporation existing immediately before the commencement of this Bill, shall, by virtue of this Bill, be assigned to and vested in the Commission.
- (4) A person in the employment of the Corporation immediately before the commencement of this Bill is deemed to be an employee of the Commission under this Bill.

Committee's Recommendation:

That the provision in Clause 18 be retained (Senate Leader) — Agreed to.

Question that Clause 18 do stand part of the Bill, put and agreed to.

Clause 19:

Interpretation.

In this Bill:

"Board" means the Governing Board established under section 2 (1) of this Bill;

"Chairman" means the Chairman of the Commission appointed under section 2 (2) (a) of this Bill;

"Commission" means the Nigerian Film Commission established under section 1 (1) of this Bill;

"Director-General" means the Director-General of the Commission appointed under section 5 (1) of this Bill;

"ex-officio" means members of the Board appointed by virtue of their positions in the Commission;

"film and video" includes all media of projected images, notwithstanding whether the medium of projection is the small screen (video) or the large screen of the cinema (celluloid);

"film and video industry" means all trades, practices, specialisation, branches, disciplines concerned with the film and video including all aspects of production, distribution, exhibition, instruction, documentation and research;

"member" means a member of the Board including the Chairman;

"Minister" means the Federal Minister in charge of information and culture matters;

"Ministry" means the Federal Ministry in charge of information and culture matters;

"practitioner" means anyone who practises any of the trades or specialisations in any of the branches of the motion picture industry and registered with any guild or association; and

"Supervising Ministry" means the Ministry in charge of information and culture matters under section 11 (1).

Committee's Recommendation:

That the provision in Clause 19 be retained (Senate Leader) — Agreed to.

Question that Clause 19 do stand part of the Bill, put and agreed to.

Clause 20: Citation.

This Bill may be cited as the Nigerian Film Commission Bill, 2021.

Committee's Recommendation:

That the provision in Clause 20 be retained (Senate Leader) — Agreed to.

Question that Clause 20 do stand part of the Bill, put and agreed to.

SCHEDULE

Section 2 (9)

SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

Proceedings of the Commission

- 1. (1) Subject to this Bill and section 27 of Interpretation Act, the Commission may make standing orders regulating its proceedings or those of any of its committees.
 - (2) The quorum of the Commission shall be the Chairman or the person presiding at the meeting and three other members of the Commission and the quorum of any committee of the Commission shall be determined by the Commission.

Meetings

- 2. (1) The Commission shall meet not less than four times in each year and subject thereto, the Commission shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice given to him by not less than three other members, he shall summon a meeting of the Commission to be held within 28 days from the date on which the notice is given.
 - (2) The Chairman shall preside over any meeting of the Commission, but if he is absent, the members present shall appoint one of them to preside at that meeting.
 - (3) Where the Commission desires to obtain the advice of any person on a particular matter, the Commission may co-opt him for such period as it deems fit, but a person who is in attendance by virtue of this subparagraph shall not be entitled to vote at any meeting of the Commission and shall not count towards a quorum.

Committees

- 3. (1) The Commission may appoint one or more committees to carry out, on behalf of the Commission, such functions as the Commission may determine.
 - (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Commission and a person shall hold office in the Committee in accordance with the terms of his appointment.
 - (3) A decision of a committee shall be of no effect until it is confirmed by the Commission.

Miscellaneous

- 4. (1) The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman, Director-General or any other person authorised generally or specifically by the Commission to act for that purpose.
 - (2) Any document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
 - (3) The validity of any proceeding of the Commission or of a Committee shall not be adversely affected by:
 - (a) a vacancy in the membership of the Commission or committee;

- (b) a defect in the appointment of a member of the Commission or committee; or
- (c) the reason that a person not entitled to do so took part in the proceedings of the Commission or committee.

Question that the First Schedule stand part of the bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Repeal the Nigerian Film Corporation Act, Cap. N109, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Film Commission Act to Regulate and Develop the Film Industry in Nigeria; and for Related Matters, 2021 and approved as follows:

Clauses 1-20

As Recommended

Schedule

As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — Resolved in the Affirmative.

Motion made: That the Bill be now Read the Third Time (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

19. Federal College of Education (Special) Birnin-Kudu (Establishment) Bill, 2021 (HB. 169) — Concurrence:

Motion made: That a Bill for an Act to Establish the Federal College of Education (Special), Birnin-Kudu, Jigawa State, to Provide Full-time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management and for Related Matters, 2021 be read the Second Time (Senate Leader).

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Order 81, that the Senate do resolve into the Committee of the Whole to Consider a Bill for an Act to Establish the Federal College of Education (Special), Birnin-kudu, Jigawa State, to Provide Full-time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management and for Related Matters, 2021 (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF EDUCATION (SPECIAL), BIRNIN-KUDU, JIGAWA STATE, TO PROVIDE FULL-TIME COURSES, TEACHING INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT AND FOR RELATED MATTERS, 2021

Clause 1: Establishment of Federal College of Education (Special), Birnin Kudu, Jigawa State.

- (1) There is established the Federal College of Education (Special), Birnin Kudu (herein after referred to as "the College").
- (2) The College shall be a body corporate with perpetual succession and common seal and shall have power to acquire and dispose of interest in movable and immovable property.
- (3) The College may sue and be used in its corporate name.
- (4) Objectives of the college shall be -
 - encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction of the Opportunity of acquiring higher and liberal education;
 - (b) provide special courses of instruction and other facilities for the pursuit of learning in all its branches, and to make those facilities available on proper terms to such persons as are equipped to benefit from them.

Committee's Recommendation:

That the provision in Clause 1 be retained (Senate Leader).

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Governing Council of the College.

- (1) The governance and direction of the College affairs shall rest in the governing council of the college (in the Bill referred to as "the Council").
- (2) The Council shall have the responsibility to consider and approve:—
 - (a) the programme of studies to be undertaken in the College;
 - (b) the annual estimate of the College; and
 - (c) the investment plan of the College.
- (3) The provision of the schedule of this Bill shall have effect with respect to the Council as mentioned herewith.

Committee's Recommendation:

That the provision in Clause 2 be retained (Senate Leader).

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Membership of the Council in the College.

The Council of the College shall consist of:-

- (a) a Chairman and other members to be appointed by the President;
- (b) a representative of the Federal Ministry of Education;
- (c) a representative of the University of which the college is affiliated to for the purpose of moderation;

- (d) two representatives of the academic board of the college;
- (e) a representative of the National Commission for the Colleges of Education; and
- (f) the provost of the college.

That the provision in Clause 3 be retained (Senate Leader).

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Tenure of members of the College.

- (1) A member of the Council (other than the ex-official members) shall hold office for the term of four years and subject to the provision of sub-section (2) of this section shall be eligible for re-appointment for a further period of four years and no more.
- (2) The office of a member appointed under section 3 of this bill shall become vacant if:—
 - (a) the member resigns in office by notice of writing under his hand addressed to the Minister; or
 - (b) the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and notifies the member in writing to that effect.

Committee's Recommendation:

That the provision in Clause 4 be retained (Senate Leader).

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: Powers of the Council.

The Council of the College shall have power to:

- hold examinations and grant Degrees, NCE, Diplomas, professional Certificates and other distinction to persons, who have pursed courses of study approved and accredited by the National Commission for Colleges of Education (NCCE);
- (b) hold examination in education for qualified teachers:
- (c) recruit staff and determine structure of such staff;
- (d) demand and receive from any student or any other person attending the college for the purpose of construction such fees as the Council may with the prior approval of the Minister, from time to time determine;
- (e) hold public lectures and undertake printing, publishing and book selling;
- (f) award fellowship, medals, prize, prizes and other titles;
- (g) establish and maintain such schools and other teaching units with the college or extra moral department as the councils may time to time determine;

- (h) erect, provide, equip, and maintain such educational recreational and residential facilities as the College may require;
- (i) create lectureship and other academic post and offices and to make appointment thereof;
- (j) receive grants and give gifts;
- (k) enter into such contracts as may be necessary or expedients for carrying into effect the objectives of the college;
- (l) provide amenities for and make such other provision for the welfare of the staff and students of the college;
- (m) encourage and make provision for research in the college;
- (n) do such acts and things whether or not incident to the foregoing powers as may advance the objects of the college.

That the provision in Clause 5 be retained (Senate Leader).

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6: The Visitor.

- (1) The Minster responsible for Education shall be the visitor of the College;
- (2) The visitor shall, not less than once in every five year conduct a Visitation to the college or appoint a visitation panels consist of not less than five experts to conduct the visitation:—
 - (a) for the purpose of evaluating the academic and administrative performance of the college; or
 - (b) for such other purpose as the visitors may deem fit.

Committee's Recommendation:

That the provision in Clause 6 be retained (Senate Leader).

Question that Clause 6 do stand part of the Bill, put and agreed to.

Clause 7: The academic board and its function.

- (1) There shall be established for the College a Board to be known as the academic Board which shall consist of the following members:—
 - (a) the College, shall consist of the Chairman;
 - (b) all heads of departments;
 - (c) the College librarian; and
 - (d) not more than three members of the Academic staff other than the heads of department to be appointed by the council.
- (2) The Academic Board shall be responsible for:—
 - (a) the Direction and management of academic and academic matters of the college including the regulation of admission of

student, the award of certificate scholarship, prize and other academic distinction;

(b) discharging other functions which the council may from time to time delegate to it.

Committee's Recommendation:

That the provision in Clause 7 be retained (Senate Leader).

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: Power of the Minister.

The Minister may give to the directions of the general character or relating generally to matters with regard to the exercise by the council of its functions and it shall be the duty of the council to comply with such directions.

Committee's Recommendation:

That the provision in Clause 8 be retained (Senate Leader).

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: The Provost of the College.

- (1) There shall be a provost for the College (therein referred to as the provost') who shall be appointed by the president on the recommendation of the Minister.
- Where a vacancy occurs in the post of the provost, the council shall advertise the vacancy in reputable widely read newspaper in Nigeria specifying:—
 - (i) the qualities of the person who may apply for the post,
 - (ii) the terms and conditions of the service applicable to the post and thereafter draw up a short list of suitable candidates for consideration of the Minister.
- (3) The President shall appoint a provost from one of the candidates recommended by the Minister.
- (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.
- (5) The provost shall hold offices for a period of five (5) years only and on such terms and conditions as may be specified in his letter of Appointment.

Committee's Recommendation:

That the provision in Clause 9 be retained (Senate Leader).

Question that Clause 9 do stand part of the Bill, put and agreed to.

Clause 10: Deputy provost.

- (1) There shall be for the College two Deputy Provosts namely:—
 - (a) Deputy Provost (Academic) and

- (b) the Deputy provost (administration).
- (2) The council shall appoint the deputy provost from among the chief Lecturers in the college in any of the following way, that is:—
 - (a) from a list of five candidates in order of preference, submitted by the provost;
 - (b) on the recommendation of selection Board constituted for their purpose; or
 - (c) on the nomination of the provost.
- (3) The selection Board referred to in subsection 2 (b) of this section shall consist of:—
 - (i) the Chairman of the council;
 - (ii) the Provost of the college;
 - (iii) two members of the Academic board; and
 - (iv) two members of the council not being members of the academic board.
- (4) (a) The Deputy Provost (Academic) shall:—
 - (i) assist the provost in the performance of his function in academic matters of the college;
 - (ii) acts as the provost when the post of the provost is vacant or if the Provost is for reasons absent or unable to perform his function.
 - (b) The Deputy Provost (administration) shall perform such others function as the provost or the council may from time to time assign to him.
- (5) Each of the deputy provost shall hold offices for a period of two years no more.

That the provision in Clause 10 be retained (Senate Leader).

Question that Clause 10 do stand part of the Bill, put and agreed to.

Clause 11: The Registrar and other Staff of the College.

- (1) There shall be a Registrar for the College to be appointed by the council.
- (2) The Registrar shall keep the records and conduct the correspondence of the council.
- (3) The Registrar shall be the secretary to:—
 - (a) the Council;
 - (b) the Academic Board of the Council;
 - (c) any committee of the Council.

- (4) The Registrar may perform any duty as may be assigned to him by the councilor the provost.
- (5) The Registrar shall hold office for a period of five years and no more.

That the provision in Clause 11 be retained (Senate Leader).

Question that Clause 11 do stand part of the Bill, put and agreed to.

Clause 12: Other Principal Officers of the College.

- (1) There shall be for the college in addition to the Registrar:—
 - (a) the Bursar; and
 - (b) the College Librarian who shall be appointed by the Council.
- (2) The Bursar shall be the chief financial officer of the College and be responsible to the provost for the day-to-day administration and control of the financial affairs of the college.
- (3) The College Librarians shall be responsible to the provost for the administration of the College library and the coordinator of the library services in the teaching units of the college.
- (4) The Bursar and the College librarian shall each hold office for a period of five years and no more.

Committee's Recommendation:

That the provision in Clause 12 be retained (Senate Leader).

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Resignation of appointment of Principal Officer.

A Principal Officer of the College may resign his appointment:—

- (a) in case of the provost by notice to the visitor for; and
- (b) in any other case by advise to the Council.

Committee's Recommendation:

That the provision in Clause 13 be retained (Senate Leader).

Question that Clause 13 do stand part of the Bill, put and agreed to,

Clause 14: Other employees of the College.

- (1) The council may appoint other persons to be employees of the College as the council may deem to assist the provost and the principal officers in the performance of their functions.
- (2) The remuneration, tenure of office and condition of services of the employee of the college shall be determined by the council in conjunction with the Federal Civil Service Commission.

Committee's Recommendation:

That the provision in Clause 14 be retained (Senate Leader).

Question that Clause 14 do stand part of the Bill, put and agreed to.

Clause 15: Pensions.

Service in the College shall be approved services for the purpose of the Pension Reform Act and accordingly, officers and other persons employed in the College shall be entitled to pension, gratuity and other retirement benefits as may be prescribed in their respect letters of appointment.

Committee's Recommendation:

That the provision in Clause 15 be retained (Senate Leader).

Question that Clause 15 do stand part of the Bill, put and agreed to.

Clause 16: Selection Board for other Principal Officers.

- (1) There shall be selection Board for the College which shall consist of:—
 - (a) the Chairman of the Council;
 - (b) the Provost;
 - (c) four members of the Council not being members of the academics Board; and
 - (d) two members of the Academic Board.
- (2) The functions, procedure and other matters relating to the selection Board constituted under subsection (1) of this section shall be determined from time to time by the council.

Committee's Recommendation:

That the provision in Clause 16 be retained (Senate Leader).

Question that Clause 16 do stand part of the Bill, put and agreed to.

Clause 17: Fund of the College.

- (1) The College shall establish and maintain a fund which shall be applied towards the promotion of the objectives of this Bill.
- (2) There shall be paid and credited to the fund established under subsection (1) of this section:—
 - such sums as may from time to time be granted by the Federal Government through the National Commission for Colleges of Education;
 - (b) all monies raised by the council by way of gift, grants in aid or test monetary disposition; and
 - (c) all subscription fees and charges for services rendered by the council and all other sums that may accrue to the council from any sources.
- (3) The council shall submit to the Minster, through the National Commission for Colleges of Education not later than three months before the end of each financial year or at such other time as he may direct an estimate of its revenue and expenditure for the next succeeding financial year.

That the provision in Clause 17 be retained (Senate Leader).

Question that Clause 17 do stand part of the Bill, put and agreed to.

Clause 18: Power to accept gifts.

- (1) The College may accept gifts or loan, money or of other property upon such terms and condition, of any as may be specified by the person making the gifts.
- (2) The College shall not accept any gift if the conditioned attached to the gifts are inconsistent with the functions of the College.

Committee's Recommendation:

That the provision in Clause 18 be retained (Senate Leader).

Question that Clause 18 do stand part of the Bill, put and agreed to.

Clause 19: Account and Audit.

The College shall keep proper accounts of its allocations, payments, assets and liabilities and shall in respect of each year cause the account to be audited.

Committee's Recommendation:

That the provision in Clause 19 be retained (Senate Leader).

Question that Clause 19 do stand part of the Bill, put and agreed to.

Clause 20: Annual reports.

The Council shall as soon as may be after the expiration of each Financials year, prepare and submit to the Minister report of its activities during the immediate proceeding financial year and shall include in the report a copy of the audited accounts of the college for that year and of the auditor's report of the accounts.

Committee's Recommendation:

That the provision in Clause 20 be retained (Senate Leader).

Question that Clause 20 do stand part of the Bill, put and agreed to.

Clause 21: Interpretation.

In this Bill:--

"Chairman" means the Chairman of the Council;

"College" means the Federal College of Education (Special), Birnin Kudu established under Section (1) of this Bill;

"Council" means the governing Council of the College established under section 2 of this Bill;

"Function" includes power and duties;

"Minister" means the Minister charged with responsibility of Education;

"Member" means a member of the council including the chairman;

"Provost" means the provost of the college established under section 10 of this Bill.

That the provision in Clause 21 be retained (Senate Leader).

Question that Clause 21 do stand part of the Bill, put and agreed to.

Clause 22: Citation.

This Bill may be cited as the Federal College of Education (Special), Birnin Kudu (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 22 be retained (Senate Leader).

Question that Clause 22 do stand part of the Bill, put and agreed to.

SCHEDULE

SECTION 2 (3)

SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

Terms of Service

- 1. There may be paid to the members of the council or any Committee, other than exofficio members, such remuneration and allowance may from time to time be determine by the president.
- 2. Where vacancy occurs in respect of the membership specified in section 3, it shall be filled by the appointment of a successor to hold office for the reminder of the term of office of his predecessor in office and such Successor shall represent the same interest as his predecessor.
- 3. The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member of the absence of a member.

Proceedings

- 4. (1) The Council shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than once every four months.
 - (2) The Chairman may at time and shall at the request in writing of not less than six members, convene a meeting of the Council.
 - (3) Where the council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.
 - (4) The Quorum of the Council shall be one of the total members of the council, at least one of whom shall be a member appointed by the President.
 - (5) Decision of the Council shall be made on approval by a simple Majority of members.

Miscellaneous

- 5. (1) The fixing of the seal of the college shall be authenticated by the Signatures of the Chairman, provost and of some other members of the council Authorized generally or specially by the council to act for that purpose.
 - (2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made executed on behalf of the college by any person generally or specially

authorized to act for that purpose by the council.

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

Question that the Schedule Stand part of the Bill-Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the Federal College of Education (Special), Birnin-kudu, Jigawa State, to Provide Full-time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management and for Related Matters, 2021 and approved as follows:

Clauses 1-22

As Recommended

Schedule 1

As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — Resolved in the Affirmative.

Motion made: That the Bill be now Read the Third Time (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

20. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 7th July, 2021 at 10:00 a.m. (Senate Leader).

Question put and agreed to.

Adjourned accordingly at 1:55 p.m.

Ahmad Ibrahim Lawan, Ph.D, CON

President,
Senate of the Federal Republic of Nigeria.

